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B.1. Mike Carroll, Senior Engineer, Orange County DPW

B.2. Dennis Lindsay, P.E. and Sean Hoffman, P.E., H2M Architects and Engineers

B.3. Ken Mackiewicz, P.E. and Carlitto Holt, P.E., Provident Design Engineering

B.4. Ralph E. Huddleston, Jr., CEA

B.5. William A. Canavan, PG, LSRP, HydroEnvironmental Solutions

B.6. Lee Zimmer, NYS Department of Transportation

B.7. Katie Worthington, President/CEO, Winter Haven Chamber of Commerce

B.8. Erik Collier, Chairman, ACE Mentor Program

B.9. Town of Goshen Environmental Review Board

B.10. Martha Bogart

B.11. Daniel Ortega

B.12. Paul Rubin

B.13. James O'Donnell, Orange County Legislator-Elect

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B.15. Concerned Citizens for the Hudson Valley

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B.206. Joseph J. Minuta, Minuta Architecture

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B.224. Laura Bryson

B.225. Sandra Rothenberger

B.226. Debra Corr

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS

Christopher R. Viebrock, P.E.
Commissioner

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December 1, 2016

Kelly M. Naughton
Burke, Miele, & Golden, LLP
Town of Goshen Planning Board Attorney
PO Box 216
Goshen, New York 10924

Re: Town of Goshen
Zoning Law – Local Law No. 5 of 2016 - Amending the Town of Goshen Comprehensive Plan
Local Law No. 6 of 2016 – Amending Chapter 97 "Zoning" of the Town of Goshen to create a Commercial Recreation Overlay Zoning District to allow a commercial recreation facility within the Goshen NY

Dear Ms. Naughton:

This department has reviewed the above referenced Local Laws numbers 5 & 6 of 2016 and take no issue to either local law. Based on the referenced parcels, it appears that there is no traffic, drainage, or any other impact to any County Road or County owned property.

If in the future any of the referenced parcels were to be acquired by the County of Orange, we would request that any development of any of those parcels be submitted to our office for review and comment.

We thank you for cooperation in submitting the above referenced for review and comment to this office. No further review of the above is required by this office.

If you have any questions, please contact this office at your earliest convenience.

Very truly yours,

Mike Carroll
Senior Engineer

cc: Travis Ewald, Deputy Commissioner
Joseph E. Stankavage, P.E.

ORANGE COUNTY
DEPARTMENT OF PUBLIC WORKS

Christopher R. Viebrock, P.E.
Commissioner

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Via Email: knaughton@bmglawyers.com

December 1, 2016

Kelly M. Naughton
Burke, Miele, & Golden, LLP
Town of Goshen Planning Board Attorney
PO Box 216
Goshen, New York 10924

Re: DEIS for Legoland – New York
Commercial Recreation Facility
Harriman Drive
Goshen NY
Town of Goshen, SBL: 11-1-45,46,49.2,58; 15-1-59

Dear Ms. Naughton:

This department has reviewed the above-referenced documents for the referenced project. It appears to there is no traffic, drainage, or any other impact to any County Road or County Owned Property.

Therefore, no further review of this project will be required by Orange County Department of Public Works under Section 239 —f of General Municipal Law or Section 136 of the Highway Law. We thank you for cooperation in submitting the above referenced for review and comment to this office.

Very Truly Yours,

Mike Carroll
Senior Engineer

cc: Travis Ewald, Deputy Commissioner
Joseph E. Stankavage, P.E.

H2M architects + engineers

2 Executive Blvd., Suite 401
Suffern, NY 10901

tel 845.357.7238
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M E M O R A N D U M

TO: Lee Bergus, Chairman & Planning Board

FROM: Dennis G. Lindsay, PE, Town Engineer, &
Sean T. Hoffman, PE, Planning Board Consultant

SUBJECT: **Merlin Entertainments Group US Holdings, Inc./LEGOLAND New York**
Commercial Recreational Facility
Subdivision, Special Permit & Site Plan – **DEIS Review – Public Hearing**
File # 11-1-45 - 47, 49.2, 58, 60, 62 - 69 & 15-1-59[1]; Memo No. 83–16-042

DATE: May 18, 2017

CC: Douglas Bloomfield, Supervisor & Town Board; Neal Halloran, Building Inspector, Broderick Knoell, Highway Superintendent, Richard Golden, Esq., Kenneth Mackiewicz, PE, Traffic Consultant; Ralph E. Huddleston, Jr., Environmental Consultant; William Canavan, PG, LSRP & Dominic Cordisco (for Applicant)

* * * *

We have also commented on the site plan to the extent related to the environmental review. We anticipate further comment on plan details as the environmental review concludes and revised site plans are submitted incorporating your findings. Our comments have addressed the typical zoning and engineering issues assigned to us as Town Engineer; comments on traffic and environmental review have, for the most part, been left to other special Board consultants.

If you or the project sponsor requires any clarification on our comments, please advise.

In addition to the tabulated list below, we have identified the following matters as those you may wish to consider with the applicant so the plan will address these potentially significant environmental issues:

- *Access & Interconnectivity* - The Proposed Action includes two (2) access points from Harriman Drive in conformance with Local Law No. 6. Day/Hotel guests will access the site through a four (4) lane (2 entrance/2 exit) boulevard. Day guests will travel along the entrance boulevard approximately 4,100 linear feet and be directed into one (1) of six (6) Day Guest Parking Lots; Hotel guests will travel an additional 3,800 linear feet to Hotel Guest Parking Lot. Service/Administrative vehicles for employees and deliveries will access the site thorough a two (2) lane service road to access the back-of-house facilities including a partial ring road along the outside perimeter of the park.

  Local Law No. 6 requires access roads within a CR Facility to generally be interconnected. The current configuration creates essentially two (2) dead-ends requiring staff to travel around the site, via Harriman Drive, to access either the Day or Hotel Guest Parking Lots. In addition, the configuration requires emergency service organizations (ESO's) to utilize the entrance boulevard when responding to any calls for service within the Day or Hotel Guest Parking Lots. An interconnection between the service road and the Day and/or Hotel Guest Parking Lots should be evaluated particularly for emergency response.

- *Setbacks and Buffer Areas* – The Proposed Action will develop approximately 140-acres of the 522-acre Project Site. The plan shows the development area to be concentrated along Harriman Drive and the center of the site (north of the existing overhead electrical transmission lines and west of the NYS freshwater wetland) with undisturbed natural areas along the perimeter. This is generally consistent with the proposed Local Law No. 6 requirement to provide sufficient buffers and screening, including undisturbed natural areas, to adjoining residential uses. The DEIS estimates approximately 1,000 linear feet from the visitor parking lot to the Arcadia Hills subdivision and indicates this undeveloped area is not intended to be subject to any deed restrictions or conservation easements but rather mandatory setbacks would prevent those areas from being utilized for future park development (DEIS page 28). Along the westerly project boundary, the nearest structure appears to be approximately 400 linear feet, however the proposed entrance boulevard and retaining walls will be approximately 100 linear feet from the project boundary. In our opinion, topography and vegetation in the undeveloped portions of the Project Site, as shown on the plans, will be sufficient to buffer and screen the CR Facility as required. We suggest you consider the adoption of corresponding setbacks and limit clearing of vegetation (except dead or dying trees).

- *Water Supply* – The DEIS indicates potable water for the Proposed Action will be provided by the Village of Goshen public water system (DEIS page 57) and includes a copy of the Village of Goshen Board of Trustee's August 8, 2016 Resolution as well as an engineering analysis of current and projected water demands (DEIS Appendix E). The engineering analysis appended to the DEIS indicates the Village can "currently adequately provide the Legoland project with their anticipated water demand" however additional water sources will be needed for future Village buildout (paraphrased from engineering analysis). If development of additional water source(s) are unnecessary and to be developed by others at a later time, it appears a new Village well should not part of, or considered a benefit of the Proposed Action. Alternatively, if the applicant wishes to include the new well, additional groundwater testing will need to be submitted. We suggest you discuss this with Counsel.

Introduction – The following comments are formatted to correspond with the structure of the DEIS. We believe this makes it easier to follow and for tracking responses in the FEIS. We have attempted to limit our comments to those of a substantive nature. In some instances, we have noted inconsistencies. These are usually of small environmental consequence but are noted where they might lead to confusion or leave an unclear record of the underpinnings of the Board's ultimate findings.

Cover Sheet- No comments at this time.		
I: Executive Summary – Revisions or clarifications in either the Executive Summary or detail section will require review by the applicant for consistency.		
II: Project Description		
Comment No.	**Page/Fig.**	**Comment**
II-1	20	FEIS to acknowledge appraisals will be performed to establish fair market value of existing parcels owned by the Town prior to sale or transfer.
II-2	31	FEIS to acknowledge LLNY description as a "great benefit" is the Project Sponsor's opinion.
II-3	32	DEIS indicates two (2) wells to be donated to the Arcadia Hills Water District have yields of 46 and 37.5 GPM. Site plan and other portions of DEIS indicate dedication of Well 1 and 2 but not Well 3. We believe Well 1 has a lower yield than stated and Well 3 should be offered if possible due to the higher yield and proximity to existing water facilities.
III: Environmental Setting		
A Geology and Soils		
III.A-1	34	DEIS provides depth to groundwater for existing soils except Bath-Nassau. FEIS to provide groundwater depth (from Soil Survey or field observations).
III.A-2	Fig. III-3 & Fig. III-6	DEIS shows test pit depths of ± 20-feet; Cut & Fill Analysis indicates some cuts to exceed this depth (max. cut shown as ± 50-feet). FEIS to provide evaluation of test pit results and indicate if additional investigation is necessary in areas with cuts greater than 20-feet.
III.A-3	36	DEIS indicates total site disturbance of 140-acres. Plans should include Erosion & Sediment Control Plan identifying limits of disturbance and location of erosion control practices in accordance with NYSDEC General Permit requirements.
III.A-4	37	DEIS notes suitable soils will be reused onsite (i.e. utility trench backfill) and sound rock could be crushed and utilized as base material. It is recognized the reuse of existing materials will reduce overall impacts (i.e. number of truck trips, volume of material to be moved, etc.). FEIS to evaluate impacts from material stockpiles and/or rock crushing (i.e. noise, dust, etc.) and identify potential mitigations should these practices/operations be utilized onsite.
III.A-5	38	FEIS to confirm bedrock faults and fracture traces are outside the limits of disturbance and evaluate impacts of development.
III.A-6	38	DEIS notes site specific blasting protocol will be developed by the construction contractor. FEIS to provide general protocol procedures/requirements and acknowledge protocol will conform with federal, NYS and local regulations.

B: Topography		
III.B-1	39	DEIS indicates extensive precast concrete retaining walls along the site perimeter and interior. Site plans should indicate proposed wall elevations (i.e. top/bottom) and include general wall details. FEIS to acknowledge specific wall design will be performed by NYS licensed Professional Engineer and indicate what alternatives, if any, will be utilized if subsequent subsurface investigations impact wall design.
C: Surface Water Recourses		
III.C-1	40	DEIS notes the Project Sponsor met with representatives from NYSDEC and ACOE to confirm the wetland delineation and jurisdiction (i.e. jurisdictional determination) and indicates a map will be submitted to the Town. FEIS to include an update on the status of NYSDEC and ACOE review.
III.C-2	40	FEIS should discuss impacts to surface waters associated with of offsite improvement areas.
III.C-3	40	DEIS indicates the 100-year floodplain with the Otter Kill is onsite and there are no proposed encroachments into this area. FEIS to confirm no impacts or changes to downstream floodplain due to increased impervious area and/or changes in topography.
III.C-4	41	DEIS states no disturbance of NYSDEC wetlands. We note the proposed emergency access road will cross several culverts (site plan identifies as 48" and 24" RCP) adjacent to existing wetlands. FEIS should confirm existing culverts are sufficient clarify if grading for emergency access road will disturb wetlands.
III.C-5	42	DEIS states impacts from pesticides and chemicals is not anticipated due to water quality treatment of stormwater. FEIS should evaluate the ability of proposed stormwater practices to reduce impact from pesticides and chemicals.
III.C-6	42	DEIS indicates development of a SWPPP pursuant to NYSDEC regulations. FEIS to verify stormwater practice outlet will be stabilized to reduce any concentrated impact immediately downstream from the proposed point discharges.
D: Vegetation and Wildlife – No comments at this time.		
E: Groundwater/Water Supply		
Comment No.	**Page/Fig.**	**Comment**
III.E-1	55 Appendix D	DEIS indicates four (4) existing wells on project site (one (1) well serving the existing multi-family dwelling and three (3) wells from the previously proposed Lone Oak Subdivision). This is at variance with the LBG Well Location Map (Appendix D) showing several monitoring wells and the plans (showing wells along the entrance boulevard, within the day guest parking lot, near the hotel and south of the electrical transmission lines). FEIS to identify the wells to be abandoned; plans to include abandoned specification or detail.
III.E-2	55 Appendix D	DEIS indicates existing onsite well (Lone Oak) yields of 15-25 GPM (Well 1), 46 GPM (Well 2) and 37.5 GPM (Well 3) for a 132-dwelling unit proposal and references LBG Test Report (Appendix D). These well yields appear to be from a subsequent LBG letter report (10/6/99). FEIS to revise reference and include 1999 letter report as Appendix.

III.E-3	55	DEIS indicates four (4) Arcadia Hills wells are located on the "subject parcel"; FEIS to indicate wells are located on "Project Site". FEIS to address subsurface infrastructure, overhead power supply and access through the Project Site to operate and maintain existing/proposed infrastructure.
III.E-4	56	DEIS states OCGIS indicates no aquifers under project site. FEIS should clarify no "sand and gravel" aquifers and reference bedrock faults, fracture traces and bedrock contacts described in DEIS Chapter III.A.
III.E-5	56	DEIS indicates Arcadia Hills Water District is immediately east of the project site. FEIS should confirm portions of Project Site are *within* Arcadia Hills Water District.
III.E-6	56 Appendix E	DEIS indicates Village water system capacity of 1.8 MGD and average day demand of 655,178 GPD (0.65 MGD); Engineer's Report (Appendix E) indicates a permitted combined yield of 1.3 MGD and average daily treated/distributed of 0.65 MGD. FEIS to confirm the Village can produce 1.8 MGD but is permitted to withdraw 1.3 MGD.
III.E-7	56 Appendix E	DEIS indicates anticipated peak day demand of 888,400 GPD. This is consistent with the Engineer's Report (Appendix E). The report sums this peak day (0.88 MGD) with the estimated LLNY peak month average day (0.25 MGD) to obtain 1.14 MGD for comparison with the current Village permitted combined yield 1.3 MGD. FEIS should comment on actual peak day demands from other LEGOLAND parks rather than the peak month average day.
III.E-8	56	DEIS indicates the anticipated water demand for the Proposed Action is based on water demand from LEGOLAND Windsor. FEIS to evaluate additional attendance (DEIS indicates Windsor attendance of 2.2M/year; LLNY attendance to be 1.5-2.5M/year). FEIS to provide per capita estimates from LEGOLAND parks or industry standards to support average and peak day demand estimates. FEIS to address similarities between Windsor and LLNY in terms of water use for landscaping and aquarium.
III.E-9	56	DEIS estimates LLNY to have average water demand of 176,438 GPD and peak day demand of 255,394 GPD based on LEGOLAND Windsor. FEIS to include calculations indicating how these values were determined and evaluate variations in water usage for theme parks within and outside the United States.
III.E-10	57 Appendix E	DEIS indicates 12,680 feet of ductile iron watermain; Engineer's Report indicates 12,855 feet (4,325 + 8,530 feet); site plan indicates PVC watermain and should be revised.
III.E-11	57 Appendix E	DEIS indicates (DEIS pages 18, 57 & 117) water tank to be 30-feet tall; Engineer's Report and site plan indicate 36.5-feet (includes tank dome). FEIS to clarify.
III.E-12	57	DEIS indicates new Harriman Drive watermain will be owned and maintained by the Village of Goshen. FEIS to include confirmation from Village indicating potential watermain acceptance or a description of watermain ownership and maintenance should the Village decline the applicant's dedication offer. FEIS to confirm Project Sponsor will install, test and activate the new Harriman Drive watermain.
III.E-13	57	DEIS indicates possible onsite water treatment (pH and chlorine disinfection); FEIS to describe location for water treatment including any chemical storage and transfer locations.

III.E-14	58	DEIS indicates aboveground fuel storage; FEIS to identify specific locations and quantify total volume of onsite storage.
F: Wastewater Management		
III.F-1	59	DEIS indicates no existing wastewater infrastructure on Project Site. FEIS to confirm any existing manholes or sanitary sewers from the incomplete construction of the expanded subdivision (DEIS Page 22) will be disconnected and sealed to eliminate infiltration/inflow into the Arcadia Hills collection system.
III.F-2	59 Appendix E	Although sufficient capacity exists at the Village of Goshen WWTP to accommodate the Proposed Action, FEIS to include supporting information regarding use of LEGOLAND Windsor wastewater flow data. We note average wastewater flow (90,461 GPD) is approximately half of the average day water flow (176,438 GPD). FEIS to confirm approximately half of the water used on site will not be returned to the sewage collection system.
III.F-3	60 Appendix E	DEIS indicates the portion of existing Arcadia Hills force main within Harriman Drive common to LLNY and Arcadia Hills will be replaced (i.e. between the proposed wastewater pump station and existing receiving manhole approximately 800 linear feet east of South Street). DEIS states, should further investigation warrant, the remaining portion (i.e. between Arcadia Hills and the proposed wastewater pump station) will be replaced. FEIS should include the results of this investigation; we understand this remaining portion of the force main is reported to be prone to breaks.
III.F-4	60 Appendix E	Engineer's Report indicates LLNY will be an "out-of-district" user of the Village. Current Harriman Drive force main is owned and maintained by Arcadia Hills. FEIS to address ownership and maintenance responsibilities after construction. Specifically, Project Sponsor should indicate whether Arcadia Hills will maintain the portion of the force main utilized to convey wastewater to the Village.
III.F-5	-	Plans to include additional information (i.e. profiles, details, etc.) for new force main and identify if any additional structures (i.e. air release valves) are proposed within the Town's right-of-way for Harriman Drive. New force main should be located along the edge of Harriman Drive to the greatest extent possible to limit traffic and roadway impacts during maintenance and repair.
III.F-6	61	DEIS indicates sewage collection system odors are not anticipated however, if odors are detected charcoal filters will be installed at the wastewater pump station. FEIS to acknowledge the proposed pump station is downstream of the park and the installation of charcoal filters at this location will likely have little impact within the park.
III.F-7	61	DEIS indicated wastewater system improvements will provide a benefit to the Village. This appears at variance with DEIS (Page 60) indicating no upgrades to the Village WWTP or collection system are necessary/proposed. The FEIS should include an expanded discussion of potential wastewater benefits to the Village.
III.F-8	Appendix E	Engineer's Report describes a check valve and vault to connect the LLNY pump station and Arcadia Hills to the new force main. Plans should show the location and details for the vault. FEIS to include hydraulic calculation(s) confirming the new check valve will not impact operation of Arcadia Hills pump station and address responsibility for maintenance/repair should check valve

		disrupt service.
III.F-9	Appendix E	Engineer's Report indicates a 4.78-minute pump station cycle time during peak flow periods. The report should describe the effect on Arcadia Hills pump station operation and include pump curves similar to those provided for the proposed pump station with system curves for both conditions (i.e. LLNY pump station on/LLNY pump station off).
III.F-10	Appendix E	FEIS to confirm adequate cleaning velocity will be achieved in the force main under all anticipated operating conditions including low flow (winter).
G: Stormwater Management		
Comment No.	**Page/Fig.**	**Comment**
III.G-1	Appendix F	SWPPP references 2010 NYSDEC requirements. Confirm latest (2015) version of requirements will be utilized.
III.G-2	Appendix F	Study Point Peak flows (Table 7) should be revised for consistency with results from watershed model (SWPPP Appendix B, Page 3 of 606).
III.G-3	Appendix F	SWPPP to be revised to correspond with site plans. Specifically, Post-Development Drainage Area Mapping shows Drainage Areas A5-A9 with a drainage path and/or proposed storm drains inconsistent with the proposed grading.
III.G-4	Appendix F	SWPPP Appendix B, watershed model (Watershed B7) shows a bioretention area in line with a stormwater pond. Plans show bioretention area discharging to Study Point B while stormwater pond discharges to Study Point A. SWPPP to be revised to correspond with plans.
III.G-5	Appendix F	SWPPP to include sizing calculations for culverts under the proposed main entrance road.
III.G-6	Appendix F	SWPPP Appendix B watershed model uses a 48-hour storm event and a 24-hour rainfall depth. FEIS to confirm or revise for consistency.
III.G-7	Appendix F	Stormwater Dry Pond B7 appears to provide all quantity control. The model includes a summary of Post Development Study Point A and B; calculations regarding post development sub-watershed areas should be provided.
III.G-8	Appendix F	FEIS to confirm outlet discharge velocities are less than erosive velocity for proposed discharge conditions.
III.G-9	Appendix F	For projects larger than 50 acres with impervious cover greater than 25%, NYSDEC Stormwater Design Manual recommends a geomorphic assessment (Appendix J of the NYSDEC Stormwater Design Manual). FEIS to provide assessment or describe why analysis is not applicable.
III.G-10	Fig. III-12	The NYSDEC recommended maximum contributing drainage area for Underground Sand Filters and Bioretention areas is 2 and 5 acres respectively. FEIS to analyze and provide additional units or justification to increase contributory area.
III.G-11	Appendix F	The number of rows/chambers and filter bed area for the underground sand filters appears to be inconsistent between the SWPPP and plan. FEIS should revise.
III.G-12	Appendix F	FEIS to clarify which pretreatment practice is intended at each bioretention areas; detail(s) to be provided on the plans.
III.G-13	Appendix F	FEIS to include collection and conveyance (i.e. pipe sizing and swale) calculations.
III.G-14	Appendix F	FEIS to confirm proposed riparian buffers conform with NYSDEC Stormwater Design Manual (Section 5.3.2).
III.G-15	Appendix F	FEIS should provide table indicating impervious area in each watershed to facilitate subsequent review.

III.G-16	Appendix F	SWPPP Pond B7 report indicates discharge flowrate exceeds calculated channel protection flowrate. FEIS to revise.
III.G-17	Site Plan	Addition information indicting drainage of the proposed parking deck should be provided in FEIS or on revised site plans.
III.G-18	Site Plan	Storm System Layout plans to include collection system so model routing may be confirmed.
III.G-19	Appendix F	FEIS to confirm filtering systems are sized to temporarily store at least 75% of the Water Quality Volume prior to filtration.
III.G-20	Site Plan	FEIS to include details on Underground Sand Filtration.
H: Traffic – No comments at this time.		
I: Noise – No comments at this time.		
J: Utilities and Solid Waste Disposal		
III.J-1	102	FEIS to clarify project site includes several exiting Arcadia Hills well sites (DEIS page 6) and telecommunications tower which also have energy demands.
III.J-2	102 & 103	DEIS describes electric supply service crossing NYS Route 17 and connecting to pole on Harriman Drive. FEIS to indicate whether this is a service line and if any upgrades are necessary to provide electrical service to the site. This appears at variance with discussion regarding relocate of utility poles along Harriman Drive suggesting electrical service will be provided from Harriman Drive.
III.J-3	103	DEIS described potential electrical substation which is also shown on the plans. FEIS to confirm the substation is not included in the Proposed Action and is described/shown for information only.
III.J-4	103	FEIS to include “will serve” letters from electrical and natural gas utilities indicating their ability to provide service to the Proposed Action.
III.J-5	103	DEIS indicates natural gas is available along Harriman Drive. FEIS to address whether the project requires natural gas and, if so, include estimated demand and describe how natural gas will be delivered to the project site.
III.J-6	103	DEIS indicates emergency generators are proposed. FEIS to describe (i.e. location, number, approximate size and fuel). If diesel, verify delivery vehicle may access generator.
III.J-7	103	FEIS to describe compliance with Goshen Town Code requirement to install telephone, electrical distribution and electrical transmission lines of 138 kilovolts and less underground [§97-61].
III.J-8	103	DEIS provides waste generation estimates from LEGOLAND parks in Winter Haven, Florida and Carlsbad, California. DEIS previously utilized water demand and wastewater generation values from LEGOLAND Windsor due to seasonal nature and similar attendance estimates. FEIS to provide per capita estimates from LEGOLAND parks or industry standards to support waste generation estimates for the Proposed Action.
III.J-9	103	DEIS indicates all collected trash will be stored in buildings identified on the plans as “trash facility”. FEIS to describe any plans for vector control and confirm trash facility equipment has been included in noise analysis (i.e. compactor, fans, etc.)
III.J-10	103	DEIS indicates *all* LEGO bricks will be recycled. FEIS to clarify recycling pertains to and broken/damaged brick (rather than *all* bricks) and confirm recycling will be performed offsite.

III.J-11	104	DEIS provides an estimate of materials to be recycled based on values from LEGOLAND park in Winter Haven, Florida. DEIS previously utilized water demand and wastewater generation values from LEGOLAND Windsor due to seasonal nature and similar attendance estimates. FEIS to provide per capita estimates from LEGOLAND parks or industry standards to support recycling estimates for the Proposed Action.
III.J-12	104	DEIS indicates the applicant will engage in a sustainability program. FEIS to include additional information so the environmental impacts of this program (both positive and negative) may be evaluated.
III.J-13	105	DEIS identifies several landfill diversion measures undertaken at existing LEGOLAND parks. FEIS to indicate which measures, if any, will be included in the Proposed Action.
K: Land Use and Zoning		
III.K-1	106	DEIS describes overlay zoning districts for the Project Site. FEIS should include portion of Town Overlay Map graphically showing the limits of each overlay district.
III.K-2	106	Site plans to should show the required 150-foot setbacks in connection with Stream Corridor and Reservoir Watershed Overlay District.
III.K-3	107 Table II-1	DEIS indicates eight (8) parcels are currently owned by Town (DEIS pages 16, 107 & 165); Table II-1 and site plans indicate nine (9) parcels.
III.K-4	Fig. III-15	Existing land use figure should include land uses in Town/Village of Chester within one (1) mile of project site.
III.K-5	108	DEIS indicates a one (1) acre lot will be subdivided from the project site for the existing telecommunications facility. FEIS to confirm compliance with Town's bulk regulations for telecommunications facilities [§97-94B] and indicate if any variances are necessary.
III.K-6	109 Appendix B	FEIS to include revised version of Introductory Local Law No. 6 of 2016.
III.K-7	109	DEIS indicates Project Site consists of 521.86-acres; this is at variance of other instances indicating 521.95-acres (DEIS pages 1, 2 and 20).
III.K-8	109	DEIS indicates setbacks of 276 feet and 350 feet from Harriman Drive; these should be shown on the site plan.
III.K-9	111	DEIS indicates amendment to Comprehensive Plan Sections 3.3 and 3.5; FEIS to confirm proposed amendments to Comprehensive Plan Sections 1.2, 3.1 and 5.02 (C).
III.K-10	113	DEIS indicated light poles to be 20' - 30' along access drives and 30' - 40' in parking lots. Town Code [§97-48A(4)(d)] requires lighting to be on low poles 12-feet to 15-feet maximum. This should be reviewed with Counsel and Building Inspector to verify Code compliance.
III.K-11	Site Plan	Table of Zoning Regulations list "requirements subject to approval of Local Law No. 6 of 2016" and should be updated to correspondence with dimensions included in revised Local Law.
L: Community Services		
III.L-1	114	DEIS indicates 6 full time Town police officers; FEIS to confirm current staffing with 2017 budget and/or discussions with Police Chief.

III.L-2	115	FEIS to confirm Orange County Emergency Services Center is approximately three (3) miles from project site.
III.L-3	116	DEIS notes Project Site vehicular entrances will be controlled by a security booth. FEIS should provide information on staffing (will security booth be staffed continuously for hotel, guests, deliveries, etc.) and show the booth on the plan.
III.L-4	116	DEIS states last two (2) years of LEGOLAND Florida (Winter Haven) police reports were reviewed but only calls from a one (1) year period (9/14-9/15) were provide (326 calls). DEIS notes substantially lower call volume from LEGOLAND California (Carlsbad): thirty calls (30) for same period. FEIS should analyze calls to determine if any practices (i.e. video surveillance, size of security force, etc.) at Legoland California (Carlsbad) may be incorporated into the Proposed Action to mitigate impact(s) to local police.
III.L-5	116	FEIS to provide additional information regarding the number of calls for service at LEGOLAND Florida (Winter Haven) from both Polk County and Winter Haven police including an evaluation of the type of call (i.e. vandalism, false alarm, etc.).
III.L-6	116	Applicant anticipates approximately 27 calls for service per month (police) which is equivalent to approximately one (1) call per day. If possible, FEIS to provide additional data (type of call, time spent responding, outcome) to evaluate potential impact to local police departments.
III.L-7	117	FEIS to confirm ring road and internal driveways have been designed to accommodate existing GFD apparatus including ladder truck.
III.L-8	116 & 117	DEIS estimates potential calls for service for Emergency Service Organizations (ESO's) utilizing monthly averages from LEGOLAND Florida (Winter Haven). FEIS should evaluate whether variations in park attendance will affect the number of service calls. DEIS calculation of ambulance calls should be increased to 40 calls/year (238 calls/6 years = 39.6 calls/year).
III.L-9	118	FEIS to provide support for DEIS statement that no increased to Town court services are anticipated (comparisons to other LEGOLAND parks would be appropriate).
III.L-10	118	FEIS should define the features, size, etc. related to potential police substation and first aid facility and identify same on site plan.
III.L-11	118	DEIS described potential helicopter landing site which is also shown on the plans. FEIS to confirm the landing site is not included in the Proposed Action and is described/shown for information.
III.L-12	118	DEIS indicates each LEGOLAND park has site specific emergency evacuation plans which are not released publicly for security reasons. DEIS indicates the Project Sponsor will provide copies of the LEGOLAND Florida (Winter Haven) plan to local emergency responders as well as conduct emergency drills to refine evacuation, lockdown and other safety/security plans. We suggest, meeting with local emergency responders to incorporate their comments into the site plans (access, staging areas, etc.). Additionally, any action should include a requirement for at least annual meetings and training events with emergency responders.

M: Fiscal Impacts		
III.M-1	Table III-7	DEIS indicates arts, entertainment and recreation employees represent 1.4% of employment in Goshen; Table III-7 indicates 2.8%. Values in table to be reviewed and revised in FEIS.
III.M-2	121	FEIS to confirm the year 5 PILOT increases to $1.9M regardless of aquarium construction and total project investment. FEIS to confirm total guaranteed PILOT payment amount over 30 years.
III.M-3	124	DEIS indicates salary ranges for anticipated job categories may be provided to Town and consultants (public disclosure is prohibited since material is proprietary commercial information). Information for Town and consultants should be provided with FEIS.
III.M-4	125	DEIS indicates 500 full-time employees, 300 part-time employees, 500 seasonal employees and 800 construction jobs (DEIS pages 5, 31 & 124). FEIS to include confirming calculation of anticipated jobs (comparisons to other LEGOLAND parks would be appropriate) as well as a definition of FTE and calculation of 900 FTE workers.
III.M-5	125 Table III-7	DEIS (Table III-7) indicates 177,419 total employees in Orange County across 21 industry sectors (source: ESRI). This appears at variance with DEIS text (DEIS page 125) indicating 142,510 workers were employed throughout Orange County (source: Bureau of Labor Statistics). We would expect slight variations in statistics from various sources, however this is a significant difference. FEIS should describe the reason for the disparity and confirm subsequent DEIS fiscal calculations/evaluations utilized conservative assumptions.
N: Visual Resources		
III.I-1	132 & 133	DEIS describes Images 4 & 6 during leaf-off conditions. This description appears at variance with DEIS images. FEIS to provide additional photographs from these vantage points during leaf-off conditions.
III.I-2	136	DEIS described the topographic range of the Project Site (630-feet and 420-feet) (DEIS page 38); FEIS should include discussion of the height of the proposed water storage tank and hotel and determine top elevation of these structures.
III.I-3	141	DEIS indicates the project site in not visible from any national, state or local historic and aesthetic resources. FEIS to evaluate if any impact to these resources from offsite improvements.
III.I-4	141	DEIS indicates the tallest structure on the project site will be the hotel and evaluated potential visual impacts of the hotel. Although the hotel will be the tallest structure, the water tower may be the highest structure in terms of overall elevation; FEIS to evaluate potential visual impacts of the proposed water tower.
III.I-5	142	DEIS indicates the proposed action will be minimally visible form Harriman Drive. FEIS to include renderings, cross-section, building elevation, etc. so visibility may be evaluated by lead agency.

III.I-6	Post Development Image 4	DEIS indicates some visibility of the proposed hotel from vantage point 4 (Intersection of Arcadia Road and Cherrywood Drive) and includes a post development rendering so the potential visual impact may be evaluated. FEIS should address any change in impact during leaf-off conditions. FEIS to discuss if modifications to hotel architecture or location could reduce visibility from outside of the Project Site.
III.I-7	143	DEIS indicates park hours during summer months will be 10AM to 8PM and park staff will be onsite approximately 1.5 to 2 hours after park closing (DEIS page 24, 114 & 143). Site plans do not appear to show light fixtures within the employee parking lot. This is consistent with DEIS (pages 113 & 142) indicates light fixtures mounted on 30' to 40' high poles in the *guest* parking lot. FEIS to indicate if any lighting is proposed in the employee parking lot (presumed due to proposed hours) and evaluate potential offsite impact. The employee parking lot (adjacent to Harriman Drive) is near the approximate Project Site topographic low point and lighting of this area may be visual from offsite locations at higher elevations.
III.I-8	144	DEIS indicates the site's natural and proposed topography will work to visually buffer the site; we suggest the FEIS include cross-sections through he developed site to graphically demonstrate the effect of proposed topography will have on visual impacts.
O: Environmental Contamination – No comments at this time.		
P: Cultural Resources – No comments at this time.		
Q: Agriculture – No comments at this time.		
R: Air Quality – No comments at this time.		
S: Construction Impacts – No comments at this time.		
III.S-1	155	DEIS indicates construction is anticipated to commence in February 2017; FEIS to acknowledge this is the Project Sponsor's opinion and should be revised to "upon approval" or similar as described in Table I-1.
III.S-2	156	DEIS notes Phase 1 includes construction of the park, hotel, associated roads, parking infrastructure and landscaping. FEIS to confirm Phase 1 also includes offsite infrastructure improvements.
III.S-3	156	DEIS discusses construction phasing. DEIS (page 70) indicate an Erosion & Sediment Control Plan is required under the SPDES General Permit (GP-0-15-002) and includes construction sequencing information. Site plan to be revised to include an Erosion & Sediment Control Pan.
III.S-4	157	DEIS indicates potential construction impacts could include noise and dust. FEIS to quantity impacts and describe mitigations here or include references to other portions of the DEIS.
III.S-5	159	DEIS indicates the responsibility and timing of offsite traffic improvements will be coordinated with NYSDOT. FEIS to confirm these improvements are necessary prior to operation of the facility.

IV: Unavoidable Adverse Environmental Impacts – Revisions or clarifications in other sections will require review by the applicant for consistency.		
V: Alternatives		
V-1	162	In evaluation of an alternative residential project at the Project Site the DEIS calculates the number of potential school aged children using demographic multipliers; FEIS to describe how water usage from alternative residential project was calculated (i.e. per capita or similar values from DOH or DEC).
V-2	163 Table V-2	DEIS indicates an alternative residential project at the Project Site will result in a negative overall fiscal impact (due primarily to the cost to the Goshen CSD) but a net positive impact of $137,233.76 to the Town (sum of Town of Goshen and Part Town). DEIS indicates the impact from the alternative residential project ($137,233.76) is less than the $210,000 generated under the first year of the PILOT for the Proposed Action (DEIS pages 5, 11, 31, 121 & 127). FEIS should confirm the PILOT includes Town Highway taxing jurisdiction so the calculation of impact from the alternative residential project should be $170,541 rather than $137,233.76.
VI: Project Impacts on Use and Conservation of Energy Use and Solid Waste Management – Revisions or clarifications in other sections will require review by the applicant for consistency.		
VII: Irreversible and Irretrievable Commitment of Resources – Revisions or clarifications in other sections will require review by the applicant for consistency.		
VIII: Growth Inducing Impacts		
VIII-1	170	DEIS indicates no additional growth outside of the Project Site is expected to result from the adoption of Introductory Local Law Nos. 5 and 6. FEIS should provide justification for this statement.

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Memorandum

To: Lee Bergus, Chairman
Town of Goshen Planning Board

From: Ken Mackiewicz, P.E.
Carlito Holt, P.E., PTOE

Subject: DEIS Section III.H-Traffic Technical Review
LEGOLAND New York Commercial Recreational Facility
Town of Goshen, Orange County, New York

Date: December 14, 2016

Project No.: 261543

INTRODUCTION

Provident Design Engineering, PLLC (PDE), formerly TRC Engineers, Inc. Hawthorne New York Business Operations, a licensed Professional Engineering Firm in the State of New York, has performed a comprehensive review of Section III.H-Traffic of the Draft Environmental Impact Statement (DEIS), dated September 28, 2016, revised through November 17, 2016, prepared for the proposed LEGOLAND New York Commercial Recreation Facility to be located in the Town of Goshen, Orange County, New York. Additional documentation reviewed includes the Traffic Impact Study Technical Appendix, dated September 19, 2016, revised through November 18, 2016 prepared by Maser Consulting, P.A.

This is a comprehensive review of the Traffic Section and Technical Appendix of the DEIS and highlights areas where further explanation or backup materials should be provided to assess the data as presented and conclusions drawn from such data and analyses.

This review has been completed without the benefit of discussions with the New York State Department of Transportation (NYSDOT) (meeting scheduled for December 15, 2016), as well as other interested review agencies such as Orange County. Additionally, input from the public hearing process has not yet been received at the time this Memorandum was prepared. PDE reserves the right to provide additional comments, during the written comment period, that may expand upon the comments contained herein based upon feedback received from the NYSDOT, Orange County, the general public or other interested agencies.

EXISTING TRAFFIC VOLUMES

The following study locations were analyzed:

1. NYS Route 17A, NYS Route 207 and Matthews Street/N. Connector Road
2. NYS Route 17M (N. Connector Road) and Exit 124 On/Off Ramps
3. NYS Route 17M/N. Connector Road and South Street
4. NYS Route 17M and Route 17 Exit 125 WB On/Off Ramps
5. Harriman Drive and Project Site Access
6. Harriman Drive and Glen Arden Retirement Community Access
7. Harriman Drive and BOCES Drive/Exit 125 EB On/Off Ramp
8. Harriman Drive and BOCES Access Drives
9. Harriman Drive and BOCES Access Drives
10. Harriman Drive and BOCES Access Drives
11. South Street at Harriman Drive
12. South Street and Reservoir Road/Lower Reservoir Road
13. NYS Route 17A and Hatfield Lane/NYS Route 17 Exit 124 EB On/Off Ramp
14. NYS Route 17M and Arcadia Road
15. NYS Route 17M and Duck Farm Road
16. NYS Route 17M and Old Chester Road
17. Orange County Heritage Trail crossing at South Street
18. Orange County Heritage Trail crossing at Duck Farm Road/NYS Route 17M
19. Orange County Heritage Trail crossing at Old Chester Road
20. NYS Route 207 and Main Street/Church Street
21. NYS Route 17M and West Avenue/Chester Shopping Center Driveway (Village of Chester)
22. NYS Route 17M and NYS Route 94 (Village of Chester)
23. NYS Route 17M and Kings Highway (C.R. 13) (Village of Chester)
24. NYS Route 17M and Lehigh Avenue (Village of Chester)
25. NYS Route 17 Eastbound Mainline (6 locations from Exit 123 to 125)
26. NYS Route 17 Westbound Mainline (6 locations from Exit 123 to 125)

The Applicant performed Peak Hour Manual Turning Movement (MTM) traffic counts at the study locations during the nine (9) different analysis periods as follows:

1. Typical Weekday AM Peak Hour (non-Summer/non-Friday – school still in session)
2. Typical Weekday PM Peak Hour (non-Summer/non-Friday – school still in session)
3. Typical Saturday Peak Hour (non-Summer – school still in session)
4. Typical Sunday Peak Hour (non-Summer – school still in session)
5. Summer Friday AM Peak Hour
6. Summer Friday PM Peak Hour

7. Summer Saturday Peak Hour
8. Summer Sunday Morning Peak Hour
9. Summer Sunday Afternoon Peak Hour

In order to verify the MTM traffic counts the Applicant performed 24-hour Automatic Traffic Recorder (ATR) machine counts at the following locations:

1. North Connector Road between Exit 124 ramps and South Street
2. NYS Route 17M between South Street and Exit 125 ramps
3. South Street between NYS Route 17M and Harriman Drive
4. South Street south of Harriman Drive
5. Harriman Drive between the BOCES Access Drive and Exit 125 ramps
6. NYS Route 17 mainline between Exits 124 and 125

The following are comments with respect to the traffic data collection.

1. For Location 11, the Summer Friday Peak Period uses count data from the 7/22/16 count instead of the 8/12/16 count, which has higher traffic volumes. The Applicant should clarify why the 7/22/16 count data was utilized instead of the 8/12/16 data.

2. The Technical Appendix does not appear to contain data for MTM traffic counts at

    a. Location 1 – Typical Weekday Peak PM Hour
    b. Location 6 – Summer (all days) Peak Hours
    c. Location 15 – Typical Weekday Peak AM and Peak PM Hours
    d. Location 16 – Typical Weekday Peak AM and Peak PM Hours
    e. Location 22 – Typical Weekday Peak AM and Peak PM Hours
    f. Location 23 – Typical Weekday Peak AM and Peak PM Hours
    g. Location 24 – Typical Weekday Peak AM and Peak PM Hours

    The Applicant should identify how the traffic volumes at these locations, during the associated time periods were determined.

3. Traffic volumes for NYS Route 17 mainline volumes at particular locations appear to have been extrapolated from MTM counts at upstream or downstream ramp locations. The Applicant should identify how these volumes were determined without the actual performance of traffic counts at the particular locations.

BACKGROUND TRAFFIC VOLUME DEVELOPMENT

The Applicant utilized a 1.0% annually compounded growth rate to develop future No-Build Traffic Volumes in the Proposed Project Design Year of 2021. Additionally, traffic volumes from thirteen (13) adjacent developments were included in the future No-Build Traffic Volumes. The following are comments as they pertain to the development of the future No-Build Traffic Volumes:

1. In order to justify utilization of the 1.0% annually compounded growth rate, the Applicant references historical traffic volume data from 2007 and 2014 for NYS Route 17M, which is available in the NYSDOT Traffic Data Report. The Applicant should consider referencing additional historical data for roadways in the area, such as NYS Route 207 and also consider a more consolidated timeframe (say from 2012 on) to identify more recent traffic growth trends in the area. If these additional references identify a more significant growth rate for the area, then this should be applied to the Existing Traffic Volumes to provide a better representation of future No-Build Traffic Volumes.

2. Since many of the roadway improvements identified in the DEIS affect NYS Route 17 and this roadway is proposed to be designated as Interstate 86 in the future, an analysis of an Estimated Time to Completion (ETC) plus 30 years may be necessary to conform with Federal Highway Administration (FHWA) design guidelines. The need for this ETC + 30 analysis is even more likely if funding of the improvements will be from a public source (i.e. NYSDOT). The Applicant should confirm whether the ETC + 30 analysis is necessary.

3. The Applicant should provide additional information with respect to adjacent developments to verify the volumes identified on adjacent development traffic volume figures contained in the Technical Appendix. The Applicant identifies the source of the information in Table OD-1, but does not provide the actual data, such as pertinent pages from the referenced Traffic Study or ITE Trip Generation calculations. Additionally, the Applicant should identify how they extended the Trip Distributions for these adjacent developments to encompass the Proposed Project's Study Area.

4. Bethel Woods was listed as an adjacent development even though it is an existing operating use. The purpose of identifying this location as an adjacent development was to confirm that the traffic data collected included times when there was traffic destined to/from Bethel Woods, due to an event. The Applicant provides a copy of 2016 events calendar in the Technical Appendix, but does not specifically reference how traffic data collection overlapped with any events at Bethel Woods. The Applicant should identify the count periods that overlapped with events at Bethel Woods to ensure traffic associated with this use is included in the background traffic.

TRIP GENERATION

The Applicant identifies an anticipated peak attendance at the Proposed Project of 20,000 daily visitors during peak summer months and 15,000 daily visitors during peak non-summer months. The Proposed Project Peak Hour Trip Generation estimates were based upon the amount of daily visitors currently experienced at the Carlsbad, California facility and how that translates to the total number of vehicles entering and exiting that existing site, during the corresponding Peak Hours. Utilizing the daily attendance figure as the independent variable the Applicant then projects a Peak Hour entering and exiting trip rate (vehicles per attendee). This trip rate is then applied to projected attendees for the Proposed Project to determine the anticipated Peak Hour entering and exiting trips, during the associated Peak Hour. The following are comments on the Applicant's Proposed Project Trip Generation estimates:

1. The derivation of the Trip Generation Estimates is very difficult to follow in the Traffic Impact Study Report and associated Technical Appendix. The Applicant should provide a Table summarizing the following for each Peak Hour:

    a. Daily Attendance Figure at Existing Facility
    b. Total Entering and Exiting Trips at Existing Facility
    c. Entering and Exiting Trip Rate per Attendee at Existing Facility
    d. Anticipated Daily Attendance Figure at Proposed Project
    e. Total Entering and Exiting Volumes at Proposed Project via Application of Trip Rates per Attendee

    The Existing Facility values identified in the Table should be highlighted in the associated data to provide a specific cross-reference to the information being utilized in development of the Trip Generation calculations. The Applicant should also identify whether employee/staffing levels and peak hour trips would remain proportionate to the attendee numbers and thus those trips are captured in the total trip rate per attendee.

2. Discussion should be provided with respect to the data and operations at the existing Winter Haven, Florida facility to determine whether that data should also be considered in development of the Proposed Project Trip Generation estimates.

3. The Carlsbad, California and Winter Haven, Florida facilities are year-round resorts and their daily attendance figures are spread out over 12 months as opposed to the Proposed Project, which will have a condensed year operating from April to November. Consequently, there should be a concentration factor applied to the peak daily attendance figures or some explanation with input from the Windsor, England facility (also partial year operation) comparing the anticipated daily peaks for a seasonal operation.

4. The Applicant references the Institute of Transportation Engineers (ITE) as a source in developing the Proposed Project Trip Generation estimates; however, no specific ITE information is provided in the Traffic Impact Study Report or Technical Appendix. PDE reviewed Trip Generation Rates from the ITE Trip Generation Manual, 9th Edition for Amusement Parks (Land Use Code - 480). It should be noted that the Trip Generation rates provided are based on three studies, one of which was performed in California in 1970 and the other two performed in Oklahoma in 1987. The studies only included data for Saturday and Sunday time periods. Based upon the information contained in the ITE Trip Generation Manual a total of 27,571 Daily Vehicle Trips could be anticipated for a Saturday and 26,166 Daily Vehicle Trips for a Sunday. Applying the Daily Trip Distributions on Table SGT-1, the Peak Hour entering volumes between 11:00 AM and 12:00 PM would be 1,810 Vehicles Trips on Saturday and 1,726 Vehicle Trips on Sunday, as compared to 1,428 and 1,240 Vehicle Trips identified in Table SGT-3. Although the ITE data is dated and limited to only three sites, the Applicant should provide additional discussion with respect to this data versus the Proposed Project Trip Generation estimates.

5. Based upon the annual attendance figures provided in the Traffic Impact Study Report, both the Carlsbad, California and Winter Haven, Florida facilities have experienced growth over the last four years. The Applicant should confirm that the peak attendance figures estimated for the Proposed Project are the maximum anticipated attendees. Controls should be put in place that insure the Proposed Project anticipated attendees will not be exceeded. Higher attendance would result in more delays and this has not been analyzed or considered. A monitoring program should be established to demonstrate the anticipated traffic is at or below the analyzed thresholds and if the Proposed Project exceeds those thresholds then additional mitigation may be needed to offset additional impacts.

TRIP DISTRIBUTION

In order to determine the projected travel routes to and from the Proposed Project, the Applicant utilized a 200-mile radius Gravity Model. This Gravity Model considered the census populations within the 200-mile radius and related it to the distance each population center is located from the Proposed Project. The following are comments on the development of Proposed Project Trip Distributions:

1. Figure number G-1 identifies a 100-mile radius. The appropriate radius should be identified on this Figure.

2. The Gravity Model identifies an Adjusted Distribution that shifts approximately 10% of the traffic oriented to/from Interstate 87 to other local roadways. This subsequently leads to a reduction of vehicles using NYS Route 17 westbound. The Applicant should provide additional information on why this traffic would not take NYS Route 17 to travel to/from the Proposed Project and clearly

identify the local travel routes they would utilize. Additionally, travel time analyses should be provided to demonstrate whether the alternative route is viable when compared against the travel times for the NYS Route 17 route.

3. The Departure Distribution for the Summer Sunday Peak Afternoon Hour assumes 40% of the departing traffic will utilize NYS Route 17M (via Harriman Drive and South Street) to return to points east along NYS Route 17 and ultimately Interstate 87, as opposed to getting directly onto NYS Route 17 eastbound at Exit 125. This is due to the existing back-ups on NYS Route 17 eastbound, during this time period. It is noted that the majority of the traffic destined to/from the Proposed Project will be destination trips that will rely on GPS for directions and not necessarily have the local knowledge to re-route to NYS Route 17M. The Applicant should provide further justification for this diverted trip distribution and/or conduct a Sensitivity Analysis that assumes NYS Route 17 eastbound traffic will utilize Exit 125 when departing the Proposed Project, during this time period.

4. The Applicant assumes all traffic arriving on NYS Route 17 westbound will utilize Exit 124 and assumes no traffic will utilize Exit 125. This is proposed to be accomplished via signage; however, it is likely a significant number of trips will utilize Exit 125 since this will be the first exiting option as drivers approach the Proposed Project and GPS will identify this as a route to take. The Applicant should provide additional justification to support no assignment of traffic to Exit 125 and/or provide revised analysis with consideration of traffic utilizing this Exit to access the Proposed Project.

ANALYSES

PDE has reviewed the highway capacity analysis files provided and offers the following general comments regarding parameters utilized in the analysis:

1. Lane Widths – Adjustments to lane widths were made to the analysis, which have an effect on the analysis results. The Applicant should clarify how the lane widths were determined. No field measurements were included in the Technical Appendix identifying associated lane widths.

2. Approach Percent Grades – Adjustments to intersection approach grades were made to the analysis, which have an effect on the analysis results. The Applicant should clarify how the approach grades were determined. No field measurements were included in the Technical Appendix identifying associated lane widths.

3. Turn Factors – The analysis appears to utilize default turn factors for right-turn and left-turn lanes, which are primarily reserved for standard 90-degree turns at a typical intersection. The use of these default factors may overstate/understate analysis results, particularly at skewed intersections.

Several study intersections are skewed such that the turn factors should be adjusted up/down to account for the angle of the turn. This includes the following locations:

a. South Street & Harriman Drive
b. NYS Route 207 & Main Street/Church Street
c. NYS Route 17M & Duck Farm Road
d. NYS Route 17M & West Avenue/Chester Shopping Center Driveway
e. NYS Route 17M & NYS Route 94
f. NYS Route 17M & Kings Highway/Lehigh Avenue

4. Right-Turn-On-Red (RTOR) – Several study intersections appear to restrict RTOR's. While the analysis does show RTOR's restricted at some locations, there are other locations, based on field observations, where the analysis does not correctly show the RTOR restriction. The Applicant should update the analysis to reflect the RTOR restriction, particularly at the following intersections:

   a. NYS Route 17M & NYS Route 94
   b. NYS Route 17M & West Avenue/Chester Shopping Center Driveway

5. Pedestrian Counts – The Applicant should provide a figure(s) showing the peak hour pedestrian volumes for all hours studied. In addition, it appears that the pedestrian volumes were not accounted for in the analysis to determine their effect on turning movements at intersections. The Applicant should account for all pedestrian volumes in the analysis.

6. Peak Hour Factors – The Applicant calculated and utilized individual intersection peak hour factors in their analysis. While it is understood that the Highway Capacity Manual (HCM) recommends this method, a more conservative analysis would utilize peak hour factors for each individual intersection movement. The Applicant should update the peak hour factors in the analysis to provide the most conservative approach or confirm that the total intersection method is appropriate, based upon the actual coordination of the 15-minute peaks at each intersection.

7. Traffic Signal Phasing/Timing – The Applicant has not provided traffic signal timing information, including pedestrian signal timings, for the intersection of NYS Route 207 & Main Street/Church Street. The Applicant should clarify how the traffic signal phasing and timings were determined for this location, as it appears that the signal phasing in the analysis is in conflict. If traffic signal phasing and timings were determined in the field, the backup data should be provided. In addition, the Applicant proposes to widen the eastbound North Connector Road approach at its intersection with South Street. The Applicant should ensure the proposed traffic signal timing allows enough time for pedestrians to cross the widened eastbound leg of this intersection under the Build with Improvement conditions.

8. Pedestrian Phasing/Calls – The analysis utilizes the pedestrian phasing and timing data included in the traffic signal timings provided in the Study (except for the intersection of NYS Route 207 & Main Street/Church Street, as noted in Item No. 7 above). The Applicant has also utilized a specific number of pedestrian push-button calls for the pedestrian phases in the analysis. The Applicant should clarify how the number of pedestrian push-button calls were determined.

9. Vehicle Detection – The vehicle detection parameters were adjusted in the analysis, which would have an effect on the analysis results. The Applicant should clarify how the vehicle detection areas were determined.

10. Storage Lane Lengths – Existing and future storage lane lengths at several intersections appear to conflict with field observations and/or conceptual improvement plans provided by the Applicant. All storage lengths should be checked to ensure consistency and revised in the analysis where appropriate.

The following are more specific comments related to particular study locations/areas:

1. NYS Route 17M/North Connector Road & South Street

    a. The Conceptual Improvement Plan illustrated on Exhibit 1 shows the proposed southwest South Street approach to consist of one exclusive left-turn lane and one shared through/right-turn lane, with an approximate 100' of storage for the shared lane. However, the intersection is analyzed with the left-turn lane having 100' of storage. The Applicant should correct this discrepancy.

    b. The Conceptual Improvement Plan illustrated on Exhibit 1 shows the proposed southeast North Connector Road exclusive right-turn lane extending past the pedestrian crosswalk. Vehicles stopped in this lane would essentially block the pedestrian access path. This is of particular concern considering the Applicant is proposing to eliminate the sidewalk along the east-side of the South Street overpass, thereby forcing all pedestrians to the sidewalk on the west side of the overpass which leads directly to this crossing. The Applicant should update the plan accordingly.

2. South Street & Harriman Drive

    a. In the alternate improvement analysis which utilizes an exclusive right-turn lane and a shared left-turn/right-turn lane on the westbound Harriman Drive approach, the capacity analysis shows one receiving lane destined northbound over the South Street overpass. Dual right-turns must have two receiving lanes to operate safely and efficiently. The Applicant should correct the analysis for this improvement condition.

b. The Applicant does not show any crosswalks at this intersection in the Conceptual Improvement Plan illustrated on Exhibit 1. This is of particular concern considering the Applicant is proposing to eliminate the sidewalk along the east-side of the South Street overpass, thereby forcing all pedestrians to the sidewalk on the west side of the overpass which leads directly to west side of this intersection. The Applicant should update the plan accordingly.

3. Harriman Drive & BOCES Entry/Exit-Only Driveways

a. The Conceptual Improvement Plan illustrated on Exhibit 1 shows a striped median along Harriman Drive across both BOCES Entry and Exit-Only Driveways. The Applicant should explain how this median will affect left-turns into the Entry-Only Driveway and left-turns out of the Exit-Only Driveway.

4. South Street Overpass

a. The Applicant proposes to eliminate one sidewalk on the overpass to provide a four-lane cross section along South Street between its intersections with Harriman Drive and NYS Route 17M/North Connector Road, as illustrated in Exhibit 5. However, the Conceptual Improvement Plan illustrated on Exhibit 1 shows a three-lane cross section along this section of South Street. In addition, the capacity analysis for the improvement condition only considers a three-lane section. The Applicant should correct this discrepancy.

5. Flyover from NYS Route 17 Westbound to Harriman Drive

a. The Conceptual Improvement Plan illustrated on Exhibit 7 shows construction of a new flyover ramp from NYS Route 17 westbound over NYS Route 17 eastbound and Harriman Drive, directly unimpeded into the Site Access Driveway. However, the capacity analysis for this improvement condition has the flyover meeting at a signalized intersection along Harriman Drive before proceeding into the Site Access Driveway. The Applicant should correct this discrepancy.

6. NYS Route 17 Mainline, East of Exit 125

a. The section of NYS Route 17, east of Exit 125, is analyzed as three lanes in each direction in all study conditions, including existing conditions. Currently, only two lanes exist in each direction along this stretch of highway. The Applicant should remove the added lanes from the existing conditions analysis. If the Applicant is not proposing to build the additional

lane in each direction, the added lanes should also be removed from the future condition analyses.

The following are PDE's comments related to the results of the highway capacity analysis. It should be noted that many of these results will change based upon revisions to analysis to address comments noted herein.

1. In general, there are several instances where Level of Service (LOS), Delay/Density and Queue values listed on the detailed LOS Summary Tables do not match results shown in the Synchro analysis files. The Applicant should resolve any inconsistencies between the analysis results and LOS Summary Tables.

2. The attached Tables No. 1 through 18 list degradations in analysis results from the No-Build condition to the Build/Build with Improvements condition that are of particular concern. The more critical degradations in the Build/Build with Improvements condition are highlighted in red on those tables, some of which are listed below:

    a. During the Typical Weekday Peak AM Hour, the southbound South Street shared left-turn/through lane at Harriman Drive exceeds the storage length by over 300'. This could have profound effects on the South Street overpass and intersections upstream.

    b. During the Summer Friday Peak AM Hour, the intersection of NYS Route 207 & Main Street/Church Street experiences significant failing Levels of Service. Although some of the movements/approaches at this intersection fail in the No-Build condition, the additional traffic volume generated by the project at this intersection further exacerbates the delays at the intersection and no mitigation is proposed. This could have significant effects on nearby intersections.

    c. During the Summer Friday Peak PM Hour, several segments along NYS Route 17 experience failing Levels of Service. Although some of the segments fail in the No-Build condition, the additional traffic volume generated by the project along these segments further exacerbates the densities at these locations.

    d. During the Summer Sunday Peak Afternoon Hour, many intersections and roadway segments experience failing Levels of Service and queues that extend well beyond the available storage space provided, even with the proposed mitigation. These results indicate a crippling effect on traffic along the roadways surrounding the project during this time period.

e. During the Summer Friday Peak PM Hour with Exit 125 Closed, the northbound South Street left-turn lane at NYS Route 17M/North Connector Road exceeds the storage length by almost 250'. This could have significant effects on the South Street overpass and upstream intersections.

f. During the Summer Sunday Peak Afternoon Hour with Direct NYS Route 17 Westbound Flyover Access, the intersection of South Street & NYS Route 17M/North Connector Road experiences significant failing Levels of Service, even with the proposed improvements. These delays could have serious effects on nearby intersections. In addition, the Site Access Driveway will experience significant delays and queues during this condition.

The Applicant should address these degradations and provide additional mitigation where necessary.

3. At the intersection of South Street and Harriman Drive, there are several instances where the southbound left-turn lane storage is exceeded which can have ripple effects on upstream intersections, such as South Street & North Connector Road/NYS Route 17M. The Applicant should discuss the impact at upstream locations, where queues exceed available storage. If the queues significantly impact the upstream locations, which is not borne out by the microscopic intersection analysis, then the Applicant needs to adequately address these queues to provide a representative analysis and appropriate mitigation if there are significant impacts, due to Proposed Project-generated traffic.

4. At the intersections of Harriman Drive with the BOCES Exit-Only and East Driveways, the BOCES Driveways fail during many Peak Hour conditions studied. In addition, the LOS results are not shown for the BOCES Entry-Only Driveway. LOS results, however minor, should be reported for the westbound left-turn across eastbound through traffic into the BOCES Entry-Only Driveway.

5. At the intersection of NYS Route 207 & Main Street/Church Street, there are occurrences where the delay is better in the Build condition when compared to the No-Build condition. While very minor improvements to delay are sometimes experienced due to the additional traffic reducing the overall average delay per vehicle, there are instances in the analysis where the delay is bettered by over 8 seconds with no improvements proposed. The Applicant should explain this improvement in delay.

6. The Applicant provides the number of vehicles, pedestrians and bicyclists at the three Orange County Heritage Trail Crossings studied, but no measures of effectiveness. The Applicant should provide the HCM 2010 Two-Way Stop Control Pedestrian LOS report for these locations for all conditions analyzed to determine the effects on pedestrian safety as a result of the additional traffic generated by the project.

SIMULATION MODELING

PDE has reviewed the SimTraffic Simulation Models provided electronically by the Applicant. The Applicant only recorded the peak 15 minutes during each peak hour analysis period. This was performed due to limit the data file sizes to allow better file transfer ability. All Simulation Models will need to be updated with the revised analysis, based upon the comments contained herein. Additionally, the full one hour of vehicle loading and recording should be provided to demonstrate the overall operations during the entire Peak Hour.

Based upon a review of the Simulation Models provided (subject to additional revisions), significant backups are shown during particular Peak Hours in many areas surrounding the Proposed Project. This includes backups on the NYS Route 17 mainline, Harriman Drive approaching the proposed roundabout, as well as the South Street overpass.

Although the use of the SimTraffic Simulation modeling software is proprietary to users that own the software, the Applicant should consider presenting Simulation Models to the public for critical time periods by physically recording the Simulation Models in a viewable format and/or showing at a public presentation. The Simulation Models provide a better understanding of the analysis results for the non-technical reviewer.

IMPROVEMENTS

The following is a list of recommended improvements contained in the Traffic Impact Study Report, along with comments on particular recommended improvements shown in **bold**:

1. LEGOLAND traffic arriving from NYS Route 17 from the east will be directed via signing to use the Exit 124 Interchange. Continued coordination with NYSDOT on the potential Exit 124 and Exit 125 interchange modifications for I-86 conversion (see below for further discussion) will be required. **Additional improvements beyond signage may be necessary, as drivers will be using GPS and that will likely direct them to use Exit 125. The Applicant may need to coordinate with software developers (i.e. Google/Apple) in order to have Exit 124 identified as the route in their mapping applications. Even with these accommodations, traffic will still likely utilize Exit 125. As noted previously, the Applicant should provide analysis with consideration given to traffic that will utilize this Exit versus Exit 124. It is also noted that the Future I-86 conversion would close Exit 125 and shift Exit 124 further east to provide more spacing between Exit 123 and Exit 124 to conform to FHWA guidelines. The Applicant should discuss the impacts of shifting Exit 124 further east on their analysis. This will lessen the amount of storage available in the dedicated right-turn lane coming from NYS Route 17 to North Connector to the intersection at South Street.**

2. Widen NYS Route 17-Exit 124 ramp to provide an additional lane on the off ramp and develop a channelized continuous right turn lane exiting the ramp and dual left turn lanes both entering and exiting the ramp. **See note above concerning shifting Exit 124 further east with the future I-86 conversion.**

3. Widen the intersection of South Street and NYS Route 17M to provide separate left turn lanes on all approaches and separate channelized separate right turn lanes on the eastbound approach. Reconstruct the sidewalks at this intersection. **As noted previously, the adequacy of storage lengths in the turn lanes need to be verified that they accommodate the queues anticipated. Additionally, the Conceptual Improvement Plan illustrated on Figure III-13 does not illustrate a fully channelized right-turn lane on the North Connector Road approach to South Street, as indicated. Additionally, the Applicant should verify whether queues on South Street will extend past Orange County Heritage Trail crossing. This could impact pedestrians/bicyclists attempting to cross South Street, thus creating an unsafe condition with an increase in potential vehicular/pedestrian/bicyclist conflicts.**

4. Upgrade shoulders to full depth pavement on South Street between NYS Route 17M and Harriman Drive to provide a three to four lane roadway cross section. **Elimination of shoulders for use as live travel lanes will have impacts with respect to snow removal, as the 'snow shelf' will no longer be available for removed snow to be out of the travel lanes and/or off the sidewalks. Additionally, the Applicant should identify how other signage/utilities are impacted by making the shoulder area a live lane.**

5. Widen the southbound approach to the South Street Bridge to allow for the added lane from the channelized right turn discussed in Item 3. **As noted previously, the channelized right-turn lane is not illustrated on the Conceptual Improvement plan. Additionally, widening via use of shoulder area will have potential impacts on snow removal, signage and utilities as note above.**

6. Modify the South Street Bridge structure to accommodate an additional lane by widening and reconstructing the sidewalk to be on one side of the bridge (see Exhibit 5). An alternate improvement with an added structure for pedestrians on the east side of the bridge is shown on Exhibit 5A in Appendix M. **The Conceptual Improvement Plan only illustrates a three-lane cross-section, but Exhibit 5 illustrates a four-lane cross-section. The Applicant should confirm what is being proposed in this area and update any Exhibits/Analysis accordingly. Additionally, if an additional live vehicle loaded lane is added to the bridge, the Applicant needs to discuss the existing bridge's infrastructure to support this added load. Finally, the cantilever sidewalk option illustrated in Exhibit 5A needs to be further addressed with respect to the bridge's ability to support this added structure, as well as a commitment by the Applicant as to whether they are formally proposing this improvement as mitigation.**

7. Restripe the South Street Bridge approach to provide a left and left/through lane at the Harriman Drive intersection. **The proposed double left-turn movement from South Street onto Harriman Drive, which will handle approximately 80% of the Proposed Project-generated traffic will require vehicles to oversteer to make this left-turn because of the skewed angle of the Harriman Drive approach to this intersection. The Applicant should consider realignment of the intersection to provide a standard 90-degree angle at this intersection to better accommodate the overwhelming majority of traffic arriving to the Proposed Project. As noted previously, if realignment is not proposed then the analysis must make appropriate adjustments in the turn factors to account for the skewed angle.**

8. Widen Harriman Drive to provide a two lane receiver for left turns from South Street.

9. Widen the Harriman Drive westbound approach to South Street to provide a separate right and a separate left turn lane. **Some of the analysis proposes a double right-turn movement from Harriman Drive to South Street to support the added traffic at this location departing the Proposed Project, as well as diversions from NYS Route 17 at Exit 125 when backups exist along the NYS Route 17 mainline. The Applicant should clarify whether the double right-turn movement is proposed from Harriman Drive and if so then an associated receiver lane will be needed on the South Street overpass.**

10. Install adaptive traffic signal with full actuation at the intersection of South Street and Harriman Drive. **Although the analysis does not provide a mechanism to quantify the benefits of the adaptive traffic signal system, the Applicant should provide further discussion on this equipment on how it may serve to benefit the traffic travelling in the area.**

11. Upgrade/replace the existing traffic signals at the NYS Route 17 Exit 124 westbound ramp/N. Connector, and at the South Street and NYS Route 17M intersections.

12. Install an actuated traffic signal at the Exit 125 westbound off ramp subject to NYSDOT approval. **The Applicant should indicate whether there is an alternative improvement if the NYSDOT does not approve the proposed traffic signal installation. The Applicant should conduct a Traffic Signal Warrant Analysis in accordance with the guidelines set forth in the "Manual on Uniform Traffic Control Devices", published by the USDOT.**

13. Interconnect traffic signals and install adaptive signal technology including video detection, software and hardware in accordance with NYSDOT requirements, as specified in their June 28, 2016 letter to the Town of Goshen, at the following intersections:

    a. NYS Route 17M/South Street

b. NYS Route 17M/Exit 124 Westbound Off Ramp
c. South Street and Harriman Drive
d. NYS Route 17M/Exit 125 Westbound Off Ramp

See comment above concerning adaptive traffic signal technology.

14. Modify the eastbound Exit 125 interchange to include additional stacking for off ramp as well as construction of additional geometric improvements including possibly a roundabout or loop ramp consistent with preliminary NYSDOT plans for the potential interchange modification (see also Appendix J). **The Applicant should provide further discussion on the 'loop ramp' improvement. There is no mention or analysis concerning this improvement in the Traffic Impact Study report.**

15. Signalize the intersection of Harriman Drive and the Glen Arden access drive. **The Applicant should conduct a Traffic Signal Warrant Analysis in accordance with the guidelines set forth in the "Manual on Uniform Traffic Control Devices", published by the USDOT.**

16. Widen the Harriman Drive eastbound approach to provide a separate right turn lane for traffic entering the Glen Arden access.

17. Reconstruct the existing vertical curve on Harriman Drive east of Glen Arden to improve sight distances consistent with the roadway design speed. (See Exhibit 6).

18. Implement other various signing and striping improvements as shown on Exhibit 1.

19. Implement signal timing improvements at various area intersections, as identified in the Level of Service summary tables (Tables No. 1 through 9). **The Applicant must specifically identify the traffic signal timing adjustments at each particular location and verify whether they are also including phasing improvements that would require upgrading the existing traffic signal hardware.**

20. The Heritage Trail has three (3) crossings in the area for which data was collected and analyzed. These include the crossing at Old Chester Road, at Duck Farm Road and at South Street (See Exhibits 2, 3 and 4).

    a. The Duck Farm Road crossing has very low traffic volumes crossing this, however, the close proximity to Route 17 was also considered. Based upon current signing at that location and the existing conditions, recommendations for improvements were identified and are shown on Exhibit 3. The improvements include replacing signing with updated signing in conformance with the MUTCD and restriping the crossing with thermoplastic or epoxy

striping to increase visibility. Also, clearing of vegetation on either side of the rail trail in the vicinity of the intersection to improve visibility for both motor vehicles and bicyclists/pedestrians. **The Applicant should give consideration to installing guiderail along NYS Route 17M to limit the potential for vehicles errantly leaving NYS Route 17M at high speed and conflicting with pedestrians/bicyclists utilizing the trail. Pedestrian warning signs should be supplemented with solar powered flashing beacons around perimeter of sign. Additional consideration should be given to enhancing the safety/visibility of the crossing via a textured or raised crosswalk.**

b. At the South Street Heritage Trail crossing, the traffic volumes are already significant and will increase with the local LEGOLAND traffic. This crossing should be considered for signal control. The signal control could be a "Rapidly Flashing Beacon" (RFB) in advance of the crossing to advise motorists of the crossing location and/or a fully signalized crossing, which would be actuated by pedestrians and would stop vehicles on South Street. Other vegetative pruning/clearing and signing updates are also recommended at this location. Exhibit 2 shows each of these options conceptually. **If the pedestrian crossing will be fully signalized, then this must be analyzed accordingly. Other improvements that should be considered at this location include realigning the crossing to make it more perpendicular with South Street to shorten the crossing distance, as well as enhancing the safety/visibility of the crossing via a textured or raised crosswalk.**

c. At the intersection of the Heritage Trail crossing and Old Chester Road, the crossing is more visible than the other two crossings. However, new signing should be installed on both of the Old Chester Road approaches as well as the rail trail approaches and the striping of the crossing should be done with either an epoxy or thermoplastic striping for better visibility. Some minor pruning of vegetation in the northwest and northeast quadrant of the crossing would also improve visibility for motorists and trail users. At each of the crossings, in addition to the "Stop" signs on the rail crossing approaches, advanced "Stop Sign Ahead" intersection signing should also be installed (see Exhibit 4). **Pedestrian warning signs should be supplemented with solar powered flashing beacons around perimeter of sign. Additional consideration should be given to enhancing the safety/visibility of the crossing via a textured or raised crosswalk.**

21. Transit access to and from the site should be improved to reduce automobile trips. With the anticipated regional draw including from urban centers south and east of the site, it is recommended that bus service connecting from various collecting points, such as the LEGOLAND Discovery Center in Yonkers, NY and a pickup point in Manhattan, be developed to encourage bus transport to and from the site to reduce the number of automobile trips. These types of transit accommodations could also be coordinated with other major generators in the area such as the Woodbury Common Premium Outlets. For example, Woodbury Common currently has express bus service to and from

Manhattan. This type of service could be expanded to include LEGOLAND as a separate destination. Possible coordination of services with the Harriman Train Station and possibly other stations along the Harlem Line should also be explored for a transit connection to the site. **The Applicant should clarify whether they are proposing to provide these enhancements as a form of proposed mitigation to offset the Proposed Project impacts and if so provide more specifics on how these enhancements will be implemented.**

22. LEGOLAND site generated traffic peaks are typically after the morning commuter peak and outside of the afternoon commuter peak traffic hours. A Traffic Management Plan should be established for accommodating traffic on peak days. This would include procedures for coordination with emergency services in the area. During these time periods, traffic control agents may also be utilized at key locations. **The Applicant should provide more specifics with respect to the proposed Traffic Management Plan.**

23. Providing the parking areas on the southern end of the Project site with the entrance to the parking spaces at the southwest corner of the site will allow for maximum vehicle stacking within the Project site and this will negate any potential queuing effects on the external network. The proposed "pay as you leave" for parking treatment will significantly improve processing/parking of inbound vehicles to the Project to ensure this.

24. The possible closure/modification of the NYS Route 17 westbound Exit 125 was included in the analysis. If this occurs, the existing traffic using this exit could be redirected to Exit 124 off ramp. The proposed improvements discussed above will handle the additional volume resulting from this closure. Details concerning the Levels of Service of the surrounding area intersections with regards to the redistributed traffic are shown in Appendix D and summarized in Tables No. 6-ALT and 7-ALT contained in Appendix B. The traffic volumes associated with this alternative are summarized on Figures No. 7-ALT through 50B-ALT. **If this alternative is implemented, then the Applicant should verify whether Exit 124 would be shifted further east along NYS Route 17 in accordance with the NYSDOT Concept Plan. If Exit 124 would be shifted further east then the Applicant should discuss the impacts this shift would have on the proposed improvement plan.**

25. NYS Route 17 Ramp and Mainline Improvements - Based on the results of the NYS Route 17 Mainline, Ramp and Weaving analyses, the existing deceleration lanes and acceleration lanes at the Exits 124 and 125 ramps should be extended to improve the ability for vehicle movements to exit and enter onto the highway system (see Exhibit 1). The Level of Service Analysis for the direct ramp connection from NYS Route 17 WB is contained in Appendix D. This analysis also includes a direct connection to NYS Route EB. The traffic volumes associated with this alternative are summarized on Figures No. 26-DIR through 51-DB-DIR contained in Appendix A. The Levels of Service Summary for this alternative is contained in Appendix B in Tables No. 1-DIR through 9-

DIR. Also, an alternate plan indicating a direct connection to NYS Route 17 Eastbound was also developed and is shown on Exhibit 7. The corresponding Level of Service Analysis for the impacted intersections is also included in Appendix D. **The Applicant should clarify whether the lengthening of the Acceleration and Deceleration lanes are to provide the necessary distance for vehicles to accelerate or decelerate to/from NYS Route 17 mainline travel speeds or whether they are extending the lanes to provide additional storage. Acceleration/Deceleration lanes are not intended to be used for added storage, therefore, if the improvement is to support added storage an alternative improvement must be considered. It is also recognized that the mainline NYS Route 17 changes from three lanes in each direction to two lanes in each direction in the vicinity of Exit 125. The additional lanes on NYS Route 17 are needed under existing conditions to support the traffic volumes oriented further east of Exit 125. Since approximately 80% of the Proposed Project-generated traffic is oriented to this area of NYS Route 17 the Applicant should consider provision of the third mainline lane along NYS Route 17 for a distance commensurate with their incremental impact to this already substandard condition. The direct ramp connection (flyover) alternative presented in the Traffic Impact Study report should be enhanced to clearly demonstrate the benefits of this flyover improvement, as well as whether the direct ramp connection back to NYS Route 17 eastbound would be provided (currently shown as an alternative on the Flyover Exhibit). The enhanced discussion should clearly identify the changes in Levels of Service/Delays at critical locations in the area of the South Street overpass that could be anticipated if the Flyover alternative were implemented. The Applicant should also discuss the benefit-cost of this improvement versus performing other intersection improvements that may no longer be necessitated if the Flyover were provided. It is understood that the Flyover implementation could have logistical consequences to the viability of the Proposed Project, due to timeliness of fully engineering the plans and obtaining necessary FHWA/NYSDOT approvals. The Applicant should consider a phased approach to potentially providing more limited intersection improvements to support initial operations at the Proposed Project with having the Flyover improvement in place prior to the maximum attendance figures being realized at the Proposed Project.**

26. At the BOCES eastern driveway, in addition to the provision of a separate left turn lane, potential traffic signalization of the driveway has also been considered. If signal warrants are satisfied, a traffic signal would be installed to control exiting movements at this location. **The Applicant should perform the Traffic Signal Warrant Analysis to determine the need for traffic signalization, as well as commit to monitoring this location after the Proposed Project is operating to determine whether a traffic signal is warranted at a future time, due to the Proposed Project-generated traffic.**

27. At the intersection of Harriman Drive and the access drive to the Project, a traffic signal should be installed to allow traffic from the hotel and offices to exit the site. Inbound flow from Harriman

Drive to the main parking area will be channelized to maintain free flow into the parking area and will not be part of the signal control.

28. The Project proposes to provide shuttle bus services to and from area hotels including the Holiday Inn Express in Chester as well as to the other numerous hotels located in the Town of Wallkill on Crystal Run Road, including the Holiday Inn, Marriott, Hampton Inn and Microtel. Shuttle services will be coordinated with the anticipated visitors and reservations will be coordinated to provide the necessary frequency of service, based on the number of expected visitors. An automated system will be developed so that hotel patrons utilizing LEGOLAND can arrange the shuttle via smart phone applications.

29. Based on LEGOLAND requirements, buses are not allowed to idle and must switch off their engines unless immediately boarding guests. Public transportation routes serving the site must also follow these same rules.

ACCIDENT DATA

The following are comments with respect to the Accident Data presented in the DEIS:

1. All six of the roadway sections reviewed for accidents exceed the Statewide Average. The Applicant should analyze the potential Project-related impacts to these locations and whether they will further increase the Accident Rates at these locations. If Accident Rates will be increased in association with the Proposed Project, then additional mitigation should be provided. Consequently, the Applicant should identify whether any of the proposed improvements will go towards reducing Accident Rates at particular locations (i.e. traffic signalization of an existing unsignalized intersection or provision of a dedicated turn lane).

2. There are no accident summaries of individual key intersections. This information/analysis should be provided.

3. Table III-3 lists the source of the accident data as the New York State Police but this does not match the sources listed in the DEIS text. The NYSDOT Accident Data is not included in the Appendix.

TRAFFIC CIRCULATION AND PARKING

The following are comments on the Site Plans as they relate to Traffic Circulation and Parking:

1. A Plan should be provided clearly showing the striping/circulation/laneage/parking, including parking stall and aisle dimensions, that is exclusive of the grade lines and other lines so that it is readable. The plan should also clearly indicate key signage and the location of any gates.

2. A more detailed Peak Parking Demand calculation should be performed to demonstrate adequate parking will be provided at the Proposed Project. This should include an analysis of existing similar facilities (i.e. Carlsbad, CA, Winter Haven, FL and/or Windsor, England) to quantify Peak Parking Demands at these facilities for patrons, staff and buses and relate those demands to a ratio based on attendance. These Parking Ratios should be used to apply to the attendance figures for the Proposed Project.

3. The design should direct exit flows away from critical pedestrian crossing areas to limit the pedestrian/vehicular conflicts, especially during peak exit times.

4. Information should be provided on how the "Guest Loading Area" will work.

5. Information should be provided on how someone who is not parking would be able to drop off and pick up patrons at the Park.

6. Information should be provided on how Hotel patrons will enter and exit the Hotel parking without having to pay when leaving the Park.

7. The Applicant should discuss whether consideration was given to providing shuttle service to the more remote parking areas.

8. A bus turning diagram demonstrating buses can perform the required turns should be provided.

9. Truck turning templates should be provided along designated delivery routes to demonstrate the maximum design vehicle anticipated at the Proposed Project Site can be accommodated.

10. Turning templates for emergency service vehicles should be provided along emergency service access drives to demonstrate these vehicles can be readily accommodated.

CONSTRUCTION TRAFFIC

1. The Applicant should provide additional discussion/analysis with respect to how the existing roadway network will accommodate the peak construction traffic (assumes roadway improvements are not in place prior to construction commencing).

2. Approximately 8,000 trucks will be required on the roadway network to bring in the 200,000 cubic yards of required fill material. The DEIS states that this would equal 15 trucks entering and 15 trucks exiting each day for two years. The Applicant should identify the anticipated truck routes and any pavement deterioration due to this temporary heavy vehicle loading should be mitigated post construction.

3. The Applicant should indicate whether any oversized vehicles will be necessary for delivery of large equipment/materials. If so, the Applicant should identify the anticipated travel route for this delivery and demonstrate the existing roadway infrastructure can support this vehicle.

CONCLUSION

The comments noted herein are based upon a comprehensive review of the Traffic Section and Technical Appendix of the DEIS. The Applicant should address all substantive comments noted herein. As noted previously, this review has been completed without the benefit of discussions with the New York State Department of Transportation (NSYDOT) (meeting scheduled for December 15, 2016), as well as other interested review agencies such as Orange County. Additionally, input from the public hearing process has not yet been received at the time this Memorandum was prepared. PDE reserves the right to provide additional comments, during the written comment period, that may expand upon the comments contained herein based upon feedback received from the NYSDOT, Orange County, the general public or other interested agencies.

ATTACHMENT

TABLES NO. 1 THROUGH 18

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 1
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP WKDY AM						NOTES
		NB		B/BWI		CHANGE		
3	NO CONN RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	WB-L exceeds storage (30')
	NB-LTR	B	13.0	D	35.0	2	22.0	
	SB-LTR	B	11.6	D	50.0	2	38.4	
8	HARRIMAN DR & BOCES EAST DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	c	16.5	f	112.0	3	95.5	
9	HARRIMAN DR & BOCES EXIT DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	14.2	e	46.7	3	32.5	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-LR	c	15.6	D	38.0	1	22.4	
	SB-LT	a	8.8	D	35.9	3	27.1	SB-LT exceeds storage (305')
20	RT 207 & MAIN ST/CHURCH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	SE-LT	D	36.1	E	60.4	1	24.3	SE-R exceeds storage (33')
	NW-LT	C	34.7	D	52.7	1	18.0	

PDE Provident Design Engineering

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 2
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP WKDY PM						NOTES
		NB		B/BWI		CHANGE		
3	NO CONN RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	NB-L EXCEEDS STORAGE (69'); EXHIBIT 1 SHOWS 325' STORAGE
5	HARRIMAN DR & LEGOLAND SITE ACCESS	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	SE-TR	-	0.0	D	40.4	-	40.4	
7	HARRIMAN DR & RT 17 RAMPS/BOCES	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-R	-	0.0	e	35.1	-	35.1	
22	RT 17M & RT 94/ACADEMY AVE	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	EB-L	F	109.0	F	117.3	-	8.3	
25	RT 17 EB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	C	25.0	E	35.0	2	10.0	

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TABLE NO. 3
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP SAT						NOTES
		NB		B/BWI		CHANGE		
8	HARRIMAN DR & BOCES EAST DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	10.8	d	31.9	2	21.1	
9	HARRIMAN DR & BOCES EXIT DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	11.6	e	36.5	3	24.9	

PDE Provident Design Engineering

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LOCATION: TOWN OF GOSHEN,
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TABLE NO. 4
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP SUN						NOTES
		NB		B/BWI		CHANGE		
8	HARRIMAN DR & BOCES EAST DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	10.9	e	36.8	3	25.9	
9	HARRIMAN DR & BOCES EXIT DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	10.9	e	37.6	3	26.7	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-LR	B	10.7	D	38.8	2	28.1	
20	RT 207 & MAIN ST/CHURCH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-L	E	55.0	E	74.3	0	19.3	
	WB APPROACH	D	44.3	E	59.3	1	15.0	

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 5
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER FRI AM						NOTES
		NB		B/BWI		CHANGE		
2	NORTH CONNECTOR RD & EXIT 124 RAMPS	LOS	DELAY	LOS	DELAY	LOS	DELAY	NB-R EXCEEDS STORAGE (113')
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LTR	A	7.8	D	37.0	3	29.2	
	SB-LTR	A	8.4	D	46.6	3	38.2	
8	HARRIMAN DR & BOCES EAST DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	10.6	e	42.4	3	31.8	
9	HARRIMAN DR & BOCES EXIT DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	12.8	f	64.1	4	51.3	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	SB EXCEEDS STORAGE (185')
	WB-LR	B	11.5	D	42.9	2	31.4	
20	RT 207 & MAIN ST/CHURCH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	SB-LT EXCEEDS STORAGE (18'); SB-R EXCEEDS STORAGE (34')
	WB-L	F	160.2	F	203.3	0	43.1	WB-L EXCEEDS STORAGE (98')
	WB APPROACH	F	102.7	F	133.3	0	30.6	
	NW-LT	D	44.4	F	82.2	2	37.8	
	NW APPROACH	D	40.9	E	74.2	1	33.3	
	OVERALL	E	67.7	F	85.5	1	17.8	
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	D	26.8	E	41.6	1	14.8	

PDE Provident Design Engineering

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TABLE NO. 6
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER FRI PM						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	EB APPROACH	B	17.6	D	45.7	2	28.1	
	NB APPROACH	B	14.3	D	44.0	2	29.7	NB-L EXCEEDS STORAGE (124')
	OVERALL	B	19.0	D	43.9	2	24.9	
7	HARRIMAN DR & RT 17 RAMPS/BOCES	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB APPROACH	a	8.0	f	64.3	5	56.3	
	OVERALL	a	8.7	e	48.8	4	40.1	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-LR	B	12.6	D	35.7	2	23.1	
	SB-LT	A	7.8	D	41.1	3	33.3	
25	RT 17 EB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	D	31.6	F	53.1	2	21.5	
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	F	75.1	F	81.5	0	6.4	
30	WEAVE BTWN. EXITS 130A AND 130	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
		F	49.6	F	53.4	0	3.8	
31	WEAVE BTWN. EXITS 122A AND 122	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
		F	41.6	F	48.7	0	7.1	

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PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
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TABLE NO. 7
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER SAT						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB APPROACH	A	7.9	D	40.3	3	32.4	
	SB APPROACH	A	8.3	D	46.0	3	37.7	
8	HARRIMAN DR & BOCES EAST DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	a	9.5	e	35.8	4	26.3	
9	HARRIMAN DR & BOCES EXIT DRWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	b	13.0	f	78.7	4	65.7	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	SB-LT EXCEEDS STORAGE (154')
	WB-LR	B	10.7	D	42.2	2	31.5	
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	WEAVE BTWN. EXITS 125 & 124	B	20.0	D	30.1	2	10.1	

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PROJECT: LEGOLAND REVIEW
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TABLE NO. 8
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER SUN AM						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB APPROACH	A	8.7	D	49.2	3	40.5	
	SB APPROACH	A	8.3	D	46.0	3	37.7	
5	HARRIMAN DR & LEGOLAND SITE ACCESS	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LR	a	0.0	D	37.1	3	37.1	
7	HARRIMAN DR & RT 17 RAMPS/BOCES	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	EB APPROACH	a	9.9	e	35.9	4	26.0	
	OVERALL	a	9.5	d	26.2	3	16.7	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	SB-LT EXCEEDS STORAGE (68')

TABLE NO. 9
SIGNIFICANT LOS/QUEUE DEGRADATIONS

LOC.	INTERSECTION	SUMMER SUN PM						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB APPROACH	C	21.8	E	70.1	2	48.3	
	NB-TR	-	0.0	F	290.6	-	290.6	NB-TR EXCEEDS STORAGE (95')
	NB APPROACH	B	17.0	F	232.9	4	215.9	
	OVERALL	B	17.2	F	179.3	4	162.1	
4	RT 17M & EXIT 125 RAMPS	LOS	DELAY	LOS	DELAY	LOS	DELAY	MISSING LOS RESULTS FOR NO-BUILD SB-TR
	NW-LT	b	10.4	F	321.8	4	311.4	
	SE-TR	MISSING		F	94.9	-	94.9	SE-TR EXCEEDS STORAGE (404')
	OVERALL	-	0.0	F	125.4	-	125.4	
6	HARRIMAN DR & GLEN ARDEN ACCESS	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NE APPROACH	a	9.1	D	47.5	3	38.4	
7	HARRIMAN DR & RT 17 RAMPS/BOCES	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-LT	a	9.8	f	119.2	5	109.4	
	WB APPROACH	-	0.0	f	89.8	-	89.8	
	SW APPROACH	e	35.4	f	306.4	1	271.0	SW-LTR EXCEEDS STORAGE (800')
	OVERALL	d	29.0	f	139.0	2	110.0	
11	SOUTH ST & HARRIMAN DR	LOS	DELAY	LOS	DELAY	LOS	DELAY	ALTERNATE IMPROVEMENT (WB-LR & WB-R) EXCEEDS STORAGE (323')
	WB R	-	0.0	F	226.2	-	226.2	WB-R EXCEEDS STORAGE (1,447')
	WB APPROACH	e	39.3	F	209.5	1	170.2	
	OVERALL	-	0.0	F	181.5	-	181.5	
14	RT 17M & ARCADIA RD	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB APPROACH	A	4.1	E	62.6	4	58.5	
	SB APPROACH	A	6.6	F	84.8	5	78.2	SB-TR EXCEEDS STORAGE (572')
	OVERALL	A	6.9	E	79.3	4	72.4	
15	RT 17M & DUCK FARM RD	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-LR	c	15.8	D	35.4	1	19.6	
16	RT 17M & OLD CHESTER RD	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	SB-LR	c	23.7	F	561.7	3	538.0	
21	RT 17M & WEST AVE/CHESTER MALL	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	SB-TR	C	25.4	F	174.7	3	149.3	SB-TR EXCEEDS STORAGE (788')
	SB APPROACH	C	23.7	F	164.6	3	140.9	
	OVERALL	C	20.4	F	107.4	3	87.0	
22	RT 17M & RT 94/ACADEMY AVE	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	EB-L	D	49.4	E	71.2	1	21.8	SB-TR EXCEEDS STORAGE (788')
	WB-TR	C	28.7	E	55.0	2	26.3	
	SE-T	C	24.4	E	58.2	2	33.8	
	SE-TR	C	24.4	E	62.6	2	38.2	SB-TR EXCEEDS STORAGE (640')
	SE APPROACH	C	24.0	E	56.5	2	32.5	
	NW-LL	C	32.8	E	66.2	2	33.4	
23	RT 17M & KINGS HWY	LOS	DELAY	LOS	DELAY	LOS	DELAY	NE-R EXCEEDS STORAGE (52')
	EB-T	E	75.6	F	133.9	1	58.3	EB-T EXCEEDS STORAGE (1,161')
	EB APPROACH	E	57.9	F	111.2	1	53.3	
	NE-L	D	38.4	E	78.9	1	40.5	
	NE-APPROACH	C	33.1	E	66.6	2	33.5	
	OVERALL	D	42.4	F	89.7	2	47.3	
24	RT 17M & LEHIGH AVE	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	EB APPROACH	A	5.4	D	49.3	3	43.9	
	OVERALL	A	9.2	D	43.5	3	34.3	
29	RT 17 EB BTWN. EXITS 130 AND 130A	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
		E	37.5	F	66.9	1	29.4	

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PROJECT: LEGOLAND REVIEW
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ORANGE COUNTY, NY

TABLE NO. 10
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER FRI PM (EXIT 125 CLOSURE)						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	NB-L EXCEEDS STORAGE (247')
	EB APPROACH	D	38.9	E	61.6	1	22.7	EB-L EXCEEDS STORAGE (53')
	WB APPROACH	C	20.9	E	56.2	2	35.3	
	SB APPROACH	B	17.1	E	56.6	3	39.5	
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	F	75.1	F	81.5	0	6.4	

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PROJECT: LEGOLAND REVIEW
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ORANGE COUNTY, NY

TABLE NO. 11
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER SAT (EXIT 125 CLOSURE)						NOTES
		NB		B/BWI		CHANGE		
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	WEAVE BTWN. EXITS 125 & 124	C	25.7	E	38.8	2	13.1	

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TABLE NO. 12
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP WKDY AM (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
3	NO CONN RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LTR	B	11.7	D	38.3	2	26.6	
	SB-LTR	B	10.2	D	50.9	2	40.7	

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 13
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP WKDY PM (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
3	NO CONN RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	NB-L EXCEEDS STORAGE (172'); EXHIBIT 1 SHOWS 325' STORAGE
5	HARRIMAN DR & LEGOLAND SITE ACCESS	LOS	DELAY	LOS	DELAY	LOS	DELAY	SE-TR SHOWS DELAY OF 37.2 SEC BUT NO QUEUE LENGTH
25	RT 17 EB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	C	25.0	E	35.0	2	10.0	

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 14
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	TYP SUN (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
3	NO CONN RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-LTR	A	8.8	D	42.1	3	33.3	
	SB-LTR	A	8.3	D	46.6	3	38.3	

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 15
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER FRI AM (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
26	RT 17 WB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	D	26.8	E	41.6	1	14.8	

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PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 16
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER FRI PM (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB APPROACH	B	17.4	D	49.4	2	32.0	NB-L EXCEEDS STORAGE (228')
	SB APPROACH	B	16.8	D	44.1	2	27.3	
25	RT 17 EB MAINLINE, WEAVE & RAMPS	LOS	DENSITY	LOS	DENSITY	LOS	DENSITY	
	FREEWAY EAST OF EXIT 125	D	31.6	F	53.1	2	21.5	

JOB NO.: 261543
PROJECT: LEGOLAND REVIEW
LOCATION: TOWN OF GOSHEN,
ORANGE COUNTY, NY

TABLE NO. 17
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER SAT (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
26	RT 17 WB MAINLINE, WEAVE & RAMPS FREEWAY EAST OF EXIT 125	LOS C	DENSITY 25.7	LOS E	DENSITY 38.8	LOS 2	DENSITY 13.1	

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ORANGE COUNTY, NY

TABLE NO. 18
SIGNIFICANT LOS/QUEUE DEGRADATIONS

12/13/2016

LOC.	INTERSECTION	SUMMER SUN PM (FLYOVER)						NOTES
		NB		B/BWI		CHANGE		
3	NORTH CONNECTOR RD/RT 17M & SOUTH ST	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	WB-TR	-	0.0	F	109.5	-	109.5	
	WB APPROACH	C	20.3	F	104.1	3	83.8	
	NB-TR	-	0.0	F	308.3	-	308.3	NB-TR EXCEEDS STORAGE (37')
	NB APPROACH	C	20.2	F	236.2	3	216.0	
	OVERALL	B	19.0	F	178.2	4	159.2	
5	HARRIMAN DR & LEGOLAND SITE ACCESS	LOS	DELAY	LOS	DELAY	LOS	DELAY	
	NB-L	-	0.0	E	70.8	-	70.8	NB-TR EXCEEDS STORAGE (488')

CARPENTER ENVIRONMENTAL ASSOCIATES, INC.
CEA ENGINEERS, P.C.
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MEMORANDUM

Date: 12-15-16

To: Lee Bergus, Chairman & Planning Board

From: Ralph E. Huddleston, Jr., CEA

Re: Technical Review of the Draft Environmental Impact Statement/ LEGOLAND NEW YORK

CC: Neal Halloran, Building Inspector; Broderick Knoell, Highway Superintendent; Kelly Naughton, Esq.; & Dominic Cordisco, Esq. (for applicant)

CEA No. 21614

We offer for your consideration the following technical comments on the Draft Environmental Impact Statement (DEIS) for the LEGOLAND subdivision, site plan and special permit application. As per the instruction of the Board, we have limited our review to the assigned sections of the defined scope.

Involved Agencies – No additional comments at this time.

I. Executive Summary – All changes addressed should be summarized in summary.

III C. Surface Water Resources and Wetlands

- FEIS should address all anticipated impacts associated with off-site improvements.
- Stabilization and mitigation details for all wetland/buffer disturbances should be provided with maintenance plans to assure survival of the mitigation plantings.

- FEIS should include an update as to Federal Jurisdictional Determination and NYSDEC reviews.
- FEIS should include documentation to confirm that no changes in classifications of Dams will be necessitated by the project.
- FEIS should address the potential for downstream flooding impacts to the offsite flood plains.

III D. Vegetation and Wildlife

- FEIS should include a discussion of fish/benthic populations and the potential for impacts to receiving waters of the United States. These discussions should include an assessment of the effectiveness of the proposed storm water treatment methods proposed on road salt, fuel oils and pesticide removal/treatment.
- FEIS should include more detail on anticipated light pollution distances and the potential for the light pollution to impact foraging bats.

III I. Noise

- The Masur Study uses the LEGOLAND facility in Carlsbad, CA, as a basis for noise impacts for the proposed facility. There is no discussion as to the similarities of the site and surrounding areas. The Carlsbad facility appears to be located in a heavily developed commercial area which is not the case for the proposed projects. Detailed information regarding the use of Carlsbad as a comparative project should be provided.
- L90 and L max definitions should be discussed for clarity to the public.
- The DEIS discusses a "possible substation." Potential impacts of the substation should be discussed.
- The FEIS should discuss the rational for the monitoring dates selected and the relationship of the monitoring dates to anticipated maximum noise levels anticipated with summer maximum flows (i.e. holiday/Sunday return traffic).
- The Masur Study (Tables 3 and 3S) show projected noise level increases greater than 3.0 dBA at Receptor Location 2 and 6 for weekday traffic (am). Saturday increases at Receptor Locations 2 (am and pm), Receptor 3 (pm), Receptor 6 (am and pm), and Receptor 7 (am) range from 3.4 to 6.8.
    - According to the Masur report, increases of between 3 – 6 dBA may have potential impacts on sensitive receptors and increases greater than 6 dBA may require a more detailed analysis
        - The projected change in noise levels at Receptor 6 adjacent to Arden Hill, considered a sensitive receptor in the DEIS, is 6 dBA (am) and 6.8 dBA (pm).
        - The projected change in noise levels at Receptor 2, adjacent to Arcadia Hills, is 5 dBA (am) and 6 dBA (pm).
        - No additional study has been proposed for either area and the Arcadia Hills impacts are not discussed in the DEIS.
        - Additional analysis would seem warranted.

- FEIS should discuss noise level associated with the Trash Facility and recycling efforts and indicated whether or not they have been included in the provided analysis.

III J. Utilities and Solid Waste

- Status of electrical substation shown on plans should be clarified. Should make clear as to its relationship and impacts to the project.
- FEIS should identify any and all service lines and upgrade requirements for project.
- FEIS should include a discussion and documentation as to Orange and Rockland's position on the estimated usage and ability/willingness to provide service for the project.
- Location and details of emergency generators and fuel storage should be provided.
- FEIS should include details on the anticipated value and impacts of sustainability and landfill diversion measures.

III O. Environmental Contamination - No additional comments at this time.

III P. Cultural Resources -- FEIS should state that all plans will be submitted to the Planning Board for review and concurrence and that all findings will be provided to the Planning Board for review.

III Q. Agricultural - No additional comments for this level of the review.

III R. Air Quality

- The FEIS should include a discussion of the relationship between the NYS monitoring levels provided and measured and the relationship to one's ability to predict NO2, PM10, CO or SO2 levels.
- The DEIS states that "no stationary sources emitting quantities of pollutants above EPA or NYSDEC permitting thresholds" will exist for the project. Calculations or equipment specifications to support these statements should be discussed or referenced.
- FEIS should quantify impacts and discuss how mitigation methods will be employed to protect air quality.

III S. Construction

- Applicant should qualify or revise the anticipated estimate of initiating construction so as not to assume approval.
- FEIS should clarify when offsite improvements are anticipated.
- FEIS should discuss timing and significance of NYSDOT offsite improvements the project.

IV Unavoidable Adverse Impact - See individual sections.

V Alternatives - No comments at this time.

VI Project Impacts on Energy Use and Solid Waste - See Utilities and Solid Waste section.

VII Irreversible and Irretrievable Commitment of Resources - No additional comments at this time.

Technical Memorandum

To: Mr. Sean Hoffman, PE
H2M Architects + Engineers
2 Executive Boulevard, Suite 401
Suffern, New York 10901

From: William A. Canavan, PG, LSRP
HydroEnvironmental Solutions, Inc.
One Deans Bridge Road
Somers, New York 10589

RE: Legoland New York Commercial Recreational Facility
Goshen, Orange County, New York

Date: December 14, 2016

HydroEnvironmental Solutions, Inc. (HES) on behalf of the Town of Goshen, New York has reviewed the Draft Environmental Impact Assessment (DEIS) for Legoland New York Commercial Recreational Facility submitted to the Lead Agency (Town of Goshen Planning Board) on September 28, 2016 and accepted by the Town on November 17, 2016. HES, on behalf of the Town of Goshen and the Town Engineer, has reviewed the sections of the DEIS that pertain to groundwater use and potential impacts, if any. Based on our review HES offers the following:

- A simplified water budget was calculated and included in the DEIS for the 522 acre site based on 400,000 gallons per day (gpd) per square mile or 625 gpd per acre. This recharge value is based on a 1980 paper by Snavely and 43 inches of annual precipitation. However, a more comprehensive water budget for the subject parcel and surrounding watershed should be completed to obtain both on and off-site recharge values to the underlying bedrock aquifer. The bedrock aquifer is the primary source of drinking water for the nearby Arcadia Hills Water District, and is also the source of groundwater for the existing on-site wells that were pump tested to have capacities of 15-25 gallons per minute [gpm] (Well 1), 46 gpm (Well 2) and 37.5 gpm (Well 3). The on and off-site groundwater recharge values before and after the development will be important to calculate in order to ascertain what impact, if any, the proposed 77 acres (including 3.1 acres of pervious pavers) of impervious area will have on the underlying and surrounding bedrock aquifer. The DEIS states that stormwater will be conveyed to catch basins and swales and will predominantly discharge to the Otter Kill or the existing on-site pond or wetland. Thus, all stormwater from the proposed 77 acres of impervious surface, including 3 acres of pervious asphalt, will not be available to generate on-site groundwater recharge. The effects of this proposed stormwater conveyance on groundwater recharge to the bedrock aquifer and its

potential effects to the existing on-site and off-site supply wells should be analyzed and included in the DEIS.

- When discussing the Village of Goshen's Public Water Supply capacity and use, a summary table providing backup data to the claims made in the DEIS should be provided for cross reference. The sited numbers are not included in the DEIS and should be available in an Appendix in the report for review.

- A comparison of water use from a Legoland Facility in Windsor, England does not seem appropriate to be used as an estimator of projected water use for the Legoland New York Facility. European and American views on use of natural resources, with water being a primary one, are not necessarily equivalent. A comparison of water use should be substantiated with additional information and compared to existing values for similar facilities in the US.

- On page 56 of the Draft DEIS it states that "No use of groundwater is proposed for the proposed action." This should be revised to state that groundwater from a source outside of the Town of Goshen (i.e.: The Village of Goshen) will supply the proposed action. Groundwater is being utilized, just not from the confines of the Town of Goshen and the underlying bedrock aquifer. It is our understanding that the new well is not part of the Legoland "Proposed Action" and should be studied and tested by the Village of Goshen when the well is installed.

- Based on the fact that no underground storage tanks for storage of hazardous materials are proposed for the future development, it is unlikely that chemical storage will impact the underlying overburden or bedrock groundwater resources provided the proposed good housekeeping practices are strictly adhered to. The proposed chemical use and storage will mitigate the potential for a substantial release to occur.

- The parking areas and roadways that will be open year round that are related to the hotel and its access will need to be deiced during the winter months. The areas that this will encompass should be clearly shown in the DEIS and the type, volume and proposed frequency of road and parking area deicing activities should be outlined in the DEIS. A discussion of the potential impacts to on-site groundwater resources should also be included in the DEIS. Specifically, the volume of deicing materials used versus groundwater recharge and subsequent potential concentrations of sodium and chloride in the groundwater should be analyzed and included in the DEIS.

- The two existing wells that are located on-site and are slated for dedication to the Town of Goshen and the Arcadia Hills Water Supply will require development at some point in the future including obtaining the required permitting and wetlands

disturbance for them to become a viable source of water supply to augment the Arcadia Hills system. The dedication of these wells does provide a future benefit to the Town or one of its water districts. This should be clarified in the DEIS. The wells that are dedicated in the future should focus on the highest yielding most accessible wells and include wells 2 and 3.

- The DEIS states that other non-essential existing water supply wells will be abandoned. Consequently, a well abandonment specification should be provided in an appendix in the DEIS and should follow all NYSDEC and OCDOH protocols for well abandonment.

- The proposal to discharge all wastewater to the Village of Goshen Municipal Wastewater Treatment Plant will not allow for recharge to the underlying aquifer via rehabilitated wastewater from on-site subsurface disposal systems. Thus, the groundwater pumped from the municipal sand and gravel well field and then used on-site will leave the watershed via surface water discharge from the wastewater treatment plant in the Village of Goshen.

Please contact HES at (914) 276-2560 if you have any questions or should you require any additional information related to this matter.

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

October 26, 2016

Lee Burgus
Planning Board Chair
Town of Goshen
41 Webster Avenue
Goshen NY10924

Re: SEQR# 16-132
LEGOLAND, Rt. 17M
Village of Goshen

Dear Mr. Burgus:

Maser Engineering submitted the FEIS on behalf of the project applicant in a package dated September 19, 2016. At this point most of the comments relate to details of which all may be found within the enclosed report.

The most significant comments address the following:

1. A post implementation study should be included to validate the results of the Traffic Impact Study. This study would include data collection of actual traffic conditions generated by the site and would result in minor improvements and adjustments to traffic signal timing.
2. The proposed trip generation in the Traffic Impact Study lacked sufficient documentation to be verified by the Department. Please include a more formal approach as to how the numbers were generated and include comments on the why the ITE Code 420 Amusements Parks was not used.

Please let me know if additional information is needed.

Very truly yours,

Lee Zimmer, P.E.
Traffic Signals & Highway Work Permits

Enclosure

cc: Village of Goshen
Town of Goshen
Orange County Planning
Kim Henken, NYSDOT Permit Engineer R8-5
P Grealy, Maser Consulting

NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

MEMORANDUM

Traffic Impact Study
Submission dated September 19, 2016

LEGOLAND

SEQR # 16-132
Village of Goshen
Orange County

New York State Department of Transportation
4 Burnett Blvd.
Poughkeepsie, NY 12603

Report date: October 25, 2016

The following comments result from the review of the project submission dated September 19, 2016.

Project Wide Comments

1. Trip generation for LEGOLAND New York, in the study, is based on ITE information & attendance from the LEGOLAND California in Carlsbad California. LEGOLAND New York will be almost 20% larger in land area (153 acres vs 128 acres) than LEGOLAND California. The ITE calculation for code 480 Amusement park for 153 acres was slightly higher than the number used for this study. I would expect the trip generation number to be closer to the ITE average for a 153 acre theme park and be above the numbers based on the Carlsbad location. The trip generation is difficult to verify as precise numbers were not submitted, and the methodology of how the Carlsbad numbers were combined with the ITE were not included. Please include the Carlsbad traffic data, a more specific methodology on how the trip generation number was obtained and why or how this differs from the ITE method.
2. As per the NYSDOT manual Policy & Standards for the Design of Commercial Entrances to State Highways, the traffic projection was estimated for the completion of the project. However, the Department would recommend that the lead agency (Village of Goshen) ask to see the projection extended to include the estimated time of completion plus thirty years (ETC+30).
3. The Department would also recommend that a post implementation traffic study be performed after the site has been in operation based on actual traffic counts, funded by the applicant to ensure that the initial assumptions were correct. Traffic signals may need to be retimed as part of the post implementation study.
4. In addition to the standard morning peak, afternoon peak and Saturday peak periods several other peaks were modelled. Please provide methodology as to how these were generated.
5. Based on the Department's experience with the various events and county fairs in the Hudson Valley Area maximum traffic generated exiting the site is shortly after a typical midsummer intense rain shower. It is not uncommon to lose 60% of remaining patrons in the immediate hour following the storm. Based on the ITE trip gen for amusement park of 153 acres this could easily exceed the Sunday afternoon peak numbers shown in the study. While not necessary germane to the issuance of highway work permit this number would be valuable to local law enforcement and various first responder agencies of what to typically expect from a park this size. There are two lanes in and only one out, why?
6. The Flyover would not meet the federal interstate standards, and could preclude this section of Route 17 from becoming I-86. The letter says improvements to Harriman Drive would be designed to accommodate bicyclists. From the plan, this appears to be by lane and shoulder widening but it does not show the proposed widths.
7. Exit 125 would need to be removed to provide necessary room for required improvements for the redesigned deceleration lane at Exit 124.

8. Additional lane would be required on Route 17 to provide separation between acceleration lane for East bound from Route 17M ramp to the deceleration lane for Route 17 Exit to the roundabout adjacent to the site.
9. The Department would require the consultant to perform a full environmental assessment of the project in order to complete the improvements as a department project.

Intersection Specific

1. Background Growth Rate of 1% is acceptable
2. Show traffic splits; The Traffic Impact Study shows 1% of Traffic on 17M and 65% coming from the Thruways corridor. Please justify?
3. Show macroscopic traffic generation/distribution in a map or schematic between I-84, Route 17M, Route 207 and Route 17.
4. Show AADT in the Road Description Section. Also show a map with just the intersection numbers use in the Traffic Study.
5. What is the number of employee's on site?
6. What is the impact on the 17/84 Intersection, why is this not shown?
7. Will Route 17M be used for LEGOLAND traffic? What will happen to LEGOLAND for the weekend that AMY's Kitchen has large event and has to manually flag traffic along Route 17M?
8. PHF numbers in the study range from.56 to .97, please justify all extreme values.
9. Include signal warrant analysis for all new Department signals.
10. Bridge from 17M over 17 shows 4 -11' lanes. This narrow lane section might reduce through put. Please justify how this does or does not affect traffic flow?
11. A separate bridge for pedestrians might be cheaper than retrofitting additional width to previously mentioned bridge.
12. O-198 is shown as full detection in the model. Existing signal has no mainline detection.
13. O-183 and the adjacent signal O-198 are both listed as actuated coordinated but have different cycle lengths, please explain?
14. O-62 should have the CBD box checked in the analysis as it meets the criteria. O-62 also has calling detection and not presence detection as indicated in the model.
15. Can the roundabout located near the site drive back traffic up on to the mainline Route 17?
16. Flyover is one move away from being separate entrance to 17, Why not add the move?
17. Model 17M to 84 from Goshen Using Amy's Kitchen data.
18. Any NTOR signs in the area?
19. ITS as part of this project?
20. Department has an ITS project on 84 within the timeframe. Consultant must coordinate design of ITS with Department project.
21. Interconnect traffic signals to TMC, with system detectors for SYNCHRO GREEN adaptive network. Build multiple plans for various events.
22. TOD signs may be limited to interstates and Route 17 to minimize traffic on smaller highways.

23. If exit 125 is not removed the improvements to exit 124 will not achieve sufficient deceleration lane and will generate a weave problem. Please address this by stating intensions for exit 125.
24. The FHWA historically has been against connections by one entity to an Interstate, explain how the flyover would potentially be granted by the FHWA?
25. The letter mentions restriping the South Street Bridge and widening to add a travel lane. The plan in the TIS shows this is accomplished by removing the sidewalk on the southbound side. Even though it looks like most existing pedestrian activity would be on the NB side, I am not in favor removing sidewalk on SB side. Future development may result in pedestrian activity on SB side and removing the sidewalk now could leave us in a bind later. At the very least, it would require a crosswalk across 17M north of the bridge. Also, reducing the travel lane width by one foot will not help bicyclists.

End of report

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561
Phone: (845) 256-3054 • **FAX:** (845) 255-3042
Website: www.dec.ny.gov

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

December 23, 2016

Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

Re: Draft Environmental Impact Statement
LEGOLAND – New York
Town Goshen, Orange County
DEC ID: CH# 6540 / 3-3330-00239/00001

Dear Chairman Bergus,

The New York State Department of Environmental Conservation (DEC) has reviewed the Draft Environmental Impact Statement (DEIS) for Legoland New York Commercial Recreation Facility, received by DEC on November 23, 2016. According to the DEIS, the proposed LEGOLAND - New York project consists of the construction of a theme park and resort on approximately 140 acres of a 521.95 acre site off of Harriman Drive in the Town of Goshen. The park will include rides and attractions, an aquarium, theaters, restaurants, a hotel, offices and staff areas, as well as associated parking and drainage facilities. Water will be supplied from the Village of Goshen municipal water system, and wastewater collection will be provided by the Village of Goshen.

DEC PERMITS AND JURISDICTION

Article 24 Freshwater Wetlands – The proposed LEGOLAND – New York project site contains New York State Freshwater Wetland GO-41, Class 2. A Freshwater Wetlands permit is required for any physical disturbance to state regulated freshwater wetlands or to the 100 foot wetland adjacent area.

In addition, there are wetlands on the project site that meet the 12.4 acre size threshold (eligible wetlands) to be regulated by New York State under Article 24 of the Environmental Conservation Law. Eligible wetlands on the project site are located on the north western corner of the site adjacent to Harriman Drive (Eligible Wetland A), and on the south western corner of the project site, adjacent to Conklin Town Road (Eligible Wetland B). Figure II-3, Project Layout appears to label the eligible wetlands as "Federal Wetland", and the map validated by the Department shows the wetland

labeled as "Eligible". The "Eligible Wetland" labels should also be shown on all maps and figures.

Eligible wetlands that meet the regulatory criteria but are not shown on the regulatory maps[1] should be afforded the same level of protection as the wetlands that are currently on the regulatory map. Wetlands provide functions and benefits to the people of New York State as outlined in Article 24. The loss of wetlands will cause a reduction in these benefits including an increase in the volume of water in streams during times of flood events and a segregation of water quality. All development should be planned to avoid the state regulated wetlands and the 100 foot adjacent areas. Unavoidable impacts such as for access to unregulated areas must be minimized and mitigated to the maximum extent practicable.

The proposed project will result in approximately 140 acres of site disturbance, and approximately 77.41 acres of impervious surfaces. While no physical disturbances are anticipated to state regulated freshwater wetlands, 23 stormwater treatment areas are proposed, which will ultimately discharge to onsite wetlands and the Otter Kill. According to the DEIS, the site has been designed to limit post-development flow rates at the study points, however, the DEIS should discuss potential long term impacts to water quality or water quantity, which can impact vegetation composition and habitat.

In addition to the above, the following specific references should be addressed:

- An existing access road cuts through the wetland in the north western corner along Harriman Drive (Eligible Wetland A), please state if there are plans to renovate the existing access road (see Overall Site Concept Plan, sheet C2 of 26).
- A portion of the internal road runs along the southern boundary of Eligible Wetland A, cutting through a break between this wetland and another Federal wetland. Please provide details on this road construction (see Overall Site Concept Plan, sheet C2 of 26).
- Section III, Part A, Subpart 3. Proposed Mitigation Measures (p. 37) – "blast spoils would also be reused in construction of new wetlands and stream relocation" – please provide additional information regarding where this will be occurring on site, and why.
- Section III, Part C, Subpart 2. Potential Impacts (p. 42) – "Herbicides are used to control weeds and algae", the use of herbicides to control weeds and algae should be prohibited in or around any wetland area.
- Section III, Part D, Subpart 1. Existing Conditions (p. 52), Possible Roundabout - discusses a possible roundabout to be located near Route 17/Route 6/Harriman

[1] The Freshwater Wetlands Act (Article 24 of the Environmental Conservation Law) requires DEC to map the freshwater wetlands that are subject to jurisdiction of the law. The law requires the maps to show "the approximate location of the actual wetland boundary".

Drive. Please be aware the NYS Freshwater Wetland GO-35 is located in the vicinity of the proposed road work. An Article 24 Freshwater Wetlands permit will be required for any disturbance to wetland GO-35.

- Section III, Part D, Subpart 3. Proposed Mitigation Measures (p. 54), the DEIS discusses the use of open bottom culverts for stream/wetland crossings, please identify and provide information regarding the details on the proposed structures and possible installation locations.
- Section III, Part S. Construction (p. 156) states that construction will begin with clearing in the northeast corner/back of house area. Please provide additional information or a plan drawing of all proposed land clearing areas.
- Vegetated buffers should be considered in areas where slopes are present, specifically in the vicinity of the access road to Arcadia Hills Subdivision and surface parking lots, where the access road will be immediately adjacent to the 100 foot adjacent area of NYS freshwater wetland GO-41 (see Site Plan – 100 Scale Sheet 2 of 3, sheet c7 of 26).
- Please note that the ingress/egress location crosses NYS Freshwater Wetland GO-41, and therefore any surface improvements, grading or site disturbance required to maintain or improve the road will require an Article 24 Freshwater Wetlands permit.

Article 15, Title 5, Protection of Waters – Tributary of Otter Kill, Waterbody Index No. H-89-20-17, Class A, is located in the western corner of the project site adjacent to Conklin Town Road. Tributary of Otter Kill is a "protected" waterbody. A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified as "protected." According to the proposed plans, work will not be conducted in the lower southwest corner of the site, where this portion of the tributary is present.

Tributary and subtributary of Otter Kill, Waterbody Index No. H-89-20-17, Class C, is located on the eastern portion of the site. This is a "non-protected" waterbody. A permit is not required to disturb the bed or banks of "non-protected" streams. <u>If a permit is not required, the applicant is</u> still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

According to the DEIS, Section III, Part C. Surface Water Resources, this tributary is discussed and accurately classified as Class C, however, the DEIS inaccurately states that a DEC permit would be required for any disturbance. An Article 15 Protection of Waters Stream Disturbance permit is not required for disturbances to "non-protected" waterbodies. Streams and small water bodies located in the course of a stream with a classification of AA, A, or B, or with a classification of C with a standard of (T) or (TS)

are collectively referred to as "protected streams," and are subject to the stream protection provisions of the Protection of Waters regulations.

In planning for this project, disturbances to the protected stream and all watercourses should be avoided to the maximum extent practicable. A vegetated buffer should be designed into lands that are adequate to minimize unintended impacts to the streams. In areas where steep slopes are proposed, buffers should be considered to reduce surface water runoff. Crossings of the streams should be avoided and where necessary be designed to the standards outlined in the stream crossing brochure (enclosed).

Article 15, Title 15, Water Withdrawal – The Village of Goshen has adopted a resolution agreeing to provide water supply to the project. Anticipated water demand is projected at 176,438 GPD with peak usage in July of approximately 255,394 GPD. The Village of Goshen will need to apply for a modification to their existing permit to include the new Water Service Area and the new well. Additional Department approval may be required to ensure that the site is covered under an existing Water Withdrawal permit and does not exceed the authorized maximum taking of water into the existing water district or service area encompassing the project site to be served.

The Town of Goshen will need to apply for a water withdrawal permit or permit modification for the addition of the two wells dedicated to the Arcadia Hills Water District. According to the DEIS, an easement will be granted to the Town for use and future access and maintenance of these areas. Regarding the decommissioning of existing wells on the property, please be aware of proper well decommissioning procedures. Decommissioning procedures can be found on the Department's website at http://www.dec.ny.gov/lands/86955.html.

SPDES (State Pollutant Discharge Elimination System) Sanitary Permit – Total anticipated wastewater generation is an average of 90,461.90 GPD, and a daily peak in the highest usage month is estimated at approximately 130,689 GPD. Wastewater collection will be provided by the Village of Goshen, and the Village Board of Trustees have passed a resolution agreeing to provide the Project Site with sewer services. Please be aware that sewer line extensions require review by our Department's Division of Water.

Article 11, Title 5, Threatened & Endangered Species – The DEIS considers potential impacts to threatened and endangered species, and retained consultants to conduct an environmental assessment, and evaluate habitat for threatened and endangered species at the Project Site. The scoping document states that a site biological assessment and mapping for habitats of threatened and endangered species

and species of special concern will be prepared. In general, the DEIS only addresses the habitat of species indicated in the Threatened and Endangered Species Habitat Assessment, and does not sufficiently address or review impacts to the species found on site, or potentially found on site. Specific examples of where additional review is required is related to special concern reptiles and amphibians (i.e. Eastern Box turtle), as well as information related to common wildlife species, including species that can cause nuisance issues during operation of the facility and how those situations will be handled (i.e. bears and garbage).

The conversion of habitat is not sufficiently addressed in the DEIS or the Habitat Assessment. While acreage amounts are assigned to some habitat types, (i.e. 347 acres of forested communities) not all habitat types have acreage information. In addition, the acreage of impacts is not broken down by habitat type, but provided in overall terms. The information of impacts to habitat type should be included. In addition, the acreage of impacts and undisturbed land is not consistent though out the text. As stated in the DEIS, the majority of the Project Site, or 444.54 acres will remain as a combination of undeveloped open space or manicured lawn and landscaping. At another point, the total site disturbance for the Proposed Action is described as 140 acres. 77.41 acres will be made impervious and 132,977 square feet (3.1 acres) of porous pavers will be utilized in parking lot construction, leaving a total of 436.38 acres of land as open space and manicured lawn. The discrepancy between the number of acres to be impacted and number of acres remaining should be clarified. The statement regarding manicured lawn also needs further clarification. The existing site does not contain manicured lawns or landscaping, and therefore this change should be considered a land use change and included in the acreage of impacts.

Northern Cricket Frog (NCF) –The Northern Cricket Frog is a New York State listed endangered species. A Modified calling survey was conducted late in the season, as part of the Habitat Assessment (Appendix C). Although Section III, Part D of the DEIS does not discuss in detail how the survey was modified, the Habitat Assessment does discuss where and why all the methods of the Department's Northern Cricket Frog Calling Survey could not be followed in this investigation. As a result of these surveys, the applicant's consultants discounted the presence of habitat on site. Based on the information submitted to the Department, no additional surveys are required at this time.

Bats – Indiana Bat is a New York State listed endangered species, and Northern long-eared bat (NLEB) is a New York State threatened species. While the Department did not indicate that there are known resources within 2.5 miles (Indiana Bats) or 5 miles (NLEB), a known hibernacula for both species is found 5.15 miles from the project site and all development is proposed within 6.15 miles. The closest Indiana Bat Roost tree is 3.2 miles from the project site. Based on the descriptions provided, the site not only appears to include potential foraging habitat, but also potential roosting habitat, which is not addressed in the

DEIS. Roosts include a variety of species of live and dead trees, with exfoliating bark, cracks or crevices. The trees need to be > 2 in BDH for NLEB, or >4 in DBH for Indiana bat. The amount or acreage of tree removal is not specified in this section of the DEIS and should be to truly evaluate impacts. However, as stated in the DEIS, tree cutting will take place from November 1st to March 31st, and a number of acres of the property are not currently proposed for developed.

Birds - The DEIS mentions special concern birds found on site, while the information in the Habitat Assessment found in Appendix C addresses a list of endangered, threatened and special concern birds. It is not clear if appropriate surveys were conducted to determine presence or probable absence of all species listed in Appendix C. For the species that were encountered during survey work at the site, there is limited information on how the proposed action will impact the species or their habitat. For example, impacts to Cooper's hawk, found on site, were not addressed in the DEIS.

Please note, Appendix C habitat assessment, Page 8 Section E. paragraph 3 makes the statement that there are no known breeding locations of Least Bittern in Orange County. This is not correct, there is an occurrence of Least Bittern Breeding in Orange County. The Least Bittern is a threatened species in NYS.

Special Concern Species – The DEIS does not provide sufficient discussion related to special concern species, as specified in the Scoping document. Bird species of special concern were discussed, however, there is no mention of special concern reptiles, amphibians, or mammals. The HERP Atlas data identifies several species known to the area which falls in two topo quads, Goshen and Warwick. These include the following:

- Eastern Box Turtle
- Wood turtle
- Spotted Turtle
- Northern Two-lined Salamander
- Jefferson Salamander
- Blue-spotted Salamander

Special concern Mammals would include Eastern Small Footed bat. These species should be addressed in this document. In particular any special concern species encountered during any survey work should be included in the report. There was a report of several box turtles found on the site in the area of the proposed hotel, parking and large day use parking lots. Any discussion of these occurrences should include locations, habitat and analysis of impacts and any mitigation measures offered to offset impacts.

Section III, Part D, subpart 3. Proposed Mitigation Measures – The DEIS does not sufficiently evaluate or offer mitigation methods related to both impacts to individual species or the conversion of habitat of the overall property as a whole. The major mitigations offered are that the development will occur in the central portion of the project site, therefore reducing impacts outside the disturbance area; and a time of year restriction on removal of trees to avoid impacts to bats. The use of conservation easements should be evaluated in order to protect the portion of project site that is not proposed for development. In addition, measures could be put in place to avoid impacts to species found on site during construction (i.e. monitoring).

In addition to the above, the following specific references should be addressed:

- Section III, Part D, subpart 1 Existing Conditions (p. 44) - paragraph 2 states "The New York Natural Heritage Program (NYNHP) was established in 1985 and is a partnership between the NYSDEC and the State University of New York College of Environmental Science and Forestry. The NYNHP maintains a database on New York's flora and fauna to deliver information to partners working in natural resource conservation".
  - The NYNHP maintains a database of what are referred to as 'tracked' species, and not all New York's flora and fauna. NYNHP tracks and maintains data on rare species and natural ecosystems. NY Natural Heritage maintains New York's most comprehensive database on the status and location of rare species and natural communities. The statement in the DEIS is misleading, making the reader think NYNHP has data on all New York's flora and fauna and should be revised.
- Section III, Part D, subpart 1 Existing Conditions (p. 45) - paragraph 2 states "The on-site emergent wetlands identified along the Gumwood swale was not determined to be potential habitat since the NYSDEC wetland maps do not identify the wetland as potential habitat."
  - The NYSDEC wetland maps were not created to identify potential habitat, but rather identify approximate boundaries of regulated wetlands. The statement in Section III, Part D on p. 45 is misleading in relation to potential bog turtle habitat and should be revised.
  - Please also note that NYSDEC wetland maps show approximate boundaries of regulated wetlands, and the actual boundary is identified through delineation.
- Section III, Part D, subpart 1 Existing Conditions (p. 45) - paragraph 2 states "The emergent wetlands around the Harriman Road pond, and emergent inclusions within the large forested wetland located north of Conklingtown Road are characterized by cattail, tussock sedge, purple loosestrife, reed canary grass, skunk cabbage, jewelweed, sweet flag, and woolgrass. These species can be associated with disturbed potential bog turtle habitats, but do not include the common calciphiles often found in New York bog turtle habitats."

- Common calciphiles are not a request indicator of bog turtle habitat. They can be missing from areas that still have all other criteria of habitat. As mentioned in the Phase I survey guidance:

  - **Suitable vegetation**. Dominant vegetation of low grasses and sedges (in emergent wetlands), often with a scrub-shrub wetland component. Common emergent vegetation includes, but is not limited to: tussock sedge (*Carex stricta*), soft rush (*Juncus effusus*), rice cut grass (*Leersia oryzoides*), sensitive fern (*Onoclea sensibilis*), tearthumbs (*Polygonum* spp.), jewelweeds (*Impatiens* spp.), arrowheads (*Saggitaria* spp.), skunk cabbage (*Symplocarpus foetidus*), panic grasses (*Panicum* spp.), other sedges (*Carex* spp.), spike rushes (*Eleocharis* spp.), grass-of-Parnassus (*Parnassia glauca*), shrubby cinquefoil (*Dasiphora fruticosa*), sweet-flag (*Acorus calamus*), and in disturbed sites, reed canary grass (*Phalaris arundinacea*) or purple loosestrife (*Lythrum salicaria*). Common scrub-shrub species include alder (*Alnus spp.*), red maple (*Acer rubrum*), willow (*Salix spp.*), tamarack (*Larix laricina*), and in disturbed sites, multiflora rose (*Rosa multiflora*). Some forested wetland habitats are suitable given hydrology, soils and/or historic land use. These forested wetlands include red maple, tamarack, and cedar swamps.

Section V: Project Alternatives

The DEIS does not sufficiently discuss or present alternatives to site design and layout, and only discusses other alternatives for site use (ie. no development, neighborhood, etc.).

- The Department supports site designs and layouts that avoid and minimize disturbances to both regulated and eligible wetlands. Alternative layouts should be considered, or if alternative designs have been considered, but are not favorable, please discuss why (ie. site constraints).
- The large parking lot creates a large impervious surface, increasing the overall foot print of the project, and reduces potential habitat on site. The DEIS does not sufficiently discuss or present alternatives to the large surface lot (ie. parking garages). Public transit to the site could mitigate or minimize impacts, and reduce the need for the currently proposed lot.
- The length of the access road into the project site allows for 500 cars to be stacked, and therefore will minimize impacts to roadway traffic, however, idling cars may increase emission and gas usage, and the length of the road increases overall site impervious surfaces. Alternatives to the current road/parking lot and site plan should be discussed.

If you have any questions please feel free to contact me at 845-256-3059, or via e-mail at Tracey.Omalley@dec.ny.gov.

Re: Draft Environmental Impact Statement
LEGOLAND – New York
Town Goshen, Orange County
DEC ID: CH# 6540 / 3-3330-00239/00001

Sincerely,

Tracey O'Malley
Division of Environmental Permits

Ecc. Town of Goshen Planning Board
Lee Bergus, Chariman
Cordisco@gmail.com
Brian Drumm, BOH
Michael Fraatz, BOH
Lisa Masi, BOW,
Armand DeAngelis, DOW
Natalie Brown, DOW

Annmarie Rolo
7 Aspen Lane
Goshen, New York 10924
annmariejp@yahoo.com

Town Board of Goshen
41 Webster Avenue
Goshen, New York 10924

RE: Local Laws 8&9
Legoland DEIS
Clearing and Grading Permit of 180 Acres

"The government, which was designed for the people, has got into the hands of the bosses and their employers, the special interests. An invisible empire has been set up above the forms of democracy." Woodrow Wilson

"He that is of the opinion money will do everything may well be suspected of doing everything for money." Benjamin Franklin

To the Members of the Town Board of Goshen New York,

I am writing to you today on the above items that will soon be before you for a vote.

a) Local Laws 8 & 9 : 1) These laws are concerning the change in zoning and there is no SEQR available for the full 523 acres suggested to be rezoned. So you are rezoning without the full analysis of the suggested area. I would liken this to a doctor prescribing medicine for one ailment without taking account of all the other medications a patient may require, so as to make sure there are no harmful side effects from interaction of medications. Such is this Local Law. You have an (incomplete) analysis of 140 acres (number from the DEIS Master Executive Summary) but you are being asked to prescribe a zone for a largely uninvestigated area.

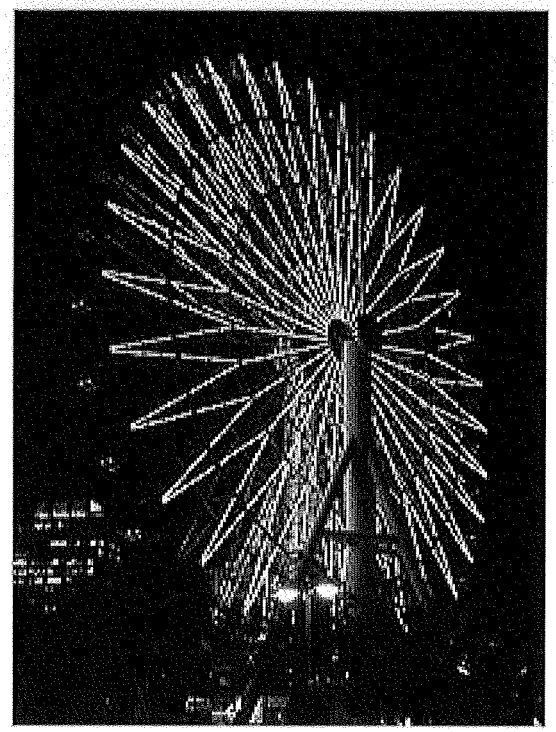
2) These laws are written for one entity, which is Merlin Entertainment, defined by the structure of the law, which says the law will be rescinded in six months if the project is not approved. Since there is no other project in the works, it can only refer to this entity. So the law by nature is unbalanced since it is being specifically written for Merlin.

3) If there is no other project moving forward in six months, concerning the balance of the 380 acres, would they resume their previous zoning?

4) *Water information is not provided in the DEIS as the Village has commissioned to take over the provision of water to the project. However, this is a critical factor in making a determination about rezoning 523 acres for a commercial recreation overlay district.

5) The law clearly states that the land can be used as rural or commercial, these zones with opposing definitions. The land within this zone also is considered AG and will be subject to AG roll back taxes when sold, I have never seen the estimate of what will be due the Town in same.

6) The local law defies the Master Plan which prohibits Amusement parks, and Merlin has used this same definition for its other parks in applying to Winter Haven and Carlsbad - the site plans were entitled " Legoland Amusement Park. "Using Google's search engine Legoland defines itself as an Amusement park. Further, as defined on Google, "Theme parks use theming for and around basic amusement park type riders and attraction. These include landscaping, whimsical architecture, characters and more. 2. Theme Parks try to tell a story the the use of theming. 3. Layout - Theme Park has divided areas 4. Size Larger use of space 5. More high powered rides at Amusement Parks but Theme Parks use theming to make up the difference to create additional thrill factors. (Jul. 18, 2015) Quora.com. The following is found on Wikipedia :A **theme park** or an **amusement park** is a place with attractions made up of rides, such as roller coasters and water rides. They usually contain a selection of different types of rides, along with shops, restaurants and other entertainment outlets. Theme parks can be enjoyed by adults, teenagers and children.



A ferris wheel

Many are themed to a particular area; there are water parks, parks modeled after toys, parks modeled after movies or types of movies, usually adventure or action.

Theme parks and Amusement parks are both insured under Amusement Industry Insurance, therefore, they are the same genre, and the terms can be used interchangeably.

So although the use of imagery is more prevalent in a theme park than an amusement park they still fall under the same legal description for insurance purposes.

7. There has been no market research data presented to conclude that Legoland will be successful in this area. We know of several grocery companies that tested this area with market research and concluded Goshen could not support a grocery store. Where is the market research analysis that concludes this area is desirable for this activity and will be sustainable in this region?

To change zoning to accommodate one entity that has not provided this kind of preliminary research to the Town is putting the cart before the horse.

8. Merlin has no previous experience in the last twenty years of building an amusement park in the Northeast in a non-resort area and making it sustainable and successful. They have not built any theme/amusement park from the "ground up" much less in a non-resort community. Since there is no track record for Merlin for a similar venture it continues to be risky for the town, coupled with the lack of market research data.

b) LEGOLAND DEIS - 1) The Legoland DEIS submitted for review to the public has not followed the Final Scoping Document as required, as the Planning Board already has noted there are many items missing to be inserted into the FEIS. I would myself note that Merlin failed to produce the data asked for consistently in the scope and inserted data they thought would " best answer the question." I believe the project should have an objective hard look, that all data requested should be presented and left to the Board for scrutiny to decide its relevance. For example:

* No 2 year crime study of Winter Haven and Carlsbad was submitted in any format in the DEIS, yet was required by the final scoping document.(p.20 i. COMMUNITY SERVICES, second paragraph.)

* The Village of Florida and Town of Warwick, whose local " through" traffic on Route 94 and Route 17A will be impacted were not listed as an interested agency in the DEIS and as a result, ignored by the DEIS as to their own current population growth and projected commuter traffic.

*The reopening of the Orange County Government Center in Goshen was not listed as a project that would affect cumulative traffic in the final scoping document and hence has been ignored by the DEIS. This is a HUGE oversight as the County government center business draws from within and without the county and New York State and this must be corrected. The Orange County Government Center also uses water, that has probably not been taken into account by the Village, in projecting water usage for the future.

* The final scoping document and DEIS did not list the Chester Union Free School District as an interested agency, yet ⅔ of the residents immediately impacted by the project are included in that school district.

* Comparison to both parks has not been done concerning a 3 year traffic accident data at both Winter Haven and Carlsbad (p. 14 Final Scoping Document H. Traffic Section 1, bottom paragraph 9)

*Data on visitors and ridership for Winter Haven and Carlsbad not presented. (Final Scoping Document, page 16, Section 3, paragraph 2)

* Data from NYS DOT on Priority Investigation Locations within the Study Area must be prepared for each associated location, page 16, Section 3 paragraph 10

* Data on impacts to Chester Union Free School District on p. 21 of the Final Scoping Document not provided

* All public road improvements would be owned and maintained by the respective agency which currently has jurisdiction over the road. (p. 27 DEIS) This sentence throws the proposed road improvements cost and management back to the municipality and off of Merlin. The Traffic section has no estimate in proposed cumulative costs of such improvements, only that they will be paid for by the taxpayers/municipalities.

* The Village has been recommended to drill a third well, however a new well drilled into the same aquifer will not produce more water, it will be putting "a third siphon into the same tank of gas."(p.27 DEIS)

* The buffer proposed (p. 28 DEIS) has three problems. First, trees suggested as a buffer in the northeast are bare from November until May. Second, the proposed buffer will not buffer the elevated areas of the park, which will be extremely visible from the surrounding area. Third,there is nothing in any law, or sale of the property putting the buffer into a protected conservation easement. As the buffer has shrunk to 900 feet from the homes on the perimeter in Arcadia, there is good fear that lack of construction expertise and planning may cause the buffer to shrink even further after the project moves forward, due to unforeseen circumstances, for example, in topography, or whatever they may be.

3) Clearing and Grading Permit - Legoland DEIS is written around a figure of 140 acres but the permit requires 180 acres, which is 40 acres over the area that was studied in the DEIS. 40 acres is a substantial difference and should be examined, and qualified by the applicant. I would ask the board to refrain from clearing and/or grading this land due to the myriad of unresolved issues in the DEIS and the immediate Health crisis we will be facing world wide with the ZIKA virus.

http://www.who.int/emergencies/zika-virus/en/

We cannot afford to lose bat population unnecessarily due to their control of the mosquito population, and the expanding threat of this virus. We also have the West Nile virus present in New York State, also carried by mosquitos, which population is controlled by bats. Bats are a natural prevention of these carriers, and do not threaten the human population the same way as pesticides do. As a Town we should be vigilant for the safety and protection of our community, and the presence of bats will be diminished with any clearing of trees. Further, all our wildlife, our 100 year old trees should be shown deference and respect, as they are in need of homes. In Arcadia we often see deer on our lawns in the middle of the day. The deer cross the roads in the middle of the day in the Village as well. Our wildlife neighbors need a place to live, and if we continually ravage the land, we will not have their participation in our natural ecosystem. Our shrinking farmland is actually more needed now than ever to feed a growing population of humans. We do not know what jeopardy farming may be across the nation in the future, or the trade of goods whether nation to nation or globally. We need to be able to rely on our own area to produce food. We need to respecting and protect our natural resources.

To conclude, where do you draw the line with progress and development? If you do not plan carefully, you, as a municipality, become unable to provide for oneself. To an extent this is already true of Goshen. We already rely on supermarkets and big box stores to supply us with what we do not manufacture here, and we are not so different from other towns in this way. New York City, once a huge island with farmland, did not plan for growth and lost every inch of its ability to produce food and water for its unwieldy population. This can happen anywhere. In fact it does. It is up to the government in place to protect its municipality and court the type of growth that does not unsettle the area into a wasteland devoid of resources and a dependency on neighbors for water and food.

This year, a lone harmless deer, JR, wandered into Harlem.

http://www.nbcnewyork.com/news/local/Captured-Harlem-Deer-Saved-From-Euthanasia--407085445.html

The deer was living in the park until unfortunately he wandered out, was taken by animal control and died in captivity. This was a strange story for those of us who live among deer day to day in our back yard. But it also shows very well how NYC has no place for wildlife, nowhere for them to peacefully co exist with urban civilization. This is a very sad story, but it is possible that Goshen could experience one day in the future a similar story of a lone JR deer wandering into its midst, and the confusion of how to deal with it.

But that does not have to happen if we start smart planning for our beautiful town now. Vote no for mega-resort amusement parks and keep our Master Plan intact..

Sincerely,

Annmarie Rolo

S is for South Street
T is for Traffic

O is for Orange Ulster BOCES
P is for Pollution

L is for Lower Reservoir Road
E is for Environment
G is for Glen Arden
O is for Open Space Preservation
L is for Lawsuit
A is for Arcadia Hills and Arcadia Road
N is for Noise
D is for Drought

January 8, 2017

Town of Goshen Planning Board

Town of Goshen Zoning Board

41 Webster Avenue

Goshen, NY 10924

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

To Whom It May Concern on the Goshen Planning and the Goshen Zoning Boards,

In light of the recent article in The Times Herald Record indicating receipt of a letter from the Merlin Entertainment's lawyer , Dominic Cordisco, to the Town of Goshen Planning and Zoning board asking for the recuse of a longtime member, Renny Andrews, and immediately after he is removed from the board?

Has LEGOLAND taken control of Goshen's planning and zoning boards?? This seems to be a clear indication of CORRUPTION going on in Goshen.

There are SEVERAL board members who have shown their side to be for LEGOLAND, NOT for the very people you were elected to work for!!! You should all recuse yourselves.

LEGOLAND needs to be sent away, this is NOT good for Goshen.

Sincerely,

Anthony Swingle

Anthony Swingle

Goshen

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 13, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Leon R
345 Main Street
Goshen NY 10924

ANDERSON DESIGN GROUP

ARCHITECTURE
PLANNING
INTERIORS

223 MAIN STREET • GOSHEN • NY 10924 | 845.294.2724 | 845.675.1230 | WWW.ADGARCHITECT.COM

January 3, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Jason T. Anderson, RA

25 Wallkill Ave
Montgomery, NY 12549

145 South Street
Goshen NY 10924

RECEIVED
JAN 12 2017
TOWN OF GOSHEN
TOWN CLERK

1/8/17

Town Board Members
Town of Goshen
41 Webster Ave.
Goshen NY 10924

Town Board Members:

The wording of the Master Plan is clear. It is the policy of the Town of Goshen to allow a variety of uses of land, provided that such uses do not adversely affect neighboring properties, the natural environment, and the historic character of the community. The current Town Code (97-10,c) prohibits amusement parks in all districts. The proposed Legoland amusement park does not comply. The topography of the site on Harriman Drive is too sloped (requiring extensive site work to a fragile environmental and water shed area), the access roads are inadequate and will not be able to handle the traffic, and it does not compliment the cultural character of the community. Please forgo changing the zoning code for this monstrous project.

Respectfully,

Judith L. Andrews

ORANGE COUNTY NY arts council

OCNY FILM
ORANGE COUNTY NY FILM OFFICE

BOARD OF DIRECTORS

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Mark Soss

Vice-President
Kristin Jensen

Treasurer
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Town of Goshen Town Board
Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

RECEIVED
JAN 11 2017
TOWN OF GOSHEN
TOWN CLERK

January 5, 2017

RE: Legoland

Dear Sirs and Madames:

The Orange County Arts Council, by vote of the majority of its Board of Directors, is writing to express its support for the proposed Legoland project in Goshen.

The Mission of the Arts Council is to champion the arts, connect artists with audiences, and foster the growth of the county's creative resources. Our Vision is to help build a community that celebrates artistic diversity and inspires creative participation.

It is hard to think of a global brand that represents creativity better than Lego. Lego teaches motor skills, spatial skills, and problem solving. When children play together, they learn communication and cooperation. These skills are the precursors to more advanced STEM learning or, as we prefer, STEAM learning which also incorporates the Arts. The Arts Council has long supported education in the arts and creative industries. Legoland represents both a proven methodology for teaching those skills and a place where our children might one day work and apply those skills.

Merlin has announced plans to have a strong educational component as part of its project both by bringing students to Legoland and by sending employees to visit children in their schools. We are aware that one of the large meetings Legoland has held was devoted entirely to local educators. We believe this would be a great benefit to the students of our region.

Merlin has also announced plans to provide support to local nonprofits. As a county-wide 501c3 organization, we certainly look forward to working with Merlin and envision a partnership which might include financial support of arts opportunities for elementary school students, collaborative opportunities for Orange County artists, public art support and marketing support for the Arts Council.

The Arts Council is well aware of concerns about traffic, water, taxes, and other issues. It expresses no opinion on these issues because they are beyond our fields of expertise. Assuming those concerns can be adequately addressed, the majority of the Arts Council Board of Directors believe Legoland would be an exceptional cultural and educational resource that would considerably improve the quality of life and the local economy here in Orange County.

Respectfully,

Dawn Ansbro

Dawn Ansbro
Executive Director
Orange County NY Arts Council, Inc.

www.ocartscouncil.org

P.O. Box 574
Sugar Loaf, New York 10981
Tel 845.469.9168 • Fax 845.469.3145

Cooper Arias, LLP
Accounting & Accountability

January 4, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

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The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Cooper Arias, LLP

892 State Route 17B, P.O. Box 190, Mongaup Valley, NY 12762 — Phone: 845-796-1800 — Fax: 845-796-1826 — www.cooperarias.com

114 Murray Avenue
Goshen, NY 10924
January 16, 2017

Mr. Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

Dear Mr. Bergus:

I am writing this to let you know that I am in favor of Legoland. Whether one is for or against it, the two main issues appear to be water and traffic. It seems that the water situation has been taken care of. The traffic situation is a larger issue that will involve the State of NY and I would think the Federal Government because of the change from Route 17 to Interstate 86.

I have listened to and read the comments of those opposed and much of their information is incorrect. I am tired of hearing how this project will change the quality of life here in Goshen. I have lived in the Village since March, 1968 so I remember the days when we had a variety of stores (businesses) downtown as well as grocery stores.

Why has Goshen never had a swimming pool? Why wasn't one built at the "new" high school? Because people protested and won. I grew up in a small village in Ulster County and they have had a public pool since I was a kid growing up in the '50's. Our village needs a shot in the arm.

Legoland will bring people to our area and it will help not only us but other attractions as well. So people will return. The nay-sayers fail to realize that

Merlin Entertainment is a Class A act and Knows what they are doing. We are not getting a business that is going bankrupt a month after it opens. It will be a wonderful opportunity for teenagers and college Kids to get jobs in the summer. the company may even offer internships to college students which could lead to future employment.

In conclusion, I think more should be said about the Hasidics moving in if Legoland decides to move on. I have talked to a few people who are opposed and they do not believe that KJ2 would be built on the property and that this is just a scare tactic. Do they really believe that the property will just sit there until what they deem "acceptable" will be approved and built? It will be a

very sad day for all of us if this happens, for many reasons, but one huge one. The Hasidic's do not believe in following any of our laws and do as they please. Merlin Entertainment does believe in following our laws and is doing everything asked of them. I hope they get the approval to build Legoland.

Sincerely,
Cecile Ayres
Cecile Ayres

cc: Phil Royle
6 No. Church Street
Goshen, NY 10924

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Lee, 1/4/17

We are residents of the Village of Goshen and are writing in reference to the Legoland proposal.

We would like to be assured of the adequacy of the water supply for the Village, Town and Legoland - now and in the future.

We also would like assurance that there will be no traffic problems at exits 124 and 125. It is our opinion that construction of a "flyover" would be the appropriate solution to avoid traffic problems at these exits.

Thank you very much.

Andrea Baker Paul Mark Baker

Andrea Baker and Dr. Paul Mark Baker
35 Maiden Ln
Village of Goshen

RECEIVED
JAN 12 2017
TOWN OF GOSHEN
TOWN CLERK

Legoland will forever change our quality of life

To the Editor:

In my opinion, the concept of such an enormous project does not fit with the rural character of Goshen, nor our way of life. Goshen will change forever our beautiful village dominated by stately homes and historic churches, with two beautiful parks. It does not need a Legoland to forever change the quality and the tranquility of our way of life that many of us hold dear and cherish.

The huge influx of people and cars estimated to be two million a year would wreak havoc on Goshen. I do not believe that the state will alleviate the traffic flow with new access roads. If it does, it certainly will not happen overnight, especially considering the manner in which New York State conducts its business and more especially the integrity of our legislature, considered to be one of the most dysfunctional in the country.

A new casino is being built outside of Monticello, a distance of some 40 miles. Think of the added traffic on Route 17 that the casino will generate, wreaking more havoc on Goshen.

The village and town of Goshen have been plagued with an inadequate water supply for at least 100 years. Where will the water come from and where will it be emptied? There is no central system of sewage disposal, all homeowners in the Town of Goshen have their own septic tanks. How is Legoland going to address toilets flushing for two million people a year?

We are now in severe drought conditions in Goshen and southern Orange County with no immediate relief in sight, unless, we have a lot of snow in 2017 to replenish our groundwater, not a certainty.

Legoland is asking for 30 years of non-payment of property taxes, which has been highly criticized by our local politicians. Our property taxes will not go down, despite their promises. In 30 years, I have not seen our taxes go down. These companies are given huge discounts on their taxes to lure them here.

In spite of everything said, Legoland and Amy's Kitchen will not pay their fair share of taxes. Are Goshen homeowners aware that the Galleria in Wallkill is in large part in the Goshen Central School District? They are not paying their fair share.

Legoland is seeking and asking New York State to grant them $6.3 million in additional money. They have already been granted $4.1 million. This is a multi-million-dollar corporation reaping enormous profits, and they are asking for a $10 million grant from New York State, which of course is not repayable.

Has anyone inquired as to why Haverstraw, their first choice, and much nearer to a metropolitan area than Goshen, turned down Legoland? The opponents had said Legoland's traffic, water, and sewer demands would overwhelm their community. Does not the same rationale apply to Goshen?

Local realtors have been quoted as saying that property values will most definitely decrease by at least 20 to 25 percent if Legoland builds in Goshen.

Lastly, why do so many outsiders of Gsohen remark on how wonderful Legoland would be for its residents, including our local politicians? If they are so positive, let them build in their communities. Chester has large amounts of undeveloped land.

Raymond E. Bally
Goshen

Good evening, my name is Brad Barnhorst. I have lived in the Town of Goshen for the past 17 years. Thank you for the opportunity to address each of the boards.

I would like to begin with some comments for the Town Board, regarding proposed local laws numbers 5 and 6. In the Town of Goshen, amusement parks are prohibited in all districts, and the Comprehensive Plan states that "*The foundation of this Comprehensive Plan is the recognition that the Town must both preserve its fragile and beautiful rural environment and provide for the needs of its people. To ignore either of these goals, or to pursue one at the expense of the other, is to fundamentally misunderstand what this Plan is all about.*" There is an important word in there: "needs." The town and the village may WANT the revenue from the proposed project. However, a WANT is not a NEED. A WANT is a DESIRE, while a NEED is a REQUIREMENT. Supervisor Bloomfield, one of the items for which I have heard you praised is your handling of the Town's finances. The Town's credit rating is quite strong. For that I give you my congratulations. This demonstrates that the Town is in good shape financially, and does not NEED this project. This project stands in diametric opposition to what currently is codified in the Town laws. I argue here tonight that to change them is, in a sense, to betray the public trust. You have heard from others who have represented that they would not have chosen to move here had there been an amusement park present, or planned to be present. I ask you please to count me among that number. Who will choose to live here should the zoning and comprehensive plan be changed, and the proposed project be approved? To illustrate the potential adverse impact in that area I would like to read to you a few sentences from a

paper titled "The Economic Impact of Theme Parks on Regions" by Michael Braun: "*Still, a question is unsolved. What happens with the 'theme park subregion' in this model? Who is it who wants to live there? Not only, that much of the demand for tourism related employment is seasonal and that low status and low pay characterize much tourist industry employment, the biggest danger lies in a disproportionate concentration of seasonal and low-paid employment which can be a threat to the region's employment structure. The case of the City of Anaheim illustrates this very bluntly:" most of the city's population works in traditionally blue-collar jobs. "It is fact that those who can afford it, move to surrounding cities because of the low quality of life in Anaheim.*" In order to take a hard look at this project, you must consider that information.

This leads us to the larger question of a comprehensive cost-benefit analysis of the project and its potential impacts on the Town. I am unaware that the Town has commissioned one, and I again call on you please to engage an impartial big four firm to conduct one. I submit that it is reckless to have a project of this magnitude and potential impact under consideration absent one.

Next, proposed local law #6 would allow for a "commercial recreational facility" on all of the 522 acres. To my knowledge there has been no study of the impact of such a zoning change on the full area. For example, what will be the impact to the "fragile and beautiful rural environment" of the rezoning for commercial recreation of an area equivalent to 25% of that of the Village? What will be the cumulative impact of a reopened government center, the proposed project, and its expected

multiplier businesses? This must be studied before such a change is considered.

Finally, to both of the boards, one reason that we are here tonight is to speak to the potential environmental impact. I need not speak to a potential impact, we are all living a realized impact. The adverse effect of this project on the environment in the town and village manifests itself daily. The rancor and hostility that have been brought about are painful to witness. Should the project move forward I expect things to get worse, as theoretical concerns become realized ones. I implore you to turn down this project. We do not NEED it, and it is not a good fit for the Town.

Thank you for your time.

Members of the Planning Board:

I am writing to you regarding the DEIS for the proposed Legoland project. Many years ago, I was responsible for grading the work of undergraduates. It is in this context that I present the following comment: had a student submitted work of this quality to me after the initial submission having been deemed incomplete, he or she would have received a failing grade. The flaws in the study are legion; it never should have been accepted for release to the public. These flaws must not be allowed simply to be addressed in an FEIS. Rather, the applicant must be required to revise the DEIS and return it for a second round of public comments, or at the very least, an SEIS must be commissioned, and it must cover all gaps in the DEIS.

The DEIS is not internally consistent: there are repeated examples of values for the same quantity that vary from one instance to the next. How then, can one reasonably be expected to judge the accuracy of the analysis of a potential impact? Further, assertions abound that lack the data and analyses to back them up. Indeed, the study presents as an advocacy piece rather than an objective analysis. While there is much discussion of potential impacts or lack thereof, the burden of proof necessary to accept these statements must be met. It has not been.

The DEIS does not study of the full range of potential impacts that may arise should the entire property in question be developed. Yet it states that further development would be subject to additional SEQR review. It is my understanding that this is contrary to SEQRA guidelines, which require a study of the full impact of any potential future development of the property.

These are but a few examples of the inadequacy of the DEIS as presented. The repeated failure of the study to back up its claims prevents the board from taking the "hard look" that it must. The study must not be accepted in its current state; nor should the applicant be allowed simply to attempt to rectify the errors when submitting its FEIS. There is no basis to accept the applicant's profession that all adverse impacts will be mitigated. The board must not rely upon faith, but upon careful study of facts. The DEIS lacks these facts. The applicant has not positively affirmed that there will be no unmitigated adverse impacts, therefore it must be required to do so, or its application must be rejected. Again, you must not accept the DEIS that has been presented to you.

Thank You,

Brad Barnhorst
Town of Goshen

Members of the Town Board:

I am writing to you regarding proposed local laws numbers five and six. As you well know, passage of these laws is necessary for the proposed Legoland project to proceed, as absent these changes, it would not be allowed in Goshen. That the project will be transformative is incontrovertible. The salient question that you must consider is whether the transformation will be for the benefit of, or to the detriment of the community.

I submit that you lack the necessary information on several fronts in order properly to make an informed decision. There has been no independent cost-benefit analysis conducted that examines every consideration of the town. The one commissioned by the IDA is limited to their areas of concern, thus is insufficient to provide the necessary information regarding the ramifications of the proposed local laws. There has been much information presented regarding presumed outcomes of the project, but to factor these into the decision, a burden of proof must be met. It has not been.

There has been no study of the full range of potential impacts that may arise should these laws be enacted. In addition, there has been no study of the effect of development of the entire area encompassed by the proposed overlay district. Furthermore, the study of the fraction of the total area that has been presented is lacking analysis to back up its assertions, and must not be relied upon.

Many years ago, I was responsible for grading the work of undergraduates. It is in this context that I present the following comment: had a student submitted work of this quality to me after the initial submission having been deemed incomplete, he or she would have received a failing grade. The flaws in the DEIS are legion. One might expect the applicant to put its best foot forward as it attempts to have its proposed project accepted. Indeed, if this is an example of its best effort then one must question what lies ahead should the project be allowed to proceed.

These are but a few examples of the inadequacy of the process as it has been carried out to date. The wholesale and decided lack of information prevents the board from taking the "hard look" that it must. Deciding to make a fundamental change to the community in these circumstances is reckless and imprudent. Consequently, you must vote not to pass proposed local laws numbers five and six.

Thank You,

Brad Barnhorst
Town of Goshen

RECEIVED
JAN 09 2017

To Goshen Town Board and Goshen Planning Board

Re: Written statement regarding Proposed Legoland

Date: January 1, 2017

There have been two meetings in the Village regarding this matter, both of which my wife and I attended. We both had opportunity to speak at the second one, and our position was, and still is, solidly in opposition to the introduction of this monstrously inappropriate element into the established fabric of both the town and the village.

Merlin Entertainment has been offered a PILOT for thirty years, and they "pay" for it by giving Goshen ONLY sixty-five cents per ticket. If an adult ticket to Legoland New York will cost ABOUT 90 dollars, then the money going to Goshen comes to 0.00722 (seven-hundred twenty-two thousandths) of the cost of the ticket. The town and the village should seek to re-open negotiations so that Merlin's "contributions" are much richer. They can afford it.

The 30-year tax abatement program does have that thirty-year life span, at the end of which time the agreement might be re-negotiated. It is naïve to believe that Merlin will not seek a further extension of the PILOT into the future. Maybe for another 30 years? What then?

The beneficiaries of the current agreement are the town and village of Goshen, as well as the Goshen School District. I live on Redwood Drive in Arcadia Hills. As such, my property is within the Chester Union Free School District, which does NOT benefit from the proposal as currently understood. This makes the agreement inherently UNFAIR to me and to the other Arcadia Hills residents who reside in the CUFSD. In my case however, there is a marked difference, since my property directly abuts the Legoland parcel(s) and is placed very close to that wall for the "park's" parking lot, only several yards away. For the "privilege" of the impact of that parking structure literally a stone's throw away, I am currently NOT included among those residents seemingly able to claim a future financial benefit. THEY will benefit, but I won't. THAT is unfair!

Another factor to consider: It is entirely possible that future developments will make it impossible for Merlin Entertainment to remain involved in Legoland New York at the proposed site. What would happen then? Do they walk away from that property with full pockets but empty of intentions to maintain it or to change its purpose(s)? Properties of the nature of a Legoland New York, i.e., a theme-based entity, have limited "other" uses.

A nother concern to consider is the aquarium that is supposed to be one of the features of this Legoland amusement park.

If this is the case, then how will that aquarium be maintained during the "off season", and who (or which unbiased purely neutral agency) will assure the health and well- being of the creatures that will be housed there? What standards (if any) will be adhered to, and how will the health of those living things be monitored? Has Merlin Entertainment explained satisfactorily how this will be accomplished? Will the aquarium's animals be kept as DISPLAYS or will they be used as PERFORMERS? Not only does Goshen NOT need Legoland, we certainly do NOT need to have Merlin Entertainment contribute to the development of deranged Orcas, such as at Sea World, where their unfortunate animals were mistreated until they became violent.

The issue of traffic problems has been raised at the public meetings and in the local media. It is impossible for anyone with even the slightest familiarity with traffic issues in this part of Orange County to believe that the proposed traffic lanes to be used at the proposed site for Legoland New York would be able to absorb traffic volume well enough so that backups will not happen. They are inevitable. Not only in Orange County, but back down to Rockland County, and westward along SR 17 into Sullivan County. Drivers will attempt to avoid the more congested routes and will opt for local roads through small towns such as Warwick, Florida, and Goshen itself. This will make for hazards and frustrated drivers and actually nullify Merlin's statements that their planned hours of operation will not impact local traffic. Clearly Merlin has not done its homework! Furthermore, if Sullivan County finally develops their Casinos, then THAT traffic volume will create a fairly unbearable situation. The ability to get TO or FROM

this glorified amusement park will be severely limited at best, and close to impossible at other times! Suppose an emergency develops at some point: imagine the difficulties of driving a rescue vehicle through stopped traffic. Consider the decreased likelihood of patient outcomes!

Along the same lines, with increased vehicular traffic comes decreased air quality due to engine exhaust. It might be stated by some that the atmosphere is in constant motion which will dilute the fumes into our local air. However, our air is far from local, and the increase in "local" air pollution will necessarily be spread "downwind". In this way "locally" increased air pollution will become more of a regional problem, and regionally there will be increased cases of respiratory problems, especially among the elderly and the infirm. This is a legacy that Legoland can spread elsewhere, where people do not have the deep attachments to the land, and to each other, that are found right here in Goshen and its neighboring communities.

The proposed parking lot at the eastern edge of the Legoland property will basically be constructed on a huge manmade mesa, a relatively flat or gently sloping structure which, if it is actually completed, will rank as one of the largest artificial landforms in the County. Certainly there is nothing now in the Town or the Village that would compare with it. This "mesa" would be created from existing materials (from a natural ridge) and supplemented by fill material. Where would this fill be sourced? Would the Town or Village Board members be willing to vouch for the sanitary qualities of any "clean fill" put to use in this proposed project? And I would suggest that BOTH Boards REQUIRE Merlin Entertainment to formally indemnify individuals who will be made ill by any materials used in the construction, or by exposures to those materials.

Furthermore, the proposed parking lot will need to be illuminated, and the additional lights for that parking lot will generate significant levels of light pollution which will definitely be noticeable from my home. Dark but starlit nights would be replaced by a vague but pervasive cloud of light caused by the Lego park.

The public meetings were treated to misleading statements regarding availability of drinking water from the Wallkill aquifer. On the surface of that argument is the implication that potential water resources COULD be drawn by the Legoland New York property. U nfortunately that argument is terribly flawed. The extent of the aquifer in question is probably well-known . The amount of water it might cntain is another matter. Without regard to whether the Wallkill Aquifer is based on a surface collecting basin or an artesian structure, underground, the amount of stored water depends on surface rainfall, snowfall, etcetera. These inflows would be drawn down by ordinary usages. Since we cannot predict rainfall amounts, and since water supply issues have historically plagued Goshen, it is very likely that drilling any additional wells into the Wallkill aquifer might provide nothing more than a short-term solution to a Goshen problem. There would definitely be supply issues among other users of that aquifer, and if Wallkill's current expansion should continue, then the water use by that community would make Legoland New York's water supply problems get very much worse.

If we factor in the matter of climate change, which is undeniably real and is happening at a more rapid pace than even earth scientists had envisioned, then the predictability of rainfall, which would recharge the Wallkill aquifer, and indeed ANY aquifer, would be called into question. Legoland New York would not be able to depend on any water resource: not Goshen water, not Wallkill's either.

I certainly reject the claims made by Legoland New York's supporters regarding the jobs-building effects of the proposal. Once the initial jobs-"bubble" has burst, once the carpenters, electricians, landscapers, plumbers and so on have left the construction phase behind, what kind(s) of jobs are anticipated there? Since the proposed facility will not be open all year around we need to eliminate ALMOST ALL full-time employment. Any student seeking work there would need to be available from the spring into the fall months only. , These being part-time situations, Merlin Entertainment would be able to hire workers without benefits, and these workers would qualify only for minimum-wage, low-skilled positions. Orange County, and especially Goshen, cannot expect our population of young people to be convinced that opportunities to build strong financial futures can begin at Legoland New York. That belief is totally without merit, is delusional, and

perpetrates an abuse on our young people, who need good solid jobs with competitive pay in order to simply keep pace with a rapidly evolving and technologically challenging environment. Legoland New York does not offer the kinds of jobs that growing young families depend upon. Instead, Goshen is being offered a plan to perpetuate a minimum-wage business climate which will serve to enrich Merlin Entertainment while doing nearly nothing to advance Goshen, itself.

As a long-term (43+ years) resident of Goshen I strongly believe that the proposed Legoland New York would seriously decrease the resale value of my home. Residents of the Village of Goshen, who are located FURTHER from the proposed site are reporting MAJOR changes in the evaluations of their properties. I, and many of my neighbors, will most definitely be severely affected in a similar manner. It is impossible to sugar-coat this issue: the brutal truth is that the Boards are being seduced by the money, my community is being victimized, and those people who are assigned to protect my interests are simply not doing their work. Of course, they can all be replaced!

In short, the current proposed project is woefully inadequate in ways too numerous to mention. The Town Board and the Zoning Board need to think more deeply, and with far less regard for the "gifts" being suggested by Merlin (aTrojan Horse!). The focus of both Boards ought to be on the future legacy that will be passed on to the Town and the Village if this Legoland New York project is allowed to go forward. Frankly speaking, any monies received from Governor Cuomo in furtherance of the project CAN and SHOULD be either returned, or be placed in an escrow account for use on something more appropriate, more useful, more environmentally safe, more equitable than Legoland. Legoland New York, located anywhere in or near Goshen, would be more than a mistake. It would be a blockhead idea.

Leonard Berger

2 Redwood Drive, Arcadia Hills, Goshen, NY

JFB

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RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

January 5, 2017

Town of Goshen Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Town of Goshen Board:

I am writing to you in support of the proposed LEGOLAND New York project ("LEGOLAND"). LEGOLAND is a critical addition to our community due to the tremendous tourism and economic benefits that will positively impact Goshen and its surrounding environs for many years to come. Moreover, LEGOLAND is a once in a lifetime opportunity to bring significant tax ratables to Goshen, create jobs, infuse revenues into the Goshen School District and solidify Goshen as the beneficiary of untold economic multipliers.

As you are aware, it is anticipated that LEGOLAND will employ **500 year-round full time employees, 300 part time employees and 500 seasonal employees.** Many of LEGOLAND's employees will be spending money in and around the Goshen-area. Most significantly, during the course of the buildout alone, LEGOLAND will create **800 construction jobs and has pledged to hire** local production labor.

In short, LEGOLAND is an economic boon to Goshen. LEGOLAND's initial investment prior to opening day will be **$350 million,** with the total package aggregating **$500 million** in its fifth year of operation.

I am confident that LEGOLAND's parent company, Merlin Entertainments, will address all issues you might have in its environmental impact review and I believe both Merlin and LEGOLAND are committed to being transparent in this process. I also believe LEGOLAND will be an outstanding member of the Goshen community and will do whatever it takes to support and maintain the superb quality of life in Goshen.

We need to take advantage of this opportunity. Please vote yes and approve this project!

Very truly yours,

Jack F. Berkowitz

The Ruby Group

1/3/2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

I am a taxpayer in Goshen, owning commercial property and residential property. It is imperative that we grow our tax base and increase the job opportunities both for our kids on a seasonal basis and middle class jobs that LegoLand offers year round.

I know from friends and colleagues that the vast majority of folks are in support, but we only hear the vocal opposition. Give consideration to the fact that most people do not understand community planning and if LegoLand were for some reason not to come to our community, those same naysayers will demand to know why taxes are rising and there are no jobs. Be visionary leaders, envision our community growing responsibly adding good quality jobs with a company that values education and community involvement.

I have taken the time to read online and look at demographics related to other LegoLand locations and they are far better than ours here in Orange County. You have a real opportunity to make a lasting change for the better. Be bold and help make this community stronger and better for our children, the entire community will come to recognize the benefit.

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to

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The Ruby Group

being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Pete Berman

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Legoland – What's Right

Legoland has put a proposition on the table of a 500-m project. The State has given Legoland at least 7 m in grant money, start up, we became partners and they want more. Local govt. would have to change the zoning laws to allow Legoland to operate and to give them a 30-year tax break, but by doing that would open up to dense housing, failure to allow this would mean discrimination and a lawsuit.

The 1.3 m that Lego is given the Town would be consumed by developers wanting to build in the area and would need resources for the new complex provided by the Town which means an added expense and a change in the demographics of the area, which could cause financial hardship. Not all businesses will be making a killing in the market other businesses will stay the same or close, but the door for additional housing and expenses will be clear and the makeup of local government could change. These are issues that the Town of Monroe has to deal with now.

We have discussed the various areas of concern that would be an important issue if the community grows for the wrong reason. Members of the Boards have to think what is smart to do and not what could be a financial disaster for the community as a whole.

It makes you wonder why Lego needs grants and a large tax break with a 500-m project, now I know why they are the second largest park because they need others to help them achieve their goals.

Rick Bernstein

Chester

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JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Planning Board

RECEIVED
DEC 28 2016
TOWN OF GOSHEN
TOWN CLERK

To whom it may concern,

In my opinion Legoland is wrong for this area. Our own master plan prohibited theme parks in the area. What I see is a conflict of interest of the Board [business people] vs. Residents[taxpayers] of the community.

Our biggest problem would be the traffic pattern and the noise and air pollution that would follow. Increase the roads to meet the needs of cars, trucks, RV, Vans, Buses, Trailers. Additional lighting, surveillance, manpower to meet the needs of the traffic over the south street overpass – coming and going. A large venture would be the need for water which the town would provide, how many gallons vs. the Towns needs and at what cost during a drought, who pays for the sewer system and waste management to meet the needs of the area.

It's our experts vs. their experts. I see bias on the part of the Board in making a decision. An emergency plan do they have one – NO – Lego doesn't need one. Yet if we had one we would have been ready for 911, schools, and malls that had incidents – cost money who pays? We would need construction of back roads for vendors and exits. The Town gets 1.3 m a year, how much does Legoland make a year and they want a 30-year tax break.

Legoland would agree to anything/everything to get their foot in the door and get their 500 m project off the ground. Detail contracts would have to provide what they will provide in writing then negotiate later.

Basically, its business vs. community [a quality of life issue]. If the Board says yes to Legoland we will become the losers for the future of Goshen or Lego Township.

We need an independent party to look at the pros and cons and make a decision, not people who have made up their minds. I don't need a large company to monopolize our community with the possibility of influencing our Boards. Thank you for allowing me to voice my comments.

Rick Bernstein

Chester

From: **Priscilla Gersbeck** pgersbeck@townofgoshen.org
Subject: FW: Legoland
Date: December 27, 2016 at 10:06 AM
To: Kelly Naughton knaughton@bmglawyers.com

PG

AS noted: to be seen by all boards.
Priscilla

-----Original Message-----
From: Bialas Farms [mailto:farmer@bialasfarms.com]
Sent: Friday, December 23, 2016 1:37 PM
To: pgersbeck@townofgoshen.org
Subject: Legoland

Hi lady, how's it going? You must be going crazy.

I have copied something from facebook, which makes a great deal of sense and should be taken seriously by the boards. Please make sure they see it.

Have a Merry Christmas and a safe and Happy New Year.

From facebook:
With a project at such a scale as Legoland, it is a disservice to have a knee-jerk reaction in either direction. No, people should not be NIMBYs and just oppose a project because they don't like change. Neither should others jump on the bandwagon of a proposal simply because they think it will boost the economy and create jobs. To push either position without basis in facts is potentially dangerous and detrimental.

That's where SEQRA comes in. It's a tool to prudently consider all the issues, and carefully assess all the potential impacts, BOTH positive and negative, so that the approving agencies can have full information to make a truly informed decision based on facts, not speculation. For those of you potentially supporting Legoland, I will suggest that some of the biggest questions include: With the current water shortages currently experienced by the Village of Goshen, can the Village adequately supply Legoland without harming its own residents and existing businesses? Can the roadway network handle the increased traffic generated by Legoland, or will it possibly become so hard to navigate that it could actually negatively impact existing business? Will Legoland actually create additional revenue for off-site businesses? Will Legoland generate more tax dollars than it demands in services, or otherwise will create in costs? If Legoland is developing 140 acres, what happens to the rest of the 522 acres being rezoned, and what impact might their eventual development have under the new zoning? Then of course, there are the other questions normally covered by an EIS, which are also important as well, including the impact on local watercourses, wildlife habitat, flooding, the site topography, etc.

My team (which includes a hydrogeologist and a traffic engineer) is working feverishly during this holiday season to have our written comments available by the January 10 deadline. There's no super computer that can do this. We have to do it the old fashioned way. We have to read every word. PLUS we have read other source materials and fact check, so the amount we have to look at can expand exponentially. When we're done, I know that CC4HV will share it with all of you in Goshen. In the meantime, though, let me give some of our preliminary findings.

This is where my earlier warning comes in, so forgive me if I sound less than professional for a moment. In my more than 30 years of experience with SEQRA, this is THE worst DEIS I have ever seen in NY. (I saw one worse in NJ, but they don't have any legal guidance like SEQRA in NY.) Why do I say that? Here's some details and highlights:

* SEQRA requires that an EIS for a rezoning decision consider the FULL impact of that rezoning. In other words, if the rezoning will allow more intensive development of 522 acres, it's insufficient to only consider the impact from developing 140 acres. This DEIS only considers the impact of the 140 acres proposed for development by Legoland.

* The DEIS actually states that more of the 522 acres could be subject to further expansion of Legoland, and that they'd go through SEQRA review again. Unfortunately, that's not how it works, and this suggested split review is an illegal violation of the "segmentation" principal in SEQRA.
What if the future expansion they're alluding to is the water park that suddenly disappeared from their proposal? Was it dropped because they feared the extra water usage would jeopardize their getting approval? That possibility and other potential development on the 522 acres must be assessed BEFORE the rezoning decision that would allow it is made.

* As is well known, the Village of Goshen has historically experienced water supply shortages. Between the reservoirs and wells, the Village states they have a permit to withdraw a MAXIMUM of 1.3 million gallons per day (GPD). However, reports by the Village's own consultants (this is where reading beyond the DEIS comes in) would place the maximum safe yield at 950,000 MGD. If there is a severe drought, and the reservoirs go off line (they came within 6 weeks of doing so in 2002), the safe yield drops to 450,000 GPD that comes form the wells.

* Legoland projects (but without any supporting documentation) that they will need 270,000 GPD. Adding that to the Village's own projected demand yields a sum demand of 1.224 million GPD. That's way over the safe yield of 950,000 MGD, and a full 94% of the permitted maximum withdrawal of 1.3 million MGD. To meet this demand, the Village would rely on the development of a third well... BUT the DEIS provides no information whatsoever as to the capacity of this new well, or even if it would be providing ANY additional water. As it is, the two existing wells (which are on the same property and draw from the same aquifer) must be pumped alternately. The new third well is proposed ON THE SAME PROPERTY. If you put 3 straws into the same glass of water, you don't get any more water.
The bottom line is that the DEIS does NOTHING to provide any solid data to answer this critical question.

The bottom line is that the DEIS does NOT intend to provide any solid data to answer this critical question.

* The traffic study looks impressive with its 6000 page length. It also provides an impressively long list of roadways and intersections that it studied. This list includes the Route 17/I-84 interchange which is projected to accommodate 20% of the Legoland traffic, but the DEIS does NOT study the Route 17/I-87 interchange that is projected to accommodate approximately 60% of the Legoland traffic. This is a glaring omission.

* For the existing condition, the DEIS notes that eastbound traffic on Route 17 backs up so badly starting on Sunday afternoons that cars will detour onto Route 17M at exits 124 and 125 in Goshen. With Legoland and WITH IMPROVEMENTS in place, the traffic study indicates that intersection after intersection on 17M will operate at a level of service (LOS) "F"
(which means exactly what you think it means.) But again, the root point of this problem, traffic heading for the Harriman interchange, is not studied in the DEIS, and neither is what happens when the traffic that diverted to 17M tries to divert onto other roadways.

* The DEIS contradicts itself frequently. There are no less than THREE different figures given in the DEIS for the amount of impervious surface in the build condition. Statements made by Mr. Royal assert that there will be 2000-foot buffers between the development and residential properties and 1000 feet elsewhere, but the DEIS uses buffer distances between 1000 and 1200 feet. Contrary to these numbers, measurements made from Figure III-6 (Cut and Fill Analysis) reveals a 900-foot buffer from residences in Arcadia Hills, and about 100 feet from its western property line.

* The contradictions are well illustrated when further examining Figure III-6, which I used as the focus of my testimony at the Public Hearing. For example, the DEIS states, "Based on the proposed grading plans, approximately 196,187 cubic yards of fill will be required to be brought to the site." But a table on Figure III-6 provides numbers that calculate to 531,187 cubic yards of fill that must be imported into the site. Using a 16 cy truck, that would be 33,199 truckloads of fill.

* For another example, the DEIS states, "The site's natural variations in topography will work to visually buffer the site as the development will sit lower than surrounding land." But Figure III-6 shows the northeastern corner of the parking lot would sit on top of 90 feet of fill at an elevation of 520 feet, 100 feet HIGHER -- not lower -- than the back yards of houses on Redwood Drive at 420 feet. That's an incredible amount of fill, which will rise well above these residential properties, and with the degree of cuts (up to 50 feet) and fills (up to 90 feet) shown on Figure III-6, there also won't be "natural variations in topography"
either. The parking lot then keeps rising to an elevation of 584 feet, or about 160+ feet above these homes. A resident of one of those homes made a point at the public hearing I hadn't even considered -- that this fill will cast his house into shadow at sunset earlier than it does now. It's an interesting thought to ponder.

* In yet another example, the DEIS states "The hotel will be built into the naturally sloping topography so that it is two stories from the front and four stories from the rear elevation." But Figure III-6 shows the hotel sitting at about elevation 522 on fill over a natural elevation of 458. This would be held back by a retaining wall placed right at the edge of a wetland, not a natural slope as described in the impact statement.
The 4-story building sitting on a 60+ foot tall retaining wall would be the equivalent of a 10-story building.

* Speaking of wetlands, a 2006 wetland survey for the "Hamlet at Goshen"
previously proposed on this property depicts all the same wetlands shown in the Legoland DEIS, but also shows three wetlands that are absent from the Legoland plans (another example of looking beyond the DEIS). Two of these wetlands are shown in what would be the footprint of the Legoland park, and one would be within the footprint of the parking lot. Wetlands just don't disappear on their own. It is rather suspicious that wetlands that had been shown for another development proposal happen to "disappear"
precisely within the area of development.

* The wetland mapping can't even be checked because the DEIS fails to provide either NYSDEC or Army Corps approved wetland mapping or an Army Corps delineation report for review in the DEIS (as is customary) that would support the wetland mapping they have depicted.

* The DEIS also represents that the project will only impact 0.075 acre of wetland, and is therefore "falls under the 0.1 acre disturbance threshold and no individual permit nor any compensatory wetland mitigation will be required." But on page 43, the existing condition description describes the existence of 116.72 acres of wetland, whereas the potential impacts described on page 54 identify a post-development condition of 115 acres of wetlands. This would equate to a wetland loss of 1.72 acres, greatly above the 0.075 acre otherwise claimed. The acreage represented by the three missing "mystery" wetlands could very well account for this discrepancy.

This is not even all that we have found. We have far more to go, but as we continue our review, we keep finding more and more and more like this, all of which further confirms a very poorly prepared DEIS with lots of holes and conflicting information. Others have also pointed out other deficiencies, including the Village of Goshen Police Chief Watt, who expressed concern about the lack of attention to police and emergency services, and the cost of providing them, giving his opinion that Legoland would "eclipse Woodbury Commons as the highest risk terrorism target in Orange County." Obviously, this is a serious consideration that should concern all of Goshen.

In other words, the DEIS is so deficient and unreliable that it is completely useless as the tool it is intended to be to aid the Goshen Town Board and Planning Board in making an informed decision. This should raise concern for EVERYONE in Goshen. No matter which side you stand on, pro or against Legoland, or if you are undecided, the one area for all Goshenites to find common ground is in having an adequate DEIS by which to make informed decisions. Even if Legoland is approved, the Town needs to properly identify the potential impacts that may occur, negotiate changes in the proposed plan to reduce those impacts, and ensure that improvements are put in place that will mitigate the remaining impacts and benefit the people of this town. Both sides on this issue should be talking to each other with understanding and respect, and without calling each other names. I read that whole exchange on Jeremy's post, and the greatest thing I can derive from it is that both sides sincerely care about Goshen. Right now, you just may disagree about what that means. But more information really IS a good thing. Once everything is fully out in the open, studied, and any possible mitigation explored, you may have one of two possible outcomes; those opposing it may conclude it isn't such a bad thing after all, or those supporting it may conclude it isn't such a great thing after all. At the very least, you will likely have a much more educated population that can come to a majority opinion one way or the other.

I hope this answered a whole bunch of questions!

Steve Gross

November 20, 2016

Dear Planning Board Members,

I am writing to inform you of an omission to the Second DEIS document relevant to Legoland. On page 140, in the section under Historic and Aesthetic Resources, neither my home nor my neighbor's home were included. My home is located at 156 South Street, which is extremely close to the proposed development area. It is known as the "Everett-Bradner House", and has been on the National Registry of Historic Places since 2004. My neighbor's home is located at 145 South Street, and is therefore even closer to the proposed site for Legoland. It is known as the Geoge T. Wisner House and has been on the Registry of Historic places since 2005.It is particularly galling that these properties were omitted since I spoke at the meeting held in July at the CJ Hooker middle school where I mentioned that both homes were on the registry.

I have included my letter from July, and Wikipedia references for both homes for your reference.

Sincerely,

Martha H. Bogart

July 21, 2016

Dear Planning Board Members,

On page 18 of the Full Environmental Assessment Form, Part 1 Project and Setting, it states that the Legoland project site does not contain a contiguous building that has been nominated by the NYS Board of Historic Preservation for inclusion on the State and National Registry of Historic Places. Please be advised that on the perimeter road of the site there are two such properties. My home at 156 South Street is included on the State and National Register of Historic Places. Additionally, my nearest neighbor's home at 145 South Street is also on the State and National Register of Historic Places. These two historic homes are the closest dwellings to the intersection of Harriman Drive and South Street, an intersection that will be part of the main artery for entry to Legoland Park and therefore will be greatly impacted by the increase in traffic flow Legoland will inevitably cause. Additionally, the portion of South Street on the opposite side of Route 17 constitutes an entire historic district. This district will be less than 100 yards from the main flow of Legoland traffic that will need to turn right from Route 17M onto South Street. All of these properties, by their historic nature, are part of what gives Goshen its special character. Therefore I ask that you respect the history and natural beauty of our community by taking the following two actions:

- Require that a direct exit from Route 17 (Future 86) onto Harriman Drive be constructed to eliminate impact on our historic and rural character.
- Require that a Positive Declaration be included in the SEQRA process.

Sincerely,

Martha H. Bogart

Martha H. Bogart
156 South Street PO Box 274
Goshen, NY 10924

OFFICE OF PARKS · RECREATION · HISTORIC PRESERVATION
NEW YORK STATE
Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189 518-237-8643

November 24, 2004

Mr. & Ms. Steven and Martha Bogart
156 South Street
Goshen, NY 10924

Re: Everett - Bradner House
156 South Street
Goshen, Orange County

Dear Mr. & Ms. Bogart:

I am pleased to inform you that the above referenced property has been listed on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, owners of income producing properties may qualify for federal income tax benefits. Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

If you would like more information about any of these programs, please write to the Historic Preservation Field Services Bureau or call us at (518) 237-8643. Field Services Bureau staff maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director
Historic Preservation
Field Services Bureau

RLP:lsa

An Equal Opportunity/Affirmative Action Agency
printed on recycled paper

Everett-Bradner House

From Wikipedia, the free encyclopedia

Coordinates: 41.3895° -74.3260°

The **Everett-Bradner House**, also known as the **Bradner-Young House**, is located at 156 South Street in the village of Goshen, New York. It has been a Registered Historic Place since 2004.

Everett-Bradner House
(U.S. National Register of Historic Places)

The house in late 2006

Location:	Goshen, NY
Nearest city:	Middletown
Coordinates:	41°23′22″N, 74°19′34″W
Built/Founded:	late 18th century
Architectural style(s):	Georgian
Added to NRHP:	2004
Reference #:	04001204
Governing body:	Private residence

External links

- **Maps and aerial photos**
  - Satellite image from WikiMapia, Google Maps or Windows Live Local
  - Street map from MapQuest or Google Maps
  - Topographic map from TopoZone
  - Aerial image from TerraServer-USA

This National Register of Historic Places-related article is a stub. You can help Wikipedia by expanding it.

Retrieved from "http://en.wikipedia.org/wiki/Everett-Bradner_House"

Categories: National Register of Historic Places stubs | Houses in New York | Registered Historic Places in New York | Orange County, New York | Georgian architecture

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OFFICE OF PARKS · RECREATION · HISTORIC PRESERVATION
NEW YORK STATE
Bernadette Castro
Commissioner

New York State Office of Parks, Recreation and Historic Preservation
Historic Preservation Field Services Bureau
Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643

July 28, 2005

Ms. Judy Andrews
P.O. Box 381
Goshen, NY 10924

Re: George T. Wisner House
Goshen, Orange County

Dear Ms. Andrews:

I am pleased to inform you that the above referenced property has been listed on the National Register of Historic Places. As you may know, the National Register is the nation's official list of properties worthy of preservation. Listing on the National Register recognizes the importance of these properties to the history of our country and provides them with a measure of protection. In addition, owners of income producing properties may qualify for federal income tax benefits. Properties owned by municipalities and not-for-profit organizations are eligible to apply for state historic preservation matching grants.

If you would like more information about any of these programs, please contact your field representative, in this case, Bill Krattinger, at the New York State Historic Preservation Field Services Bureau at (518) 237-8643 ext. 3265 Field Services Bureau staff maintains a continuing interest in all registered properties and will be happy to answer any questions you may have.

Sincerely,

Ruth L. Pierpont

Ruth L. Pierpont
Director
Historic Preservation
Field Services Bureau

RLP:lsa

An Equal Opportunity/Affirmative Action Agency
printed on recycled paper

Coordinates: 41°23′45″N 74°19′21″W

George T. Wisner House

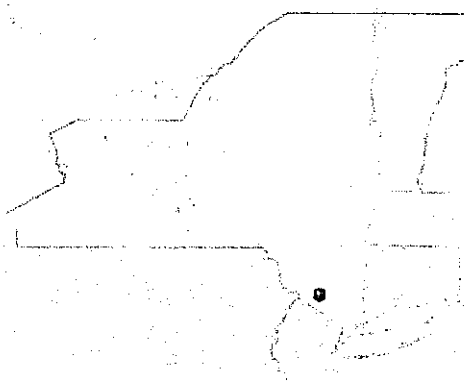
From Wikipedia, the free encyclopedia

The **George T. Wisner House**, also known as **Oak Hill**, is a historic home located on South Street in Goshen, New York, United States. It was built about 1840, and is a Greek Revival style frame dwelling that incorporates an earlier Federal style dwelling built about 1805. It has a broad gabled roof and a central hall plan interior. The front section is 2 1/2-stories, five bays wide and four bays deep.[2]

It was added to the National Register of Historic Places in 2005.[1]

George T. Wisner House

U.S. National Register of Historic Places

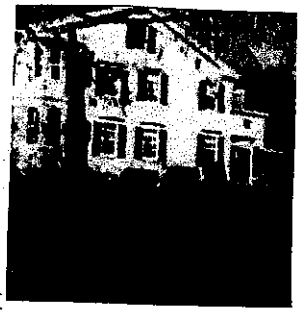


◉ Show map of New York
○ Show map of the US
○ Show all

Location	Goshen, NY
Nearest city	Middletown
Coordinates	41°23′45″N 74°19′21″W
Area	4 acres (1.6 ha)
Built	c. 1805, c. 1840
Architectural style	Federal, Greek Revival
NRHP Reference #	05000634 (http://focus.nps.gov/AssetDetail/NRIS/05000634) [1]
Added to NRHP	June 30, 2005

References

1. National Park Service (2010-07-09). "National Register Information System". *National Register of Historic Places*. National Park Service.
2. "Cultural Resource Information System (CRIS)" (Searchable database). New York State Office of Parks, Recreation and Historic Preservation. Retrieved 2016-02-01. *Note:* This includes William E. Krattinger (November 2004). "National Register of Historic Places Registration Form: George T. Wisner House" (PDF). Retrieved 2016-02-01. and *Accompanying photographs* (https://cris.parks.ny.gov/Uploads/ViewDoc.aspx?mode=A&id=24099&q=false)



Retrieved from "https://en.wikipedia.org/w/index.php?title=George_T._Wisner_House&oldid=738814758"

Categories: Houses on the National Register of Historic Places in New York | Federal architecture in New York | Greek Revival houses in New York | Houses completed in 1805 | Houses in Orange County, New York

File
Legoland

Martha H. Bogart
File No. 16008A2.EPC

RECEIVED
AUG - 5 2016
TOWN OF GOSHEN
TOWN CLERK

********* INVOICE *********

File Number: 16008A2.EPC

Ms. Martha H. Bogart
156 South Street
Goshen, NY 10924

Invoice # :
Order Date : 07/28/2016
Reference/Case # : Martha H. Bogart
PO Number :

Property located at:

156 South Street
Village of Goshen, NY 10924

	$ [redacted]
	$
Invoice Total	$ [redacted]
State Sales Tax @	$ [redacted]
Deposit	($)
Deposit	($)
Amount Due	$ [redacted]

Terms:

Attached is the summary statement of my appraisal.
Martha Bogart

Please Make Check Payable To:

Eldred P. Carhart
276 Temple Hill Road, No. 305
New Windsor, NY 12553

Fed. I.D. #:

APPRAISAL OF

A Single-Family Residence on a 1.6 Acre Lot

LOCATED AT:

156 South Street
Village of Goshen, NY 10924

CLIENT:

Martha H. Bogart
Village of Goshen, NY 10924

AS OF:

July 28, 2016

" Extraordinary Assumption: IF the proposed "Legoland Theme Park" is actually constructed (see the last two pages of this report), then the value of the subject property could be reduced due to its proximity to Reservoir Road and the Route 17 overpass on South Street by Locational Depreciation (increased traffic with related noise and air pollution; as well as further strains on the Village's municipal services), in an amount up to 25% of its appraised value."

StagecoachINN
NEW YORK

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 4, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

We are writing to express our strong support for the proposed LEGOLAND New York project. We believe that this project is vital to the future of Goshen and Orange County. Our county is in critical need of growth, good jobs and tax revenue and this project will provide all three.

Additionally, a project such as LEGOLAND New York can act as a catalyst for future investment in our community. Businesses that see companies like Merlin Entertainments and brands like LEGO investing in our community will give us consideration for investment where previously they may have not.

As a business owners and investors in Goshen and Orange County we are prepared to invest further in our community. As leaders, it is vital that you support great investment in our community and signal that Goshen is open for business and interested in growth.

PLEASE VOTE YES and approve this project!

Be well,

Ronald Boire and Faith Ferguson
Owners
Stagecoach Inn

268 Main Street, Goshen NY 10924 | 845-294-5526 | care@stagecoachny.com

RECEIVED
DEC 2 9 2016
TOWN CLERK

12/29/16

Dear Town Board members,

I strongly urge you to take into consideration the rights and quality of living of residents of Goshen who oppose the magnitude of change that an extreme developmental theme park such as Legoland would bring to our area.

I am not opposed to Legoland if it were to be built in Newburgh or by Stewart Airport with its buffer zones or even over the capped Turi Landfill, I am not opposed to progress, I am not opposed to change. What I am opposed to is the fact that you created a master plan for Goshen that would preserve the historical and cultural quality of life against the very kind of unreasonable development that would be the equivalent of sticking a clown nose on the Mona Lisa..You do not have a majority of Goshen residents wanting this and you do not fool me by trying to raise fear in me of the Kyrias Joel community taking it over. If you have the zoning in place to prevent high density housing, KJ cannot come in and take it over for that purpose.

You don't have the water to offer Legoland, because if you truly did, then you would have been lying to residents all these years about the seriousness of the water supply issues and would not have been tapping into surrounding communities during times of drought.

You don't have the support for volunteer fire and medical services to sufficiently cover emergencies at a theme park of that size. You conveniently do not address the propensity to increase development to add on to the theme park in subsequent years and what this would entail.

I believe that our beautiful Goshen is vulnerable to the undermining aggressiveness of self serving and self aggrandizing individuals who seek legacy, perhaps financial gain, notoriety, whatever. An example of this has been a succession of county executives whose deliberate atrocious neglect of the government center caused such deterioration that it has justified in the current county exec's aggressiveness in bastardizing its architecture This and the fantasy of Legoland being the economic shot in the arm that wealth/money driven people think it needs does no good for the people who love the area for what it already is. Let Middletown and Chester continue to sell out their remaining open space to corporate growth and builders eager to eat up whatever remaining open space is available. Why allow Goshen to become just another domino in the grand scheme of human maggoty in the name of business and progress.

Legoland may serve handicapped students and expand the imagination of children to build and create, but this can all be done in their own homes or in Newburgh where there is access from the Thruway and Rt. 84 and proximity to the city and Connecticut. It skives me to see aggressive union members trying to bully the outcome of this corporate insurrection. It skives me that my town board members could be swayed by all expense paid trips to Legoland in Florida which were unethical to accept.

I implore you to do the right thing. Protect our reservoirs by keeping development away from them. Protect what little water we have by not tapping into the same aquifer again and again and again with more straws just going into the same glass. Protect my quality of life by protecting this last open space. Protect the environment from this theme park that clearly belongs someplace else already ruined by development. Please uphold the master plan that exists and do not seek to change the laws to accommodate this theme park simply because someone waves dollar signs and promises in your face. If you want to improve the economy, propose a small tax on all religious properties across the board. Change those laws, not laws designed to protect us as a community. You have already destroyed long term relationships with people I have known over this highly controversial travesty and I will never

again feel comfortable about living in Goshen, but as long as I have to be here because my livelihood is here and I am not yet ready to retire, I implore you to think rationally, with an environmental conscience and with integrity, unmotivated by dollar signs, Follow the example set by other historic towns in the U.S. i.e. Warwick, NY or Brewster, Massachussetts in Cape Cod. Keep a jewel such as Goshen special without cheapening it by allowing this circus to come to town here. I am proud to tell people I live in a town where Noah Webster taught and the Hall of Fame of the Trotter exists, Hambiltonian sired racehorses and many other notable historical facts. I don't want to have to tell people that my historical town sold out to Legoland, a foreign commercial theme park that bargained for 30 years of tax free status, ruined the quality of life for local residents and will stand empty one day, an overgrown hangout for teenagers with nothing to do but congegate to get into trouble where nobody will bother to patrol.
Thanks for your consideration.

Sincerely,
Vicki Botta

Vicki Botta
2 Autumn Trail
Goshen, NY 10924
845 667-4717

RECEIVED
JAN 05 2017
TOWN OF GOSHEN
TOWN CLERK

Michele Wolfson Broder
45 Lower Reservoir Road
Goshen, NY 10924
914-424-2912
michele.e.wolfson@gmail.com
January 1, 2017

Lee Bergus
Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

Dear Lee Bergus:

I am writing you this letter because I am strongly opposed to the site of the Legoland project in our town of Goshen, New York. It truly scares me that the current chosen location proposal, located off of Harriman Drive, is even considered a viable option.

I know that I am one of the many individuals who are genuinely concerned, upset, and terrified that the proposed project is still being entertained by our town board. There have been many town meetings regarding this issue and after hearing the various concerns of the residents, it is imperative that you, as our entrusted town bo ard of Goshen, NY withdraw your consideration of the Legoland project.

The plan to build a mega park in a middle-class residential neighborhood that is surrounded by many family homes, a well-used bike path, and a major highway (that is already often congested) would be completely detrimental to our town. We also have secondary roads where children play and people jog along regularly. The safety of the people using these roads will be compromised if Legoland's setting is on the proposed site. My family and I ride our bikes and run along these roads frequently, and this amusement park location would be putting our safety at risk. As a resident of Lower Reservoir Road, we cycle and jog along Arcadia Road, Conklington, and South Street on a regular basis. The safety of my family and other families who are residents of Goshen should come first. Our highways and roads are not designed nor built to withstand the millions of visitors that will be visiting the park each year.

Can you imagine what our secondary roads will look like if Legoland is in our charming town of Goshen? Have you ever heard of Waze, the popular navigation app? Traffic-beating apps like this will redirect thousands upon thousands of drivers onto our currently quiet roads. The thought of the volume of cars that will be barreling down our streets while my family and I are cycling or on a jog makes me sick to my stomach. If you are going to sell out our town, at least understand that you will be stripping it of its quiet country charm and altering the lifestyle of all who live here. It is one of the main reasons we love our town of Goshen, NY.

The pollution that this park would generate is another major issue. Currently, there is nothing like taking in a deep breath of air in Goshen, NY. I work in Manhattan during the week and

when I pull up to my driveway and get out of my car after a long day, it feels wonderful to draw in a deep breath of fresh air here in Goshen. I am incredibly concerned how Legoland would affect air pollution. Increased levels of fossil fuels have been proven to increase the likelihood of contributing to cardiovascular and lung diseases. This silent killer has not been properly addressed by the DEIS. Infrastructure improvements of massive proportions would need to be made to our town to accommodate the park. The sound pollution from the rides and crowds will be heard throughout our neighborhood. This amusement park would especially hurt those whose homes are located down the street or near the main entrance of the proposed site. The DEIS also does not properly address the limited water supply, the environmental destruction on the proposed land as well as the surrounding environment, and many other issues. This plan has been moved ahead way too quickly without major issues in the DEIS being addressed by the board and that is extremely upsetting. To put it simply: it is too much too big happening too quickly.

In addition, this proposed amusement park would strongly devalue the home properties within its vicinity. There have been claims that it will lower our property taxes but considering Merlin Entertainment wants a 30-year tax exemption, they may not have to pay property taxes on the park. Potential sales tax revenues may generate money for the county but the county has released very few details on their plan to put back money into our pockets or communities. Unfortunately, I have very little faith that the money generated from this project will go towards the town of Goshen. In the grand scheme of things, $1.3 million per year is nothing and quite frankly, it is an insult. If Legoland does not generate revenue for Merlin Entertainment, and is forced to close, we will be stuck with an abandoned amusement park in our backyards. This is why we have been protected by our zoning laws for all of these years. They were designed to make sure that something like this never occurred in our town because it is just the completely wrong place for something like Legoland to be built. The master plan is not some archaic outdated document. It was extensively reviewed and updated in 2009. Almost everything about this Commercial Development Violates a zoning law or contradicts the Comprehensive Master Plan.

Legoland is not suited for the spot Merlin is proposing for so many obvious reasons. All 523 acres of the proposed site fall with in an environmentally important and unique area labeled as a priority area in Goshen's own "Open Space and Farmland Preservation Plan." The trees in that location serve so many purposes from acting as a sound barrier, to shading our critical watershed, to erosion protection, to fostering a healthy bat habitat. If the zoning is changed, new laws will be passed and the town has the potential to look like its ugly neighbor, Middletown. We will see a rise in problems created by damaging the environment.

It is impossible to deny that this project will negatively affect my family and every other family that resides close by the proposed project site. It feels that you as the decision makers are fast-tracking this project that has been rejected by other neighboring areas town boards and that you are making decisions with your best interests in mind instead of the towns. For the past year, the steps the board has made towards making this project happen has left me feeling very betrayed. Have you noticed that many of the "Pro Legoland" speakers at the town meetings have been union and business people that live **outside** of the town of Goshen? That perspective just doesn't hold water compared to the actual residents whose lives will be negatively impacted forever by this proposed project. We are the people who actually elected you to represent our best interests. Other towns were smart enough to reject this idea and we should reject it as well.

While we should all continue our efforts to bring new projects to our town in order to provide quality of life and help ease rising costs associated with living in Orange County, it should never come at the cost of creating hardship or stress for our residents and divide our community. This proposed project is creating a harsh divide in the community, as it is very obvious from the town meetings how upset many citizens of Goshen are at the idea of this proposed project. You have had our support in the past as we have asked you to look out for our concerns. We strongly urge you to pass on this project, as it is a completely inappropriate site.

Sincerely,

Michele Wolfson Broder

Michele Wolfson Broder

RECEIVED
JAN 05 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Goshen Town Planning Board,

I am strongly opposed to the site of the LEGOLAND project in Goshen. I am a new resident of Lower Reservoir Road. Before I was introduced to Goshen a few years ago, I didn't think that a place like Goshen could even exist. Goshen is a town with great history, wonderful people, up and coming restaurants and local entertainment, beautiful farms, and fresh air. It is this unique combination of factors that makes Goshen a place where I want to live. As a recently married young adult, I hope to be lucky enough to raise children in Goshen and be able to enjoy these unique features for decades to come. Sadly, I am certain that LEGOLAND would harm these aspects of Goshen and create new problems.

One of my major concerns is traffic. Merlin has suggested some traffic upgrades, but ultimately various governments would be responsible for implementing the vast local and regional changes to the roads. These upgrades will not happen overnight, if at all. Let's not forget the way such road changes would impact the character and aesthetics of Goshen. Meanwhile, Merlin has also commented that they think traffic will be manageable. I used to work as a financial analyst for TJX (TJMaxx, Marshalls, HomeGoods) working on real estate development deals worth hundreds of millions of dollars. I know first-hand that traffic studies and models often turn out to be wrong; and they can say whatever the sponsor wants them to say.

Much of the traffic will be people coming from New York City, who barely know how to drive, and will have never been in Goshen before. As a 12 year old, I was walking along the side of a road with no sidewalk (like so many of the roads near the proposed LEGOLAND site) with my grandmother, when a vehicle struck her at full speed. The driver was not a local and did not know where she was going. With the grace of God, my grandmother survived the incident, but as a 12 year old, I was traumatized as I watched my grandmother hauled off in an ambulance. There is no doubt that the proposed LEGOLAND site would increase the risk of these types of traumatic events happening in what is currently a safe and quiet town.

Air pollution will also result from the traffic increase. This was not adequately addressed in the DEIS. I love to use Goshen's walking and biking trails, ride my bike through its historic sites and visit local restaurants. The thing that makes Goshen such a desirable place to spend my time is its fresh air. With LEGOLAND in Goshen, I can guarantee you that air quality will make Goshen less desirable compared to other residential towns in the region.

Goshen Town Planning Board, I urge you to not be short-sighted. I understand the construction of the site will lead to construction jobs for the next few years, while the negative impacts will have not yet hit Goshen. For a short period of time, you may look good. However, after the park opens, we will face so many problems, which will only accumulate over time. We will see air quality decline, traffic explode, environmental and ecological deterioration, history and local culture decline, and so many other potential issues. If you move forward with LEGOLAND, this Board's legacy will be negative in the mind of everyone who sees the pre-LEGOLAND and post-LEGOLAND Goshen. I hope to be lucky enough to live in Goshen for 70 more years and I hope that 70 years from now I'm not discussing your negative legacy with my grandchildren. Are you sure you want to be known as the group responsible for making the town worse in so many ways? Please do not make this mistake.

Samuel Broder-Fingert
45 Lower Reservoir Rd.

Samuel Broder-Fingert

Statement to Goshen Planning Board in reference to the Legoland DEIS
December 15, 2016

My name is Beth Brodeur and I represent Circle Z LLC, the owner of 120 Conklingtown Road in Goshen and WillsWay Equestrian Center, the boarding and lesson operation located at the farm.

Just over a year ago Circle Z and WillsWay came before the Town Board to be sure that a building permit would be given for the construction of an indoor arena on the property, as explicitly allowed in the Conservation Easement for the property. At the time, the Board expressed much concern over the increased traffic that would occur on Conklingtown Road due to a larger boarder and lesson facility on an existing horse farm property.

I'm appalled that Town officials who, less than 18 months ago, thought the traffic from an additional 15 stalls on an existing horse property could be intolerable would find the traffic from 10,000 cars per day acceptable and the traffic study done for the DEIS to be complete.

Additionally, though the impact of the proposed development on multiple intersections in the immediate vicinity of Route 17 were discussed in the traffic evaluation, no consideration was given to the change in traffic patterns that would result from the development and the impact on all side roads. Many alternate routes around the proposed development will be searched out, by residents and others. Almost everyone has a map, traffic and GPS app on their cell phone these days. When traffic slows on Route 17, cars divert to local roads.

Currently we see a lot of through traffic on Conklingtown Road, much of it at speeds of 40 mph or greater as the road is relatively straight. Since Conklingtown parallels Route 17 and is not impeded with traffic lights, many people use it to go between Goshen and Chester, avoiding the traffic on 17M.

We are concerned with the potential impact on our quiet country lane which the Planning Board told us is a scenic byway when concern over additional horse trailer traffic was expressed to us last year.

We can expect much frustration at dealing with such an increase in local traffic. Beyond that is the issue of clear passage for emergency vehicles. Will ambulances, fire trucks and police cars be able to navigate around the crowded roads to reach incidents on side streets or will residents be put at risk for an amusement park?

I respectfully ask that the traffic study be expanded to address these concerns.

Supervisor, Douglas Bloomfield

From: Laura Bryson <laurabrysonart@gmail.com>
Sent: Tuesday, January 17, 2017 1:49 PM
To: dbloomfield@townofgoshen.org
Subject: Great film

Dear Supervisor Bloomfield,

Thank you for considering the consequences to our pristine area, as shown in this film.

https://youtu.be/S8FQRiLG_qo

Truly,

Laura Bryson

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

County Wide Electric Inc.

TEL 845-291-7255 • PO Box 644, Goshen, NY 10924 • TEL 845-294-7255

Sean.countywideelectric@gmail.com

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

January 4th, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Sean C Burke

County Wide Electric Inc. is proudly licensed by the following:
Orange County NY • Sullivan County NY • Westchester County NY • Suffolk County NY
Cities of Middletown, Newburgh, Port Jervis and Poughkeepsie NY
State of New Jersey, State of Connecticut

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Public Hearing Dec 15, 2016 , Goshen, NY- Proposed Legoland development
Date: January 3, 2017 at 1:32 PM
To: Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

-----Original Message-----
From: James Caggiano [mailto:jacaggiano@optonline.net]
Sent: Tuesday, January 03, 2017 12:13 PM
To: NHalloran@townofGoshen.org
Subject: Fw: Public Hearing Dec 15, 2016 , Goshen, NY- Proposed Legoland development

Neal- as instructed at the December 15, 2016 public hearing on the above subject, please see my written comments that meets the January 10th extended deadline by the Town. Any questions or further information is required, please let me know.
Thank you
Jim

note: original sent by US Mail

JAMES A. CAGGIANO, P.E.
Property address: 21 August Rd
Goshen, NY 10924
914-500-7768
JACaggiano@optonline.net

January 2, 2017

Town of Goshen Planning Board
c/o Building and Zoning Department
PO Box 21741 Webster Ave.
Goshen, NY 10924
Attn: Neal Halloran
Email:NHalloran@townofGoshen.org

Re: DEIS Scoping Issues
Town Public Hearing 12/15/16
Proposed Legoland Development

Dear Sir/Madam,
As directed at the public hearing of December 15, 2016 by the Town Planning Board meeting, please accept this letter as my concerns and comments for the SEQRA Scoping session for the above referenced subject. Here are a few more comments that need to be properly addressed in the DEIS:
1. the DEIS did not contain direct comments addressing the FEMA Maps for these properties along Otter Creek & its tributaries that shows the 100yr & 500yr flood plains. As stated in the July 2003 Town's Protection Plan the Otter Creek (Area B) that exists throughout the entire parcels is a major feed supply to the Village's Reservoir system. On page 8 on Water Resources, the Report states "The small headwater settings of both these reservoirs mean that their watersheds or drainage areas are also **small and fragile**." The Plan further states that it has significant Biodiversity also along its banks that must be protected. If tampered with, it could destroy the Village's 0.5MGD Reservoir raw supply system. If this was another community like NYC, it would be looking at measures to purchase the properties along the Creek to protect its Watershed & limit the amount/type of water treatment required by the NYSDOH to supply its customers -that is Best Management Practice. The Legoland development will destroy the environment and wildlife at Otter Creek. As the former Village water engineer for several years, I am aware of the negative impacts of this proposed project on Goshen's reservoir watershed.

Based on being a Critical Environmental Area by the NYSDEC, NYSDEC should be **Co-Lead Agency** as mentioned at Thursday's public hearing.

2. Based on what I read to date , it must be made clear that the **Safe Dependable Yield** of the Village's water system is **documented at 0.95MGD** (0.5mgd reservoir by CDM Report + 0.45mgd wells by NYSDOH Permit) **not 1.3MGD** as stated in their report. Also it should be stated that the local wells that Mr. O'Rourke of Lanc & Tully stated at the public hearing that would be donated to the Town are **negligible** in supplying this area. They are typical residential wells of very small magnitude when we talking about the 250,000gpd range.

3. As presented by the public at the hearing, the Town needs to state the impact on property values for homes in the vicinity of the proposed amusement park. As stated, a certified Appraiser with over 40years experience has determined that property values would decrease significantly (25% +/-) and this impact must be addressed in the DEIS that possible lost home value/income & immediate reduction in taxes. This is a significant socio-economic impact to the residents of entire Town and its future fiscal budgets.

4. Section IV, page 160 of the DEIS is not correct. It needs to be properly addressed and corrected to state that noise levels during construction and white the amusement park is in operation can be mitigated like the Tappan Zee Bridge project where the contractors were instructed by Governor Cuomo's Task Force to install temporary & permanent sound barriers to protect the residents in the surrounding areas. Legoland's Merlin Entertainment CEO John Ussher stated at June public meeting that the sounds generated from Legoland would not be greater than the present ambient sounds. Per noise level tables, a reading of 40decibels(dB) or less is considered quiet residential. These levels must be maintained for the quality of life for the residents in the surrounding areas.

For local residents, this area of Goshen is known as Echo Ridge which translates to a natural land features that carry sounds many miles that is similar to an amphi-theater effect used by the Romans & Greeks, and at modeled at Bethel Woods to convey sounds.

5. In regard to traffic, it is not necessary to be a traffic engineer as everyone knows that it will be a disaster especially on weekends at the 124 & 125 exits. Coupled with the added traffic from the Monticello Casino scheduled to open in the Spring of 2018. There is no mitigation method in the DEIS to handle the 6,000 plus cars daily that will be produced by Legoland. The traffic experts from the State and other consultants must address this issue taking into account the reported expansion plan of BOCES & emergency vehicles. Addition of additional traffic lanes on Rte 17(future Rte 86) along with a separate exit interchange for Legoland will take major funding and many years if it even happens. Route 17(future Rte86) will be called the LIE #2. In addition emergency vehicles especially on weekends will or be able to respond in a timely fashion due the tremendous traffic congestion.

In summary, we are not against Legoland/Merlin as an amusement company and also support the construction workers in the region who will benefit from this huge mega-construction project for several years (there is plenty of work to support the unions from nearby several counties) **but it should be built elsewhere** like the former IBM site in Kingston/Ulster where it is already zoned for commercial/industry and has the necessary infrastructure to support it. As I briefly mentioned at the public hearing, there are errors/incompleteness contained in the DEIS that must be corrected & addressed.

As you are well aware, if this mega-project moves forward, this will dramatically change the quality of life and features that are attributed to our Town and have attracted many families to live and grow up their children in Goshen. Remember-once the damage is done during construction, it is irreversible and too late!

Thank you for your attention in this matter.

Very truly yours,

James A. Caggiano, P.E.
(original sent by mail)

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Environmental Impact (EIS)
Date: January 10, 2017 at 8:46 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: caggianoj@optonline.net [mailto:caggianoj@optonline.net]
Sent: Monday, January 09, 2017 11:39 PM
To: NHalloran@townofGoshen.org
Subject: Environmental Impact (EIS)

Greetings Planning Board of Goshen,

I am a very concerned citizen and resident of Goshen.
I educate children ,too.

Stick to the **TOWN ZONING LAW 97.10**
It specifically **prohibits** Amusement Parks in **any** district in the town of Goshen.
(We had entertainment years ago between the roads 17and 17M near the South Street Exit. The stands collapsed and people were
seriously hurt or died. As you know, it was taken apart and leveled in the memory of this tragic event.)

What additional plans does Merlin have for the rest of the 500 acres of land???
Do you know? *Each time they ask for more.*
Plastic silos do have very harmful effects on the environment. It has been exposed in other counties in NY and **stopped**. *It will have a great impact on us!*
How do plastic granules combine?
What are the dangers to man?
Plastic product manufacturing is responsible for **hidden dangers**.
The **toxins** are released in the air and sewage treatment plants.

The Power Company -Merlin
They want to add more towers .
What are the dangers living near power lines in a residential area ?
www. safespaceprotection.com
- grave threat to future of *families in the area*

- evidence for power line health effects
- link between radiation "possibly carcinogens (**cancer** causing) to humans
- increase the risk of **childhood leukemia " from electromagnatism**

DO NOT GIVE INTO LEGO'S MARKETING PRACTICES
with YOU, SCHOOLS AND BUSINESSES

DO NOT ALLOW THE HAZARDOUS WASTE IN THE COMMUNITY

DO NOT ALLOW OUR WATER SUPPLY TO BE IN JEOPARDY YEAR AFTER YEAR

DO NOT GIVE INTO ROADS THROUGH NEIGHBORHOODS AND BACKYARDS.
NOW CHILDREN PLAY IN THESE STREETS!!!

DO NOT **ALLOW TRAFFIC ON RESERVOIR ROAD . WATER WILL BECOME POLLUTED THROUGH**
TIME FROM THE RUN OFF IN THE SOIL AND EXHAUST FROM THE CARS

DO NOT ACCEPT THEIR SO CALLED STUDIES AT INAPPROPRIATE TIMES-ESPECIALLY SUMMER WHEN MANY PEOPLE ARE AWAY ; HOLIDAYS WHEN PEOPLE HEAD SOUTH, THE SHORE AND TRAVEL

DO NOT BELIEVE THAT THEY ARE DOING WELL - CALIFORNIA ISN'T

Villages and towns in Orange County were *not properly informed* of the **impact** on **their** roads, water supply,
traffic. The impact on all residents to bring a few jobs? Minimum wage ? 10,000 to 20,000 more people and cars ?
A rural community to an urban community ? Unwanteds ? Deplete our Environment and Impact on Wildlife?

STOP LEGOLAND ! MOVE IT!

BE OUR REPS AND PROTECT US !
J. Caggiano

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

GREATER MONROE CHAMBER of COMMERCE, Inc.

Board of Directors:
Paul Campanella President
Edison Guzman Vice-President
Alan Michels Secretary
Michael Littier Treasurer
Wayne Cutter
Laurie Dziedzic
Amanda Gerkens
Stephen Kalmus
Sophia McKenzie
Charles Pakula

January 14, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

The Greater Monroe Chamber of Commerce, Inc. supports the proposed LEGOLAND New York project. This project can have a significant economic impact on Goshen and the surrounding communities and has the potential to be of tremendous benefit to Orange County tourism through out the county.

The project will be an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

LEGOLAND New York will have an immediate initial impact by creating 800 construction jobs. Many of those jobs will be sourced locally and for those that aren't, workers will be staying locally, dining locally and shopping locally. Local suppliers to the building trades will also be positively impacted and those companies' employees all live and shop locally.

Over the long term LEGOLAND New York estimates it will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. Most of these employees and their families will live in the local community, go to local colleges, shop locally and participate in local community act ivies having a positive effect on Goshen and the surrounding communities!

Based on their performance so far Merlin Entertainments appears to be transparent and willing to address all issues you might have in its environmental impact review. Based on their history in other areas we also believe LEGOLAND New York will be supportive member of the Goshen community and will generally enhance the quality of life in Goshen.

PLEASE VOTE YES and approve this project!

Respectfully,

Paul F. Campanella
President

Office Location:
158 Stage Road
Monroe, NY 10950
Email: info@gmcoc.com

Web-site:
www.gmcoc.com
Phone: (845) 500-7762

Mailing Address:
Greater Monroe Chamber of Commerce, Inc.
P.O. Box #330
Monroe NY 10949-0330

Chester Printing
7 Prospect Street - Middletown, NY 10940
845.343.2722

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 9, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

I am writing to you to express my positive support for the LEGOLAND New York project. This project is important because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a rare opportunity to bring tax ratables to Goshen, create jobs for local residents, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

While I have concerns about the traffic impacts of this project, I have every confidence that these impacts can be fully mitigated via your site plan requirements.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Sincerely,

Ralph H. Carr
Chester Printing

RECEIVED
JAN 04 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen Board and Planning Board
RE: Clearing and Grading Permit
Date: January 4, 2017

Clear cutting to remove trees and vegetation is called DEFORESTATION. It severely affects our climate, forest environments, ecological systems, water recharge of wetlands, animal habitats, plants and people. Once an area is deforested it is permanently destroyed, can never be replaced, and leaves a barren landscape. See: attached article Deforestation by National Geographic.

DEIS p. 53: "Removal of trees of greater than 3 inches....
Look at a ruler and sight in 0 to 1.5 inches. Every tree bigger than 1.5 inches across will be removed.

DEIS p. 53: "A total of 436.38 acres will remain as undeveloped open space and manicured lawn."
Carefully read what they are saying because manicured lawn is has no trees.

DEIS p. 54: "Several mature trees will be removed for grading and construction."
Nature Educator: There are at least two trees over 70" in diameter and 45 trees over 36" in diameter. Some of these trees are 300 years old and are the oldest living members of the Town of Goshen.

Are you really going to cut down these 300-year-old trees?

If a timber harvest requires crossing a stream, a DEC Article 15 permit is required.

If timber harvesting is done in designated wetlands, a DEC Article 24 state wetlands permit is required.

What are the town laws on removing tons of wood/brush debris from a property?

If this debris is hauled away to a landfill, how many trucks will be added to the 32,199 trucks hauling in fill dirt?

This project must comply with the DEC rules and has Merlin or the permit applicant acquired permission to move dirt legally on this project?

If Merlin is using only 140 acres why is the permit for 523 acres?

A GEIC needs to be done on the entire 523 acres.

Concerned Citizens for the Hudson Valley/J.A.

Deforestation

Here's what you need to know about the warming planet, how it's affecting us, and what's at stake.

NATIONAL GEOGRAPHIC

Deforestation has many negative effects on the environment. The most dramatic impact is a loss of habitat for millions of species. Seventy percent of Earth's land animals and plants live in forests, and many cannot survive the deforestation that destroys their homes.

Deforestation also drives climate change. Forest soils are moist, but without protection from sun-blocking tree cover they quickly dry out. Trees also help perpetuate the water cycle by returning water vapor back into the atmosphere. Without trees to fill these roles, many former forest lands can quickly become barren deserts.

Removing trees deprives the forest of portions of its canopy, which blocks the sun's rays during the day and holds in heat at night. This disruption leads to more extreme temperatures swings that can be harmful to plants and animals.

Trees also play a critical role in absorbing the greenhouse gases that fuel global warming. Fewer forests means larger amounts of greenhouse gases entering the atmosphere—and increased speed and severity of global warming.

The quickest solution to deforestation would be to simply stop cutting down trees. Though deforestation rates have slowed a bit in recent years, financial realities make this unlikely to occur.

A more workable solution is to carefully manage forest resources by eliminating clear-cutting to make sure that forest environments remain intact.

HUDSON VALLEY PUBLIC RELATIONS
31 Mountain Lane, Beacon, NY 12508
845.202.7087
hello@hudsonvalleypublicrelations.com

HUDSON Valley
PUBLIC RelATIONS

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 3rd, 2016

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

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The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Very Respectfully,

Andrew Ciccone

Andrew Ciccone, President / CEO
Hudson Valley Public Relations

LYNN ALLEN CIONE
11 Marie Terrace Goshen, NY 10924
lynncione@gmail.com

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Chairman Lee Bergus
Town of Goshen Planning Board
41 Webster Avenue
Goshen NY 10924

Dear Chairman Bergus,

Thank you for your service and for the service of the entire Planning Board to the Goshen community, and for your hard work regarding the proposed Legoland project. As you know from my comments at various public hearings I have been an early and ardent supporter of this project.

I urge you to approve the Legoland project. Legoland is not just a stellar company with a sterling reputation but it is GREAT for Goshen. Goshen is perfect for Legoland. We are the County Seat. We are historically and culturally positioned to welcome people from all walks of life to our community. We do it every day as the place where people come from all over the county and the state to do their business. We have a history of tourism with the Historic Track, the Mile Track, the Hall of Fame of the Trotters. We have 3 exits on Route 17. We expect people to come here. This is who we are, we welcome people and provide opportunities for them which cannot be found anywhere else in Orange County. Why on Earth would Legoland go anywhere else?

As the county seat, almost 50% of Goshen's property is tax exempt, as you know. This does not include issues of tax certs, expired PILOTS triggering reduced assessments, and other exemptions. The only way to ease our tax burden and be able to function and meet our future needs is with an expanded tax base and another economic engine. We all learned what happens to an undiversified economy between the 2008 Recession and the closure of the county building. I believe Legoland will provide a boost to our flagging economy and will be respective of our history, environmental sensitivities, and economic requirements.

As the President of the Orange County of Commerce I cannot stress how important these jobs are to Orange County. As a resident and tax payers of Goshen I cannot stress how important the jobs are to Goshen, the economic investment is to our economic health, and to protect our future. Slow motion Goshen sounds inviting but we have far too many foreclosures, far too few good jobs, far to little ability to pay for our future needs. You are aware of the numbers, both in employment and dollar investments, initial investment of **$350 million** with investment reaching **$500 million** in Legoland's 5th year of operation.

As the former Executive Director of the Goshen Chamber of Commerce I know how important it is for our local businesses to have foot traffic and a sustained customer base. Legoland will create 500 year-round full time, 300 part time, and 500 seasonal positions. Those employees will spend money HERE.

How important is that for our Town to be economically sustainable? Local businesses are the backbone of any economy. We have struggled for far too long.

I firmly support Legoland. It is a globally respected company with a tremendous track record of corporate responsibility, cultural sensitivity, and environmental sustainability. Merlin Entertainments has locations in some of the most diverse cultures in the world and have been able to successfully navigate the diverse regulations and expectations imposed by those vastly different regions, countries, cities. A smattering includes the US, Western Europe, Turkey, SE Asia, Japan, Dubai, Australia, China. I am confident they can manage and will respect the history and culture of Goshen as well as the regulatory requirements of Goshen, Orange County, New York State and the US federal government. They have been nothing but supportive of our local not for profits and have worked tirelessly to be part of our Goshen community.

I have asked many businesses for letters of support. Most support the Legoland project but will not say so publicly because they do not wish reprisals, boycotts, or having their business FB page taken over by those against the project. Therefore I write on their behalf. The Orange County Chamber of Commerce has supported this project and I am forwarding that Board resolution under separate cover.

You know me. I have lived in Goshen since 1987 and have been heavily invested in this Town since that time. I have served on the Village of Goshen Board from 2002-2008 as a Trustee filling the positions of Water Commissioner, Police Commissioner and Deputy Mayor. I served on the Village Zoning Board of appeals from 2009 to 2014 and was the Executive Director of the Goshen chamber of Commerce from 2008 to 2014 when I accepted my present position as President of the Orange County Chamber. This is in addition to many more volunteer activities. My late husband Tom had been Goshen Town Justice from 2000 to 2015 and Village of Goshen Justice from 2000 to 2013. I want nothing but the best for Goshen now and for the future. I live here and plan on continuing to live here. I am no "hired gun" as has been charged, but stakeholder and involved member of this community with a rather unique vantage point.

Thank you for your time and your consideration. You have a historic undertaking before you. One which will impact our community and our sustainability now and for decades to come. I strongly urge you to support the Legoland NY project in Goshen NY.

Sincerely,

Lynn Allen Cione

GOSHEN COMFORT INN & SUITES

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Comfort INN & SUITES
BY CHOICE HOTELS

1/9/2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community. Being a local Goshen hotel we are very excited for this possible project to come to town.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!
PLEASE VOTE YES and approve this project!

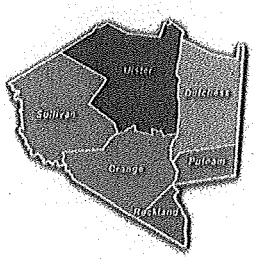
Respectfully,

Kate Clark
General Manager
Comfort Inn and Suites Goshen NY

20 HATFIELD LANE
GOSHEN, NEW YORK 10924
PHONE 845.291.1282
FAX 845.291.1283
For reservations worldwide: 800.4CHOICE choicehotels.com

ACE MENTOR PROGRAM
ARCHITECTURE • CONSTRUCTION • ENGINEERING

ACEMentorHudsonValley.org
845-346-0010
HudsonValleyNY@ACEMentor.org



LEGO
LEGOLAND
NEW YORK

Dear Town of Goshen Planning Board and Town Board,

On behalf of the ACE Mentor Program of the Hudson Valley, the board of directors are writing this letter to express our support for the proposed Legoland New York project.

ACE Mentor Program is a nationwide, 501(c)3 non profit that mentors high school students in the fields of architecture, construction and engineering. This fall, a local chapter of the program was started. Since the beginning of the school year, 80 students representing over 20 school districts are participating in this program. Like any other mentorship program, the biggest challenge is recruiting mentors. On numerous occasions, Legoland (Phil Royle) has helped increase our mentorship. This involvement has directly helped the program grow, which in turn has immersed the students with a larger and diverse mentorship.

In addition to the direct help of the local Legoland team, Lego has been used as part of the ACE curriculum for throughout the country for many years. Regarding the STEM learning process, Legoland NY will be a great public- private partner with ACE and the local school systems. From early ages through high school and beyond our local workforce development in a much needed industry will see a positive impact of Legoland in our backyard.

Sincerely,

Erik Collier

Erik Collier - Chairman

Katie Chevalier - CS Arch - Vice Chair

Tom Ritzenthaler - CS Arch - Treasurer

Adam Ramli - Hudson Valley Digital Marketing - Secretary

Walter Moran - Facilities Director Cornwall Schools

RECEIVED
DEC 2 4 2016
TOWN OF GOSHEN
TOWN CLERK

DONNA
Cornell
& Co. Inc.

RECEIVED
JAN 03 2017
TOWN OF GOSHEN
TOWN CLERK

11 Taft Place
Cornwall on Hudson, NY 12520
845 565 0088
Cell: 845 863 3828
www.donnacornell.com

Douglas Bloomfield, Supervisor
Town Board, Town of Goshen
41 Webster Avenue
Goshen, NY 10924

Lee Bergus, Chairman
Planning Board, Town of Goshen
41 Webster Avenue
Goshen, NY 10924

Gentlemen and other members of the Town and Planning Boards:

I am writing this in support of the Legoland project. I served as initial Chairperson for the Orange County Partnership and to fulfill those responsibilities attended University of Maryland as the first leg to obtain credentialing as an economic development professional. This program and my years of community involvement have provided me solid knowledge and experience in project assessment, thus, I feel uniquely able to evaluate this project for positive as well as potentially negative outcomes.

We have an opportunity now to help our region prosper to the benefit of many residents. I acknowledge that the topics of water, traffic and environmental impact need to be monitored and have faith in our local and state regulatory agencies to do so. That is their job and I believe all the players have a dedication to doing the job right. I firmly believe the positive effects of this project outweigh concerns.

I also serve as Chairperson of the Elant, Inc. system, comprised of multiple locations throughout the Hudson Valley. Our presence in the Goshen area includes our headquarters, a nursing home, adult day care, Glen Arden residential facility, offices, physical rehab facilities and more. I have evaluated the Legoland proposal and I do not see any negative impact on our operations or individuals we serve. Since we are an organization comprised of over 3000 people including our employees and our residents, I am cognizant of the fact that there are going to be some individuals who may be concerned about various aspects of this project. Also often change can often evoke fears, whether valid or not.

I do not see any obstacles to the Elant system continuing to be able to provide stellar service to those in our care or to jeopardize our operations in any way. Out of respect for the small group of individuals who may either wish to learn more before they endorse or who may continue to have concerns regarding this project, our Board of Directors decided not to take a formal position.

Again, I am strongly in support of this excellent opportunity for our region and hope you will move forward with it.

Very truly yours,

Donna Cornell

Donna M. Cornell 12/27/16

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: please share with the Planning board and the town Board
Date: January 17, 2017 at 8:37 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Neal Halloran [mailto:nhalloran@townofgoshen.org]
Sent: Tuesday, January 17, 2017 8:35 AM
To: 'Debbie Corr' <debcorr10924@gmail.com>
Subject: RE: please share with the Planning board and the town Board

Debra,

I have nothing attached to the email.

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Debbie Corr [mailto:debcorr10924@gmail.com]
Sent: Monday, January 16, 2017 6:18 PM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org; pgersbeck@townofgoshen.org
Subject: please share with the Planning board and the town Board

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Debra Corr

845-294-4224 Office
914-474-7722 Cell/Text
debcorr10924@gmail.com
http://exclusivelyequinepropertiesllc.com

845-294-8956 FAX

From: **Kelly Naughton** knaughton@bmglawyers.com
Subject: Fwd: please share with the Planning board and the town Board
Date: January 17, 2017 at 10:16 AM
To:

Begin forwarded message:

From: Neal Halloran <nhalloran@townofgoshen.org>
Subject: FW: please share with the Planning board and the town Board
Date: January 17, 2017 at 9:52:50 AM EST
To: 'Kelly Naughton' <knaughton@bmglawyers.com>

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Debbie Corr [mailto:debcorr10924@gmail.com]
Sent: Tuesday, January 17, 2017 8:47 AM
To: Neal Halloran <nhalloran@townofgoshen.org>
Subject: RE: please share with the Planning board and the town Board

https://youtu.be/S8FQRiLG_qo

Debra B Corr
9144747722

On Jan 17, 2017 8:34 AM, "Neal Halloran" <nhalloran@townofgoshen.org> wrote:

Debra,

I have nothing attached to the email.

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Debbie Corr [mailto:debcorr10924@gmail.com]
Sent: Monday, January 16, 2017 6:18 PM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org; pgersbeck@townofgoshen.org

To: mallorai@townofgoshen.org, dbloomfield@townofgoshen.org, pgeisbeck@townofgoshen.org
Subject: please share with the Planning board and the town Board

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Debra Corr

845-294-4224 Office
914-474-7722 Cell/Text
debcorr10924@gmail.com
http://exclusivelyequinepropertiesllc.com

845-294-8956 FAX

12/21/2016

Town of Goshen & Town of Goshen Planning Board

I have reviewed the DEIS and I have tell you there are so many inconsistencies

1. There is no cumulative impact study of the project which includes all the new sub-divisions, Montraign casinos, Amy's Kitchen, Dan Depew's Waterpark, the government center, the library, the proposed CVS Supermarket, additional hotels and low income affordable housing that will be needed and all the suggested development along the route 17 and 17m corridor. This is missing from the DEIS.

2. There is no independent cost benefit analysis. Using Legoland's guestimates is allowing the fox to watch the hen house. We **need** to know what legoland is **truly** going to cost the taxpayers.

3. The Town **turned down** the lone oak sub-division on April 25th 2016 which proposed more money for the Town of Goshen and proposed a conservation easement and protected the wetlands. Why are we not demanding a conservation easement to protect this land that is so unsuitable for this type of project.

4. Legoland could not have chosen a worse site located within the Moodna Watershed, Wetlands, AQ 3, AQ 6, Scenic, Stream and Reservoir overlay district, the Otterkill Creek a class c tributary of the Moodna Creek runs through the site has significant Biodiversity along its banks that must be protected, Yet the Otterkill creek is ignored on legoland maps. The proposed buffer of 100 from the Otterkill creek does not meet the DEC requirements. I live on the Otterkill creek I could not build within 100 feet of the Otterkill as it floods sometimes up to 300 feet from the creeks edge.

DEC 2 1 2016

The DEIS claims 140 acres will be disturbed I was corrected by Phil Royle who said," they will clear cut 180 acres and addition development of the site is a distinct possibility for the future.

So why is there no study of different phases.

There is not an accurate study of endangered species. Endangered species don't just jump out and say, "here I am", it takes hours and days to locate them. The DEIS refers to disturbing the wetlands. On one page its less than acre, then 62 acres then 52.75, then another 15 acres, all before the DEC has even been involved to evaluate the wetlands. It should be clear what the total amount of acres is that is going to be destroyed.

The Data refers to information collected from a 1999 and a 2006 denied applications. The data that is used in legolands current DEIS is 10 and 17 years old and should be thrown out, legoland should do current studies and pay people to do them instead of cheating with some else studies.

This DEIS was done Fast and Cheap by the current applicant. The Truth is legoland is here to make money and lots of it they do not care what it will do to our town, our taxes, our property values, our wetlands or quality life. Without a proper DEIS you are an accomplice. Demand that they do this properly or go home.

Debra Corr
349 Sarah Wells Trail
Goshen, NY 10924

RECEIVED
JAN 04 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen Board and Town of Goshen Planning Board January 4, 2017

Why is Merlin applying for a permit for a sub-division of 522 acres when they state the Amusement Park is supposedly to be built on 140 acres?

Page 9 of the DEIS: Legoland states 140 acres of the site will be disturbed, this is incorrect as I was corrected by Phil Royle that 180 acres will be disturbed.

There will be high sediment loads from the 140-acre construction site that will contaminate the OtterKill and its tributaries. "During the development and grading stage Legoland is asking for a waiver of MS4 law to disturb more than 5 acres at a time." So what is going to happen to the land and neighboring properties.

Page 53: 80 acres will be made impervious with parking lots, roads, driveways, walkways, and buildings with runoff consisting of gasoline, motor oil, and heavy metals, such as iron, zinc, copper, and lead. Rubber particles from tires, debris and metals from brake systems, and bacterial contamination will be in the runoff. This large impervious surface endangers our environment, eliminates natural rainwater filtration and groundwater recharge.

The paving will deprive tree roots of aeration eventually killing them and eliminate the shade canopy that moderates hot temperatures for the environment, humans and for the stream.

"Solar heat" on the paved surfaces will raise ambient air temperatures, the warm water runoff reduces dissolved oxygen in stream water suffocating aquatic plants, fish and micro species.

Page 160, IV. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

The Proposed Project will result in clearing and regrading of 180 acres of land. Unavoidable adverse environmental impacts will occur as well as unavoidable changes to the site's natural topography and removal of vegetation including mature 300 year old 70 inch in diameter trees. Why are your approving 522 acres instead of 180 acres of land?

The clear cutting of 180 acres will create an environmental disaster, killing trees, animals, vegetation and all living things to just to pave a huge parking lot and create an amusement park which is prohibited in the town of Goshen comprehensive plan.

So if amusement parks are prohibited in the town of Goshen why are we going thru this process?

I am asking you to deny the permit for excavating and deny Legolands initial application.

I am asking the Town of Goshen Board and the Town of Goshen Planning board to stop this project and tell Legoland to find a more suitable place that will not destroy our wetlands and watershed.

I am asking that you abide by the master plan as written and deny this project.

This project must do a GEIS on the entire 523 acres.

Debra Corr

349 Sarah Wells Trail
Goshen NY 10924

To: Town of Goshen Planning Board And the Town of Goshen Board
Re: Fact Finding Mission of the Town Planning Board and advisors

DEC 2 1 2016

Page 3

... the Town Engineer, Attorney for the Town, Planning Board Attorney and consulting Traffic Engineers each paid their own expenses for the site visit.

These are probably 1099 workers and this is a tax deductible expense.

P4

The entry access drive is shorter than the access drive proposed for Goshen.

The site also includes a number of features that are not proposed for Goshen (waterski shows, wildlife nature preserve and water park).

It should be noted that Merlin does not own the botanical gardens or the Pope Mansion. It is a state owned historic site.

P5

Although the Goshen park is much larger in total area, the area of development is similar, and the parking areas are also comparable.

Either it is or it isn't comparable – Goshen project is larger, parking lot is larger, stacking lanes are longer.

They also felt that LEGOLAND's onsite health clinic was well operated.

Legoland Winter Haven uses off duty EMS workers for staffing the first aid station. Goshen has an existing shortage of ems workers. Who is paying for the additional staff?

In April 2016 the land of the park and some surrounding area was annexed into the City of Winter Haven,

The same year and month that Lone Oaks was denied because of a sensitive environmental location and infrastructure deficiencies. Phil Royle told us that Winter Haven asked Legoland to annex the property across Cypress Gardens Blvd. The Town of Winter having told us that Legoland asked them for the annexation. The annexation allows Legoland to develop housing in its expansion as a resort brand in that location.

LEGOLAND. The Police Chief advised they received 47 calls from April 2015 through October 2016.

First of all that is the off-season. David Castle provided us with the complete list of calls to Legoland which follows.

LEGOLAND CALL OUTS
10/27/2015-10/27/2016
1 LEGOLAND WAY WINTER HAVEN, FL

	10/27/2015-10/27/2016	
T	Traffic Stop	38
S39P	Petit Theft	6
S14	Information	39
S15	Special Detail	58
S29	Battery	4
S38L	Abandoned/Lost/Found	9
S12	Traffic Complaint	5
S13P	Suspicious Person/Vech/Inc	9
S85	Fraud	8
S13V	Suspicious Vechicle	3
S31	Narcotics Violation	1
S66	Trespassing	3
S4,S3P	Vechicle Crash/Prop.Damage	21
S39G	Grand Theft	9
S22	Disturbance	7
S10	Stolen Vechicle	4
1017	Conducting Investigation	14
S55	Dangerous Shooting	1
S81	Property Damage	2
S21	Burglary	1
S74	Disable Vechicle	2
S1	Drunk Driver	2
S51	Criminal Mischief	2
S45	Fight	1
S90	Hangups	287
PA	Fire/EMT Rescue Calls	97
S37	Perimeter Check	9
	misc.other	49
	Total Calls 10/15-10/16	689
	Total Calls 10/14-10/15	799
	Total Calls 10/13-10/14	900

P6

It was reported that there has been no problem regarding pedophiles at the park;
The population demographic is nothing like Goshen. Just north of Legoland there was a mass arrest of Disney and Sea World employees as sexual predators.

The result of this first bomb threat at the park was an initiative for additional training that has been scheduled.
David Castle advised us that as a result of this bomb threat (which he called very troubling) they revamped their training. In January 2017 they have a new drill scheduled with table top exercises, and on the ground actual training. It should also be noted that they have 88 full-time officers in Winter Haven with full arrest powers. Back up is provided by Polk County, State Police and other town police organizations. He also noted that Cypress Gardens Blvd is still under the jurisdiction of Polk County Police.

7. *Traffic has never backed out to the public road and they have never observed the parking lot full.*
They rarely needed the assistance of police for traffic control because Legoland hires off duty police officers to do traffic control on their days of high attendance. Legoland pays $30 per hour for these off duty officers: $28 per hour of that is for the officer's pay and the balance for workman's comp and vehicle cost.

P8

8. they advised that building lots on Lake Summit with a direct view of the park have recently been developed with some of the highest value residential properties in the area.
We observed some nice houses on Hartley Road. It should be noted that this is a lakeside resort community adjacent to a park that was developed in the 1930's and has not comparison to the situation in Goshen.

They reported that rarely does a community event occur that LEGOLAND is not involved with in some manner. LEGOLAND recently sponsored a 5K run for a charity, a golf tournament, and they bring every 2nd grader in the county to the park.
This is a tax advantage for Merlin as much as it is community relations. No doubt Merlin takes full tax credit for these activities at retail price.
Let's not be stupid and remember this is an enormous for profit corporation with financial goals and dividends to pay.

11. It was reported that local realtors note that there are increasing home sales, with increasing values, in the area, especially in the vicinity of LEGOLAND.
Did they tell you that Legoland was driving the home values or the fact that this is a lakeside resort community. We saw bankrupt strip malls, trailer parks and shacks within the immediate vicinity of Legoland as well – so can you say that Legoland created these situations as well?

P9

II.A. There appeared to be no large rush of traffic either entering or exiting the park at one time.
This is the off season. Did they share their daily attendance figures with you? They did not share them with us but did indicate that they have the attendance counts for every day and every hour. Phil Royle said that it was accurate to note that 80% or more of the park visitors arrive between the hours of 10-noon each day.

P10

Attendance in the park was 8,051 visitors and 1,350 vehicles, plus hotel patrons and employees and their respective vehicles on October 29, 2016, which may approximate an average day for the Goshen project, although it is estimated that the park will have significantly more visitors during peak days.
The attendance on the day before their visit was well below Saturday. Entire areas of the park were empty and the only place we saw people was waiting on line for the Dragon Ride and for the Auto School.

P10

In discussions with City of Winter Haven officials, they indicated that traffic congestion in the area is minimal during the months that the LEGOLAND NewYork project will be in full operation.
Is this a serious statement? Who wants to be in Florida in the summer? Who are you kidding with these ridiculous comparisons? Compare the traffic and congestion over Christmas and the February school holidays.

Traffic safety is reported to be at a very high-level and the local police authorities report minimal calls to the park on traffic related matters.
Define "minimal" in relation to what? Remember Cypress Gardens Blvd is a different police department.

P11

Deliveries occur to a back of house facility
The BOH facility in Florida is a separate building with a separate entrance.

P12

In LEGOLAND Florida, the back of house area alongside the roadway could use some clean up.
We felt that the entire park could use some cleanup.

the only unique operation we discussed was the washing of LEGO bricks. This is accomplished in a standard laundry wash or in a dishwasher.
We were told that the formula was "special". We hope they are using bleach for those logos. The frequency of cleaning was not mentioned.

The taller structures with potential for offsite visibility include the four-story hotel and the

approximately 40-foot high dragon roller coaster.
The dragon coaster is a signature ride in all legolands and it was both visible and audible from outside the park.

P13
We found these had very limited offsite viewing impacts,
How was this determined? We found it to be significant offsite visibility

Additionally, the stores and eating facilities remain open as the guests leave. This results in the last of the patrons staying for up to an hour or so after the listed closing time.
More income for Merlin, zero income for the Goshen restaurants. If the park is supposed to be closed at 8PM in Goshen, that means no fireworks because it will not be dark enough. Be sure to clarify this and fines should be in effect for violation of this policy.

other than the brief time that there are firework displays.
Previously it was stated that there were frequent fireworks displays – so why are you trying to make them look good? Fireworks on the proposed site will have extreme detrimental effect on the endangered species in the area, especially the bat population. You need to consider the animals currently inhabiting the proposed site.

P14
Where pockets are emptied and every person is scanned by a hand-held magnetometer, with no exceptions.
We were wanded on entrance however we were scanned only to our waist – that is cursory and dangerous. Josh Sommers of Focus Media was not scanned at all, neither was Phil Royle. I had business dealings with heads of state and CEO's of Fortune 500 companies and was taught that there are NO exceptions or assumptions in security.

The WH Planners recommended PUD zoning to allow for reasonable development conditions
PUD zoning in Florida which has plenty of water and no severe drought restrictions. More income for Merlin.

P15
3. Require that Stormwater quality basins that are visible to the public
Did Legoland give you runoff volume statistics? Did you ask for them?

7. plans to confirm adequate fire protection and safety provisions
How many GPM for fire hydrants,; how many hydrants, how much response time? What happens when the response time is lacking because of traffic? Keep in mind that there are 9 hospitals in the Winter Haven area. One is 3.5 miles away and the other is 4.2 miles away

It is particularly disturbing that plans are moving ahead on this project when you are missing so many key elements needed to make an informed decision. A cost/benefit analysis needs to be done as you have no idea what the real dollars are here. You need to have an independent

company identify the cost of additional personnel, additional road maintenance, the reality of having no water for the residents, the impact on the hospital, the cost of adding full time services, the cumulative impact of all the projects being developed at the same time. How about the impact and environmental issues when they go to develop the remainder of their 523 acres?

All these thing and many more must be part of your due diligence.

Sincerely,

Debra B Corr and Christine Miele

165 South Street

Goshen, NY 10924

January 16, 2017

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Town Board Members

Town of Goshen

41 Webster Avenue

Goshen, New York 10924

Dear, Town Board Members:

The current Town Code (97-10,c) prohibits amusement parks in all districts. It is obvious to most the reasoning behind having a law such as this on the books. This law and the many others that comprise the master plan protect the residents of the town from poor stewardship that would otherwise happen at the hands of a few in power. It is this power that you (the town board) have. As elected official's it is your responsibility to help protect us (the citizens of Goshen) from poor stewardship. The asset that I and many of you might also count on for a future return is a home. Please do not wield your power as stewards of the town to adversely affect the charm and historic nature of this town and village. It is the Village not the town which will suffer most from this zoning change. The historic building in which you meet, and where you plan to seal the fate of this towns legacy will be made within the HISTORIC VILLAGE. Think of The Historic Track, The Presbyterian Church, The Goshen Court House and the many other historic facilities, homes, and monuments within Goshen. Now think of the many we have lost, the Salesian School (referred to online as an abandoned run down school), the Good Time Track, the Goshen Theater (torn down to put up a parking lot) and many others. The wording of the Master Plan is clear. It is the policy of the Town of Goshen to allow a variety of uses of land, provided that such uses do not adversely affect neighboring properties, the natural environment, and the historic character of the community. The proposed Legoland amusement park does not and cannot comply, nor will it compliment this historic town. Please forgo changing the zoning code for this and any other future project that adversely effects the town

Respectfully,

Janet and William Coyle

Crystal Run Healthcare
Hal Teitelbaum, MD, JD, MBA
155 Crystal Run Road
Middletown, NY 10941
845•703•6101
hteitelbaum@crystalrunhealthcare.com
www.crystalrunhealthcare.com

December 15, 2016

BY HAND DELIVERY

RECEIVED
DEC 16 2016
By

Douglas Bloomfield, Supervisor
Town Board
Town of Goshen
41 Webster Avenue
Goshen, New York 10924

Lee Bergus, Chairman
Planning Board
Town of Goshen
41 Webster Avenue
Goshen, New York 10924

Dear Supervisor Bloomfield, Chairman Bergus and Town Board and Planning Board members:

Crystal Run Healthcare has been a part of the community for more than 20 years and many of our employees live in and around Town of Goshen. We strongly believe that there are many reasons to support LEGOLAND New York.

Particularly compelling to Crystal Run Healthcare is Merlin Entertainments' commitment to charitable giving. Merlin's Magic Wand provides seriously ill, disadvantaged or disabled children and their families with a fun filled day out to any Merlin attraction of their choosing. Since 2012, Merlin's Magic Wand has donated over 40,000 tickets to children and families in the USA. LEGOLAND New York would expand these opportunities for families throughout the region.

Merlin Entertainments' $500,000,000 investment in our town would create unparalleled charitable, educational and economic benefits and it has our full support. LEGOLAND New York will improve quality of life throughout the region. We encourage you to "Say Yes! to LEGOLAND."

Very truly yours,

Hal Teitelbaum, MD, JD, MBA
Managing Partner/CEO

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

It will be unethical to build Legoland in Goshen N.Y.

It's interesting to hear from all of the Union leaders, Orange County partnership and all of the agencies that try to promote Orange County. These individuals want an entity to be built in a town that they are not residents of. They will not have to deal directly with the excessive traffic, the noise, the pollution and reduction of their natural resources. They can go home to their quiet home and let this mess of a park be someone else's problem. I am a resident of the town of Goshen and I DO NOT WANT LEGOLAND IN GOSHEN!!!!!!!

The tourists that are currently coming to this area typically come for peace and quiet. They like to visit our local farms, wineries and distilleries. They leave the crowded city for less traffic and more tranquility. With the additional traffic of people coming to LL, these tourists will no longer come here. The tourists visiting our distilleries and wineries and the famous Glenmere Mansion are not the same clientele that LL will draw. How will the Town of Goshen answer to the farmers, the wineries and other tourist attractions when they lose their business because of LL? LL will not be a good addition; it will be a big detraction. Not just for tourists seeking peace and quiet but for the residents as well.

There is no denying that the additional traffic will be excessive. Despite Merlin's futile attempt to add a roundabout or a 300 foot entrance to the park the issue still remains that the traffic coming into the park will clog our major roadways and as a result our local roadways. There is going to be additional traffic, we do not need to be traffic specialists or engineers to conclude that more cars equal more traffic, something this area cannot handle. Nor do we want the extra fumes that couple with the extra traffic.

I believe many people out there today are missing the point. I don't think anyone needs to hear how they believe LL is a great project or a nice place for children. They need to understand that the location in question is not the right location for the park. This town simply put does not allow amusement parks and the residents purchased property here just for that reason. To change the zoning at the request of non-residents is wrong. If we the residents wanted to live near an amusement park, we would do just that. If anyone out there wants to live near an amusement park, they are welcome to move to a town that already has one.

The construction jobs Merlin touts as local, local has been defined by up to 7 counties including Rockland, Putnam, Duchess, Westchester, Green, Sullivan and Orange Counties. Just because you are a union worker in Orange County does <u>not</u> mean you will get the job at this site. The company you work for is competing with other companies within the 7 counties. Also, LL has stated that 85% of the 800 jobs will be local labor which Equates to 675 "local jobs" not 800, as they continue to mention. Anyone claiming we need the jobs is not educated in the far below average unemployment rate of Orange County. Let's not forget this park charges roughly $95 per person, plus parking. We are either an area desperate for jobs or an area that can afford to take our children out for a $400 day, but we cannot be both.

The board should not be pressured by those seeking this park for financial gain or publicity. The board needs to do what is correct for the residents of the TOWN OF GOSHEN, which is to stick with the Master plan that is in place, to not allow a zoning change for a private entity at the resident's expense.

People's quality of life should not be compromised for others entertainment. This is not a joke or a game. These are people's lives this park will ruin as it devalues their property. Anyone who knowingly and willingly supports ruining people's lives and property values does not deserve a place within this community or anywhere for that matter.

Sincerely,
Debbie Cuddy
Town of Goshen Resident

January 6, 2017

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen & Town of Goshen Planning Board
41 Webster Ave.
Goshen, NY 10924

RE: Written Comments pursuant to SEQRA Type 1 Action – Merlin Entertainment LEGOLAND Project.

Mr. Bergus, Chairman & Board Members,

I have taken many hours of personal time to review the Draft Environmental Impact Statement (DEIS) presented to the community for review and I find it severely lacking in its completeness. A project of this magnitude and with such grave impact on our community is not something that can be taken lightly or flown through a process designed specifically to prevent the adverse effects a project of this nature may cause. As a tax paying member of our wonderful town, I am specifically calling for you to scrap this DEIS for lack of completeness and force Merlin Entertainment to conduct the proper testing and due diligence our town residents deserve. Further, I am calling for the removal of the voting power/authority of our Town Supervisor Douglas Bloomfield, for any decision or action relating to this project; including Local Laws #5 and #6. It is public knowledge and recorded that Mr. Bloomfield has stated his desire to see the LEGOLAND approved PRIOR to any SEQRA process; thus, there is bias in his decision making ability and therefore should be removed from the process regarding this matter.

The proposed DEIS is severely lacking in the following ways:

- Lighting Levels are not presented in a meaningful or complete manner. The correct measure of light is called a LUMEN. Throughout the document, light levels are referred to as "being minimal", with fixtures that "vary in design", "vary in height or type". These are not factual statements that can be reviewed and thus are void.
- Light Level claims are noted to "be near zero" at property lines at night yet "near zero" is not a lumen measure! Additionally, in the current state the night view of this proposed development area is not illuminated and producing no lumens whatsoever. The current state benefits the Arcadia Road Scenic Byway and any light level increase will in fact take away from the same. Pursuant to the Scenic Corridor designation, no impediment should occur!
- Section E, Project Purpose, Public Need and Benefit has many gray areas and lack significant commitments to actually depict a "benefit" to our community. Expressions that do not have specificity do not provide the community with a clear view of possible expectations. Examples of this lack of detail are in the statements about what has been done by other LEGOLAND parks – what is the commitment to Orange Regional Medical Center?
- What is the actual economic benefit to Orange County with regard to jobs?
    - The 800 construction jobs are in reality 675 non-specialty (85% local). The employees will be from "local" companies that compete from as far away as Greene County – these are not "local" companies and there is NO GUARANTEE that the people working for this companies will be "LOCAL" residents. It is a documented FACT that several of the trade unions in the area are currently and predicting FUTURE labor shortages, thus there is no

way to guarantee that this project will stimulate "local jobs". If Merlin cannot provide a systematic way to guarantee this and a way to inspect it, THE PROJECT MUST NOT BE APPROVED!

- The PILOT payment of $1.4M per year and its 1.5% increase over the 30 years is equivalent to less than 1% of the expected revenues of the park. How does anyone believe that this minuscule amount of money will help the Town of Goshen? This payment is not even enough to purchase a few police cars or ambulances that will be needed to address the daily doubling of the population. How does this make sense? Additionally, the rate of inflation from 1987 to 2017 was a staggering 116.3% yet the PILOT proposes a 1.5% increase per year. Over 30 years that equals a 45% cumulative increase which is not even remotely close to the historical trend. I can only concur that this was not reviewed for actual benefit!
- The HOST fee to the community of $.65 per ticket is also a gross misrepresentation of a benefit. Upon research, the average ticket price for a LEGOLAND ticket in the USA is $93. At this level, a $.65 per ticket fee represents .007% of the ticket price a shockingly LOW amount for such a high ticket price. Additionally, the proposed increase of 1.5% per year increases the $.65 fee to $1 AFTER 30 YEARS! In 30 years from today the park ticket could be $150 and the Town would get $1. The correct way to guarantee the Town gets a fair share of ticket prices would be to convert the fee to a percentage of the ticket price.
- WELLS (pg. 7) – It is stated that the data used to determine well capacity was from a study done in 1999. This is now 2017; a full 16 years have passed. Any competent individual would clearly see the need for new testing to occur! We have had 16 years' worth of weather, geologic shifts, development, etc. that could have easily impacted the wells discussed. A new study MUST be performed.
- Table 1-1 pg. 7 – Potential Impacts – Geology and Soil – stated that a total of 436.38 acres of land will remain open space or manicured lawn yet on pg.3 the DEIS states that 444.54 acres of land will remain open space or manicured lawn. WHICH IS IT? This is a clear example of a lack of attention to DETAILS that the public has a right to have correct.
- Table 1-1 pg. 9 – Potential Impact – Storm water – stated that 3,614,448 square feet will be made impervious out of 6,054,527 square feet of site disturbance. This is over 59% of the project space becoming impervious surface, thus the ecological system in place for refueling aquifers, providing habitat and other needed components of human life will be forever changed. Is that acceptable? It is not to this taxpayer!
- Noise levels (same table) a statement is made in the Mitigation measures that no construction equipment will idle unnecessarily. Who will be responsible for this commitment and who will inspect it? If it is not adhered to, what is the penalty? There are no details on this.
- Community Services - (same table) – Police services and Fire services predicted response rate based on LEGOLAND Florida indicate that our local Police will need to respond to the park on a DAILY basis and the FIRE services will need to respond to the park at minimum 2 TIMES per week. Where is the detail on the ability and preparedness of these services to reach those minimum expectations? Who will bear the actual cost of making the adjustments necessary to meet these minimums? Where is the detail?
- FISCAL – (same table) – There is no mention of an independent Cost Benefit Analysis. Where is this detail?

- Visual – (same table) – "High points of the site such as the parking lot and hotel will be visible from Arcadia Road in multiple locations". ARCADIA ROAD is a SCENIC BYWAY designated for PRESERVATION, how does this not affect that view? Lighting levels are not defined!
- Page 16 – prediction of 79 tons of waste per month to be generated against a current waster generation of "0" for the proposed development area. How does that benefit our community?
- Page 18 – "Water Storage will be provided with a 500,000 gallon, glass-fused-to-steel potable water storage tank to be location on the west side of the property at the high point on the site in the vicinity of the existing communications tower." The tank is noted to be 30' tall and 56' wide – if you can see the communications tower from Arcadia Rd, how will you miss something that is that big? Fact – you will be able to see it, thus it will disturb the Arcadia Rd Scenic Byway!
- Page 24 – Entrance road stacking. An approximation is made of "500" vehicles being able to "stack" on the entrance road. This amount of vehicles should be exactly list and noted as to how long it will take to back up onto Harriman Drive. My calculation is 7 minutes until it backs up upon park opening, what is Merlin's?
- Page 24 – the first mention of a "Parking Deck" on the property. At no point in any presentation was a "parking deck" noted in the amount of parking spaces. Parking decks are above grade locations that are much more visible from the surrounding area, why was it only mentioned in the DEIS? What else is Merlin hiding from us and you, the board?
- Page 24 – Hours or operations. Employees begin arriving 2 hours before the park opens thus operations begin when they arrive at 8am and end when they leave a 10pm on weekends and 8am to 8pm on weekdays. A FACT that the public has been purposefully misinformed about and should be clearly shared for accuracy.
- Public improvements beginning on page 25. As there are far too many to reiterate in this letter there is one constant in EVERY one of them; MERLIN IS NOT PAYING A SINGLE CENT FOR ANY OF THEM. The NYS and Goshen taxpayers are being asked to shoulder the burden of an amusement park development. EXACTLY, why is this a responsibility of the taxpayer? Yes, some of the improvements mentioned are occurring anyway thanks to the NYS DOT in some near future time but not all for sure. Why should we pay MILLIONS of dollars for the benefit of an amusement park?
- Page 27 – areas to remain undeveloped – the approximation of 1000 feet of undeveloped land between any part of the proposed development and the boundary should be made an absolute minimum. Approximations by their nature have a +/- factor and can vary greatly. There is no need for approximation when trying to protect the residents of Goshen – make them be precise! Additionally, ANY AND ALL DEVELOPMET PLANS FOR THE PROPOSED SITE MUST BE INCLUDED IN THE SEQRA PROCESS UP FRONT! The sheer mention of additional development in the future clearly articulates the expectation for future expansion that has not been evaluated under this DEIS, **THIS CLEARLY MAKES THIS DEIS VOID!**
- The DEIS states that the project site is in a priority growth area defined as from the Village of Goshen into the city of Middletown. Upon review of the Town of Goshen zoning map (included at the end of this letter) the area of proposed development is actually RU and AI zoned and not a part of the priority growth area. Why is this even a consideration?
- Page 31 – employment paragraph. Notations are made that the park will employ 500 full time employees, but within the same paragraphs it says 800 full time; which is it? The same goes for part time employees being 300 and 500, which is it?

- Page 43 – mention of the removal of mature trees in "vegetated communities". Mature trees are known to be habitats for many animals, there should be a clear message of preservation from the Town to preserve these 45 trees.
- TRAFFIC – within the immediately surrounding area of proposed development there are 6 areas OVER the state average for rates of accidents. There is no mitigation measure that will fix this problem with additional traffic under current conditions. It is extremely important to note this because all of the proposed traffic improvements mentioned to address this cannot possibly be completed by a proposed opening in 2019. It is a simple FACT that it cannot be done in that time frame. Thus, we as a community are going to see an INCREASE in traffic, traffic accidents, pedestrian accidents and potential sever injury or vehicle deaths as a result of this proposed park.
- Page 88 – **CRITICAL NOTE** – Amy's Kitchen which is a welcome project to the area that has been dragged down by this Board's actions is committed to PRIVATELY FUNDING road improvement for their project need. Amy's is a much smaller company than Merlin and yet willing to step to the plate to pay their fair share for needed improvements. Please explain to this taxpayer in great detail why I or anyone else should pay for Merlin's needs?

In just the first 88 pages I have been able to find vagueness, inaccuracies and multiple statements against our Town's Comprehensive Plan. It is very clear to this average tax paying resident that the Merlin report is severely deficient in many areas. In fact, I know that you and the board are receiving hundreds of pages of documentation to this reality. So I ask you and the board members, in your gut, is this truly the right thing for Goshen? At what point do you need to reach to realize the huge mistake you will be making if you approve this project? Will it be too late when you cannot sell your home because you need to move away? Will your home lose 25% of its value because a group of a few individuals did not clearly think through, over a reasonable amount of time the implications of their decisions? Plainly will you be able to sleep at night, knowing that you did everything you could have possibly done to protect your fellow neighbor and the environment in which they live? If you are not sure, I encourage you to travel to Hershey, PA during the late spring on a Tuesday morning or afternoon and try to drive through the highways near Hershey Park. I encourage you to drive through Harrisburg, PA on any given day of the week after they have developed up with mixed use and entertainment and see the traffic that exists. Our community need not go far for entertainment for our youth, we have the Castle, Zoom Flume, Splashdown Park, Mountain Creek and many other entertainment attractions right nearby.

Many of the people in this community moved here for a quality of life that is hard to come by in the greater NY metropolitan area. I implore you to protect that quality of life and to rescind the proposed Local Laws #5 and #6 as well as throw out the proposed LEGOLAND Park. Goshen does not need LEGOLAND to thrive, the people that are here today make that happen just fine.

Sincerely,

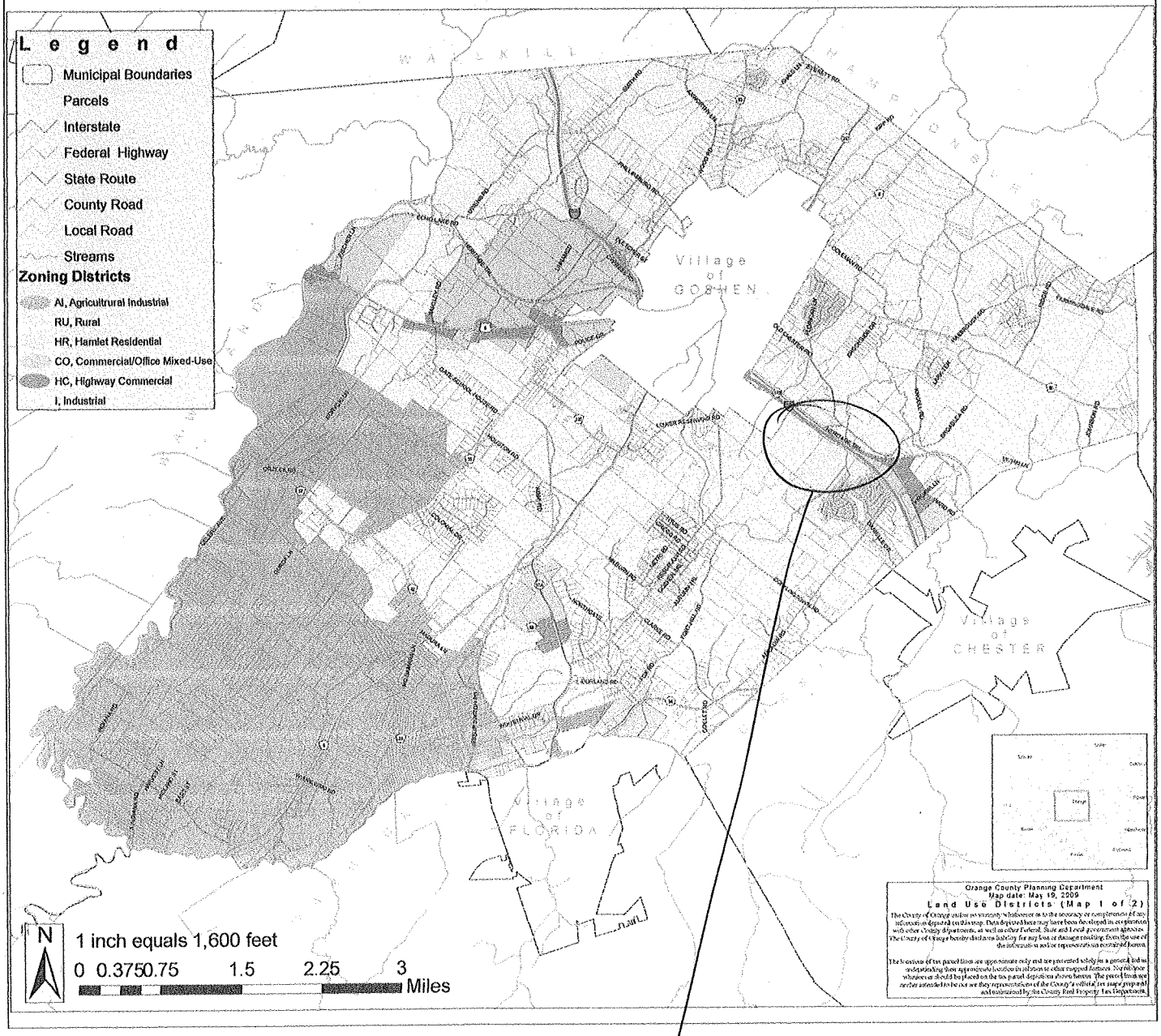
Patrick Cuddy

Town of Goshen, New York

Zoning Map

Last Amended: February 2009

This is the official Zoning Map of the Town of Goshen, last amended on February 2009. Signed copies are on file at the Orange County Department of Planning and the municipal clerk's office.



NOT A PRIORITY GROWTH AREA

Debra Corr
349 Sarah Wells Trail
Goshen, NY 10924

COPY

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 16th, 2017

To the Town of Goshen Board and the Town of Goshen Planning Board:

I want to make it very clear that I consider your laws 5 and 6 to be Spot zoning and specifically written line by line for LegoLand. Law No 6 looks like it was specifically written by legoland and for legoland.

If you are considering your commercial recreational overlay different from an amusement, it is not. If you take the amusement park out of your commercial overlay you will have a hotel and restaurants.

Section 1 Purpose, Line 5-6(to develop a strong and balanced economic base for the Town and attract tax positive commercial development on tax exempt lands). Legoland is not tax positive and is asking for a 30 pilot that would be paying on 48% of there taxes in year 2047 and then in year 31 2048 they want to renegotiate taxes never paying full taxes is there goal. You need to do a cost benefit analysis in order to know what this Legoland amusement park is going to cost the taxpayers. As for tax exempt lands, the parcels are not tax exempt they have tax exemptions on them. The land is currently agricultural and does produce hay that is sold locally and that money does benefit the local economy. Also, these parcels are benign to our economic base as they are not costing the taxpayers' money because there are no houses or roads to maintain, therefore this land does not need extra services. If you bring in houses or commercial development it will cost the taxpayers **more** than the taxes that theatrically would be paid by the commercial development.

Take a long look at the master plan and do a detailed study as to whether or not this is spot zoning. The current masterplan took a group of citizens who had expertise and paid experts almost 2 years to develop. These laws are not in line with the existing Masterplan which was carefully created to protect this sensitive land. Do not change these laws, as they contradict the masterplan and will ecologically destroy the Moodna creek watershed, the wetlands and our reservoirs. There will be irreversible damage done to the neighboring residents and there will be a huge loss in value to the homes in the Town of Goshen and Orange County. No one wants to live near or around an amusement park.

Goshen was smart in developing a masterplan to guarantee that we would have planned, sensible development. Surrounding towns did not have the foresight to develop a masterplan. The surrounding towns are now struggling with overdevelopment, lawsuits and they are being challenged on their zoning. Chester and Monroe are an example of that.

Goshen is unique from the other towns in Orange County due to its historic character and careful protective planning.

Do not pass laws 5 and 6.

Debra B Corr

Debra Corr
349 Sarah Wells Trail
Goshen, NY 10924

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Goshen is unique from the other towns in Orange County due to its historic character and careful protective planning.

Do not pass laws 5 and 6.

Debra B Corr

To Town of Goshen Planning Board

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

I have reviewed the DEIS and I have tell you there are so many inconsistencies

1. There is no cumulative impact study of the project which includes all the new sub-divisions, Montraign casinos, Amy's Kitchen, Dan Depew's Waterpark, the government center, the library, the proposed CVS Supermarket, additional hotels and low income affordable housing that will be needed and all the suggested development along the route 17 and 17m corridor. This is missing from the DEIS.

2. There is no independent cost benefit analysis. Using Legoland's guestimates is allowing the fox to watch the hen house. We **need** to know what legoland is **truly** going to cost the taxpayers.

3. The Town **turned down** the lone oak sub-division on April 25th 2016 which proposed more money for the Town of Goshen and proposed a conservation easement and protected the wetlands. Why are we not demanding a conservation easement to protect this land that is so unsuitable for this type of project.

4. Legoland could not have chosen a worse site located within the Moodna Watershed, Wetlands, AQ 3, AQ 6, Scenic, Stream and Reservoir overlay district, the Otterkill Creek a class c tributary of the Moodna Creek runs through the site has significant Biodiversity along its banks that must be protected, Yet the Otterkill creek is ignored on legoland maps. The proposed buffer of 100 from the Otterkill creek does not meet the DEC requirements. I live on the Otterkill creek I could not build within 100 feet of the Otterkill as it floods sometimes up to 300 feet from the creeks edge.

The DEIS claims 140 acres will be disturbed I was corrected by Phil Royle who said," they will clear cut 180 acres and addition development of the site is a distinct possibility for the future.

So why is there no study of different phases.

There is not an accurate study of endangered species. Endangered species don't just jump out and say here I am it takes hours and days to locate them. The DEIS refers to disturbing the wetlands. On one page its less than acre, then 62 acres then 52.75, then another 15 acres, all before the DEC has even been involved to evaluate the wetlands. It should be clear what the total amount of acres is that is going to be destroyed.

The Data refers to information collected from a 1999 and a 2006 turned down application. The data that is used in legolands current DEIS is 10 and 17 years old and should be thrown out.

This DEIS was done Fast and Cheap by the current applicant. The Truth is legoland is here to make money and lots of it they do not care what it will do to our town, our taxes, our property values, our wetlands or quality life. Without a proper DEIS you are an accomplice.

Debra Blair.

Town of Goshen 1/8/2017

41 Webster Ave

Goshen, NY 10924

Dear Town of Goshen Board and Town of Goshen Planning Board:

Re: Home sales in Orange County

I sell homes, farms and land. Today I received a phone call to see one of my listings in Middletown, the person asked if this was near where they were planning to build an amusement park, Legoland. I told him, yes, he said that is going to screw up the traffic and he was not interested in a home if it was near where the amusement park, Legoland would be.

Instead he decided to look over the river in Dutchess County. So even before you even make a decision on this amusement park, it has affected the real estate sales in the county. This is not the first time this has happened. Any property in Goshen and Orange County will lose value because of Legoland.

I am asking you, why have you not done an *independent* Cost benefit analysis, including real estate values? Why have you not done an independent GEIS to determine what the effects of the world's largest Legoland amusement park will have on our environment and our home values?

Sincerely,

Debra B Deutsch Corr

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

1/9/2017

Dear Town of Goshen Board Members and Town of Goshen Planning Board:

I am asking that the Town Board honor its commitment to our Master Plan as stated in Sec 97-3 A : "To conserve the natural resources and rural character of the Town".

The current Town of Goshen zoning section 97-10 states: "Amusement parks ... and Related Activities" are a prohibited use in All Districts. The proposed Mega Theme Park IS An Amusement park even if you call it a "Commercial Recreation Overlay Zoning District." Your Commercial over is nothing but a cleaver attempt to spot zone.

In addition, the Master Plan of the Town of Goshen zoned the area where Legoland is proposing to build as RU for the following reason: "The most constrained watershed basin (and therefore having the lowest potential carrying capacity) was estimated to allow for not more than one dwelling unit per every 2 acres.", Per our Masterplan of the Town of Goshen enacted in 2007. In fact, here is an excerpt from the Town Board work session of April 25, 2016 – "One of the things about Goshen is the historic charm and beauty of our community." Bringing in more traffic is a deterrent to the quality of life. "Water has always been an issue. We don't have an overabundance of water'" Supervisor Doug Bloomfield. The water table has not changed. What has?

If the town board just follows our zoning and master plan so recently enacted, you can say no to high density housing AND say no to irresponsible zoning. I am not implying that this land remain vacant forever. It can still be developed successfully under the current zoning.

The Project site consists of acreage situated within the Otter Kill tributary area of the Moodna Creek within the Hudson River Basin. Adhering to our zoning and therefore, not violating our Master Plan will protect this sensitive land.

When the voters of Goshen decided to purchase homes, build their lives and raise their families here, it was NOT because they expected or looked forward to having a Mega-Theme Park in their back yards.

To arbitrarily change the zoning, negates the trust we had in our elected officials.

For all of the above reasons, I am asking The Town of Goshen to run an Independent SEQRA review.

For all of the above Reasons I am demanding a Balloon Test be done before you do anything else so the Town of Goshen and Village of Goshen residents can see the height of Rollers coasters buildings, retaining walls, parking lot.

Thank you,

Debra B Corr

349 Sarah Wells Trail

Goshen, NY 10924

JAN 09 2017

Supervisor Bloomfield

January 12, 2017

Douglas Bloomfield, Supervisor
Town Board
Town of Goshen
41 Webster Avenue
Goshen, New York 10924

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Lee Bergus, Chairman
Planning Board
Town of Goshen
41 Webster Avenue
Goshen, New York 10924

Re: Legoland Development

Dear Town of Goshen Board

Re: Supervisor Bloomfield, Chairman Bergus and Town Board and Planning Board members:

It has come to our attention that Lee Bergus & Supervisor Bloomfield were involved in seeking the removal of Reynell Andrews from the Town of Goshen Planning Board after receiving a letter from the Merlin Attorney, Dominic Cordisco.
Mr. Andrews consistently comported himself in a professional manner and never spoke against Legoland or any of the business before the Town Planning Board. Mr. Cordisco's letter erroneously stated that the article 78 proceeding against the town was to stop the town from reviewing the Legoland proposal. This at best is a half-truth. Only one of the many aspects of the petition addressed the apparent and public conflict of interest that did, and still exists.

Lee Bergus and his wife have exhibited enthusiastic support for the Legoland project by attending rallies, handing out pro-Legoland information, and being part of the Welcome Legoland Facebook page. It is clear that the Chairman of the Town of Goshen Planning Board is not staying neutral until all facts and counter arguments are presented.
Supervisor Bloomfield has attended rallies for Legoland, spoken and endorsed Legoland publicly, met privately with Legoland's attorneys and Legoland's corporate heads, endorsed Legoland at the IDA, and has been identified by multiple parties as the originator of the KJ or Legoland rumor. Thus we feel he can no longer be capable of making an objective decision on Merlin's Legoland project.

We also understand that Lee Bergus is Chairperson of the Town of Goshen Planning Board, which serves as SEQRA lead agency reviewing this project. We feel that Lee Bergus has already made his decision and is trying to influence the outcome of the final decision on Legoland by stacking the Planning Board with pro-Legoland members.
In addition to Mr. Bergus the appointment of Mrs. Diana Lupinski is also suspect and indicates blatant partisanship. Mrs. Lupinski is featured prominently in a promotion video made for Legoland Goshen.

As a general proposition, the ethical requirements of municipal officers, including planning board members, are set forth in the New York State General Municipal Law § 805-a and § 809 as well as the Goshen Town Code Chapter 14. Particularly, board members are prohibited from participating in matters in which they have an "interest." See Town Code 14-1. The term "interest" is defined as follows:

"INTEREST" – Any claim, account or demand against or in agreement with the Town,

express or implied, including designation of a depository of public funds and the designation or an official newspaper, and direct or indirect pecuniary or material benefit accruing to an officer or employee as a result of a business or professional transaction with the Town. For the purposes of this chapter, an officer or employee shall be deemed to have a direct interest in the affairs of:

A. "His spouse, minor children and dependents."

Given that Supervisor Bloomfield, Mr. Bergus and Diane Lupinski are proponents of the LEGOLAND New York proposal and in order to avoid this actual conflict, we respectfully request that Mr. Bergus & Supervisor Bloomfield & Diane Lupinski recuse themselves from any further consideration of the Legoland New York project.

Respectfully Submit

Debra Corr, CC4HV
PO Box 414
Goshen, NY 10924

January 13, 2017

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous economic development impacts it will offer Goshen and the greater Orange County community.

Please remember:
The Goshen Central School District will receive **$38.4 million of $52.6 million** in PILOT payments over the course of 30 years.

In the first year of operation, **$1.022 million** in the first year would go to the Goshen Central School District, **$210,000** would go to the Town of Goshen and **$168,000** would go to Orange County. These amounts will increase each year over the PILOT's 30 year term.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. **The Town of Goshen will receive 65 cents for each visitor up to 2 million visits and 20 cents for each ticket thereafter – with no cap!**

This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the park's success! Think of all the worthy community projects that will finally become a reality with these funds!

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

And, LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

I believe Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity! PLEASE VOTE YES and approve this project!

Sincerely,

Debra Gitner
13 Yankee Maid Lane
Goshen, NY 10924

COLLEEN F. DAVIES
24 Gregory Drive
Goshen N.Y. 10924
845-519-7262

Douglas Bloomfield, Supervisor
Town of Goshen
41 Webster Avenue
Goshen, N.Y. 10924

January 16, 2017

Dear Mr. Bloomfield,

Enclosed please find my written comments on the draft environmental impact statement regarding Lego Land New York project.

I am adamantly opposed to the site the Board is considering for the construction of the Lego Land New York Project. The Draft Environmental Impact Study does not adequately address the four major issues surrounding this project. Based on the lack of pertinent information, it would be impossible for any Board to make an informed decision regarding this matter. The major issues are as follows but not limited to:

They are:
1. Traffic
2. Water
3. Environment
4. Fiscal

There is no denying traffic is not only a current concern but a major concern should the Lego Land project be approved.

The DEIS is severely lacking information reading traffic in the following areas.

1. Goshen School District - The Goshen School District is responsible for transporting students to and from school. The buses which transport our children on a daily basis start at approximately 6:00 a and end approximately 9:00 am. It commences again at 2:15 pm and continues until approximately 6:00 pm which allows for regular dismissal, late bus runs, and sports runs. The bus routes involve numerous roadways which will negatively impact the time allotted for students pick up and drop off times due to the increase in traffic caused by the proposed Lego Land project. Goshen Central School District bus routes extend to the boarders of Washingtonville, Florida, Scotchtown, and Middletown. The following roads used to transport students were not including in the DEIS. They include, but are not limited to, Route 94, Route 207, Scotchtown Avenue, Craigville Road, Sarah Wells Trail, Conklingtown Road, Coleman Road, Old Chester Road. It has been stated by a representative of Merlin Enterprises that the schools will not be adversely effected by traffic

as Lego Land does not open until 10:00 am. This is an absurd interpretation as it will not only effect the school district but also the rest of the community.

2. The DEIS states there were 18 road areas to be reviewed for existing traffic conditions. They include the following:
   NYS Route 17M/N. Connector and South Street.

3. In addition only seven (7) various roadways of the above mentioned were chosen for machine traffic counts. They include:
   South Street Bridge
   NYS Route 17M (North Connector road) west of South Street
   Harriman Drive east of South Street
   South Street south of Harriman Drive
   NYS Route 17A between NYS Route 17M and Hatfield Lane/NYS route 17 on/off ramp
   NYS Route 17 Mainline: Between exit 121 and 123
   123 and 125
   126 and 131

   The areas studied with the machine traffic count do not reflect what will negatively impact the existing roadways in Goshen as mentioned in the above paragraph regarding Goshen School District. Machine traffic counts should have been performed on all area roadways(as mentioned above) which are utilized on a daily basis. It should be noted that Old Chester Road has been closed to through traffic for several months and the Government Center is due to reopen next fall.
4. The DEIS does not mention the addition of planned or potential developments within the Lego Land project which would increase additional traffic volume in the future. A major concern How would this be mitigated. Further, the DEIS does recognize 12 additional planned or potential developments in the immediate area which generate more additional traffic but does not offer any solutions as to how to mitigate this situation.
5. Additionally the DEIS refers to bussing its employees but does state any facts regarding how many employees would be using public or private transportation.
6. Most importantly, There is no concrete plan for any type of emergency for traffic, only an "incident mitigation plan" which is to coordinate with local law enforcement, fire, and ems. All except for police are volunteers.
7. The Department of Transportation has denied a "Flyover at exit 125 in Goshen" and the Department of environmental Conservation has denied a roundabout at exit 124 in the Town of Goshen as it would interfere with the wetlands. In a letter dated October 26, 2016 from the New York State Department of Transportation to Lee Burgess, Planning Board Chair, states in part " The proposed trip generation in the Traffic Study lacked sufficient documentation to be verified by the Department". There were 9 project wide comments and 25 intersection specifics comments from the Department of Transportation, too many to state here but will be included with my written comments. However, I would be remiss if I did not mention comment # 6 which states in part "the Flyover would not meet the federal interstate standards, and could preclude this section of 17 from becoming I-86 ".

2. Fiscal Analysis – There was NO substantive fiscal analysis completed.

3. Water – The Village of Goshen has offered its' water supply to Lego Land however, the Village does not have adequate water for its' residents therefor how does the Village of Goshen plan on providing the amount of water to be used in this first stage of the Lego Land project and in addition the future development they have planned.

4. Environmental Impact – I have major concerns regarding the current protected wetlands and protected species living in the 523 acres Lego Land is seeking to develop. Should Lego Land actually build on the proposed site, what is the Town of Goshen willing to do to protect these species? What measures have been put in place to help protect these animals? In addition, there needs to be more in depth studies regarding wastewater management, storm water management and quality of water to be provided to the residents of Goshen. Most important, the DEIS has not considered the impact of toxic waste which will be created and its effects on the people currently living here.

In conclusion, this Board should vote against the proposed Lego Land New York project not only for the above stated reasons but also to maintain the quality of life for all those who reside in Goshen and nearby communities.

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland
Date: January 10, 2017 at 9:02 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

-----Original Message-----
From: Madeleine Debure [mailto:madeleinedebure@gmail.com]
Sent: Saturday, January 07, 2017 11:11 PM
To: nhalloran@townofgoshen.org
Subject: Legoland

Dear Mr Halloran, Bloomfield and Fergus,

In regard to Legoland, please don't allow the zoning laws to be changed or violated. We all know that amusement parks are forbidden in Goshen. They will create a lot of nuisance and most importantly, devastate precious acres of forest. Please be aware that your decision will shape the future of this beautiful rural area. We don't want it to look like another NJ. Orange County is rural and beautiful and should not become a commercially developed area. We only have one earth and we are each responsible to protect it. Many species will suffer from clearing that large a parcel of wood. Not to mention neighboring humans who will have to sit in traffic on their way home from work (thus creating more pollution).
There are many other ways to bring more wealth to Goshen. If you take the long view, you can see that organic/sustainable practices/businesses are what will bring the most secured profits for everyone. This is the true wealth of Goshen and Orange County.

I believe you can make the best decision for the community.

Best regards,

Madeleine Debure.
Owner of Free Walk Dressage, journalist and writer. Resident of Campbell Hall, NY.

Sent from my iPhone

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

Holly Decker-Perry
221 Conklingtown Road
Goshen, NY 10924

January 2nd, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, NY 10924

Dear Goshen Town Board and Planning Board members:

I own a house and horse farm at 221 Conklingtown Road, and will be in relative proximity to the proposed LEGOLAND NY project. While I was initially concerned with the location, I am satisfied with the relatively small percentage of the land LEGOLAND is developing. The large borders should insure that neighbors remain undisturbed. I hope that as our representatives, you insure that plan is maintained.

I am fully in support of this project. I realize with a project of this size and scope, there will be challenges, so I hope you will work with the applicant to address them. The economic boost is much needed in our Town and Village and I am hopeful this project ushers in new prosperity for our community.

Please approve the project!

Thank you,

Holly Decker-Perry
Goshen Resident

WGNY-AM | WGNY-FM | WJGK-FM

Date: 12/19/16

To: Goshen Planning Board
Fr: Bob DeFelice – General Manager FOX Radio – WGNY-AM/WGNY-FM/WJGK-FM

Re: LEGOLAND Project

We are in favor of the proposed LEGOLAND NY project in Goshen. In reviewing the concerns voiced by the opponents of the project as well as the benefits enumerated by LEGOLAND – the LEGOLAND project to us ... just makes sense.

Clearly it makes sense from an economic standpoint – both in terms of "NEW Tourism Dollars" generated from inside the County (*that would have left to be spent elsewhere*) and "NEW Tourism Dollars" coming in from outside Orange County. These "Tourism Dollars" wouldn't be coming to us at all without a project such as LEGOLAND to attract them!

This project also makes sense in terms of the new "diverse" jobs it will create. We all know that job creation is vital to create sustainable economic growth in a region – and as other communities have learned over the years (Poughkeepsie and IBM/Rochester and Kodak) – diversity in job creation is of paramount importance.

We are in favor of this project for many other reasons – too many to enumerate here – so for the sake of time – I'll leave you with just one more reason. I'm looking forward to someday being able to bring my Grandkids to LEGOLAND – it will be for me a more affordable trip then a trek to Disney Land ... I'll drive over, park quietly – pay all the necessary admissions with glee - enjoy the day and gladly stop on the way home at one of my favorite Goshen restaurants to treat the whole family to dinner afterward!

In other words - I'll keep it local ... and that – in the end is good for all of us!

RECEIVED
DEC 2 4 2016
TOWN OF GOSHEN
TOWN CLERK

Sunrise Broadcasting - 661 Little Britain Road, New Windsor NY 12553 | Office: 845.561.2131 | Fax: 845.561.2138
721 Media Center, 721 Broadway, Kingston NY 12401
Newburgh | Poughkeepsie | Kingston | Middletown
www.foxradio.net

January 7, 2017

Town of Goshen Building Department
41 Webster Avenue
Goshen, NY 10924
Attention Neil Halloran

RECEIVED
JAN 12 2017
TOWN OF GOSHEN
TOWN CLERK

Dear John Van Der Molen ,

First of all, thank you for taking the time to read these letters. My family has been on Lower Reservoir Road since the 1940's. I am writing this letter to the members of the Town Board of Goshen as a concerned citizen, but more importantly as a mother of two young boys (ages 3 and 5). We have many issues regarding the quality of life and how the normal lives of Goshen residents will be forever disturbed and their safety will be in jeopardy with the construction plans of the proposed Legoland site:

SAFETY- related to drivers coming and going to Legoland:

There are no sidewalks in almost all of our side streets near the proposed construction site. We already know that traffic is going to back up into many places as it already does horrifically on weekends. We have no idea how awful the traffic will be, but one can only imagine how debilitating it will be to many of us. Just take a moment to imagine what will happen on a busy day when the traffic is horrific and all of these families are trying to get into the theme park...

Many of these visitors will grow inpatient and want to try to find a short cut (they will definitely have major ROAD RAGE with the traffic they will surely be sitting in), they will be zooming down our quiet sidewalk free country roads, using their phone GPS to try to find some short cut while their children are screaming from being in the car for hours (believe me- any parent knows how this goes, I have two boys so I am speaking from experience), and then the driver does not see one of us- a Goshen or Orange County resident (living their normal life) running, riding a bike, or walking their child in a stroller. If you look at traffic related accidents the statistics are most definitely there. There will most certainly be a vehicular accident if Legoland comes to Goshen, and it could be fatal and most certainly life changing for any victims. I also am sure that new drivers will want to take "day trips" with their friends so there will be an increase of inexperienced drivers with even shorter attention spans that will not want to sit in traffic and they will also be driving carelessly down our roads.

SAFETY- related to emergencies and emergency vehicles:

As anyone who needs to go somewhere on 17 East or West on a weekend knows, the traffic is already horrific. To accommodate Legoland, - just like Six Flags in New Jersey, you need to have major highways which work with the traffic flow– which we do not have. Imagine when there is an accident traffic related or just a normal Goshen/ Orange County citizen- first responders are not going to be able to respond in a timely manner due to this massive influx of cars and traffic. First responders will not be able to get to victims in time and lives could most definitely be lost due to the extra time it will take to get to our citizens. I have actually driven through Carlsbad when I went to a wedding this spring. Every road I was on was a three to five lane highway. It makes sense to put a high traffic park where the roads can withstand the traffic, it does not make sense to put it in a small town without adequate roads to deal with the influx of cars. Goshen is not equipped for that. Just look at getting on 17 on any nice summer day. Sometimes when I am going somewhere on a Sunday already, I have to put it off because I cannot get on that road it is so backed up.

No one is going to be able to just go out for five minutes to get milk, run to Lowes or the Shop Rite in Chester, just run a quick errand without dealing with the fallout traffic from this mega park. There are so many places better suited with larger highways and access road. I am begging you, please listen to the people and work with Legoland to find a better location.

Goshen Town Board Members, are you all going to want to be the ones that has to console families of traffic accidents, and explain why this was allowed to snake through improper channels using backdoor politics, and bypass all current zoning laws when current zoning laws do NOT currently allow this type project? You live here. Do you want to run into these families and constantly feel that you know you created a monster that is the cause of massive accidents? Do you want to have to look at these families knowing you could have done something to stop this? The fact remains that this project was not properly vetted to the citizens in Goshen, and that alone is flabbergasting. No one's lives will be the same if/when this huge project is carried out.

Yours in Safety,

Lauren Ginsberg DeVilbiss

January 7, 2017

Town of Goshen Building Department
41 Webster Avenue
Goshen, NY 10924
Attention Neil Halloran

RECEIVED
JAN 12 2017
TOWN OF GOSHEN
TOWN CLERK

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Yours in Safety,

Lauren Ginsberg DeVilbiss

Ann Marie Devlin
20 Elmwood Drive
Goshen, NY 10924

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

January 8, 2017

Mr. Lee Bergus, Chairman
Town of Goshen Planning Board
Town of Goshen
P.O. Box 217
Goshen, NY 10924

Dear Chairman Bergus:

I am writing to you regarding the proposed Merlin Entertainment Project adjacent to my home – Arcadia Hills. I would like to bring a few of my concerns to your attention and hope that in some way I can enlighten you to the situation at hand. Besides the obvious; proximity to our development and Glen Arden, water and traffic issues, I have listed below what I see.

1. **Electricity:** Orange & Rockland wants to build a substation to support the park – What will the effects of having a utility substation so close to home? More added noise, constant hum of electrical currents and possible cancer causing elements added to our air quality. (Add that to the increased bad air due to additional exhaust from traffic.)
2. **Storm Water Run Off**: Where will this be going? Most likely heading right down into Arcadia Hills since we are lower than the proposed site. Do you remember Hurricane Irene? The lower portion of Arcadia was flooded. Storm drains fill quickly.
3. **Propane Tanks:** With 10 to 12 proposed restaurants for the site, where and how will the propane be delivered? I cannot imagine that each restaurant will have a propane bottle delivered daily, there will need to either be a 30,000 gallon tank installed on site with lines running to each restaurant (which means a bulk transport of propane will be required) or a propane bobtail will enter the facility and fill each tank that is installed at each restaurant, probably weekly. Both options can be hazardous as we have seen recently with homes in our area blowing up from propane! Where would these delivery trucks enter the park – from Arcadia Road? What is the weight limit on Arcadia Road?
4. **Lighting:** Don't you think this will be an obvious annoyance for everyone around the park? It will seem like daytime all of the time. If you remember a few years back, Monroe Ford expanded their dealership on 17M in Monroe; their parking lot was and is currently lit up like a space station. Neighbors all around the facility complained about the amount of lights that were used. Even after the facility closed, the lights were still on. I myself have driven past the facility at night and cannot believe how bright it is. Well that facility is only a fraction of the size of the proposed Merlin Entertainment Project.

These are just a few of my concerns. I also would like to ask you and everyone on the Planning Board, what would you do if this was in your front yard? Would you really want your quiet disturbed? Why is this being pushed on us? Really, this area cannot support a project such as Legoland.

Thank you for your time and please go deep into the thought process for this project. Open your mind and heart - listen to your residents.

Sincerely,

Ann Marie Devlin

Ann Marie Devlin
(845) 469-7732

AMD/

Cc: D. Bloomfield, Town Supervisor

NEW YORK STATE OF OPPORTUNITY. Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

December 15, 2016

Lee Burgus
Town of Goshen
41 Webster Avenue
Goshen NY10924

RECEIVED
DEC 19 2016
TOWN OF GOSHEN
TOWN CLERK

Re: SEQR# 16-132
LEGOLAND, Rt. 17M
Village of Goshen

Dear Mr. Burgus:

Maser Engineering submitted the DEIS on behalf of the project applicant in a package dated November 19, 2016. The Department recommends that DEIS not be accepted and further data be collected and reviewed. The most critical comments address the following:

1. The FEIS document does not include any mitigation work off of the site. This is a critical flaw because the mitigations of the development must be in the same DEIS document as the development. If they remain separate, then there is a possibility that the site development will be approved and the mitigations will not.
2. If the "flyover" alternative is selected, the "flyover" needs to be designed consistent with interstate standards not precluding this section of highway from being designated as an interstate.
3. A post implementation study should be included to validate the results of the Traffic Impact Study. This study would include data collection of actual traffic conditions generated by the site and would result in minor improvements and adjustments to traffic signal timing. The State would recommend that the Town keep a Performance Bond to be used if mitigations are necessary.
4. The Department requests that the traffic study be expanded to the intersection of I-84 and I-87, Route 17 and I-87 (Exit 131), Route 17 and I-84, and Route 17M and I-84. There will be significant trips occurring outside of the current study area in the peak hour, which may impact Department facilities. See attached map for clarification.

Please let me know if additional information is needed.

Very truly yours,

Lee Zimmer, P.E.
Traffic Signals & Highway Work Permits

Enclosure

cc: Village of Goshen
Town of Goshen
Orange County Planning
K. Henken, NYSDOT Permit Engineer, Residency 8-5
P. Grealy, Maser Consulting

NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

MEMORANDUM

Traffic Impact Study
Submission dated November 19th, 2016

LEGOLAND

SEQR # 16-132
Village of Goshen
Orange County

New York State Department of Transportation
4 Burnett Blvd.
Poughkeepsie, NY 12603

Report date: December 13, 2016

The following comments result from the review of the project submission dated November 19, 2016.

General Permit Comments

1. A Perm 51 must be submitted with a check for $2,000.00
2. A Perm 33.com will be required for this project.
3. "The proposed permit work is in the vicinity of a NYSDOT traffic signal, highway light, or other device with loop detection and/or buried conduit. The permittee shall locate all such underground facilities and note such on the construction plans. Damage to underground facilities are the responsibility of the permittee."
4. In an effort to enhance the Regional capabilities of managing traffic flow, providing real-time traffic data, minimizing delay and reducing congestion, the Region will be installing communication capabilities to all Region 8 traffic signals.

   Effective immediately, the scope of work on all Capital Projects that include signal modification (at Pre-PSE Stage or earlier), shall be expanded to include the connection of the traffic signal to the Advanced Traffic Management System (ATMS) network by either a cable modem (preferred) or by a cellular modem (acceptable). Also all signalized work under a Highway Work Permit will follow this guidance.

   It is envisioned that critical, congested corridors will have to be addressed as a system where work is proposed. For more information or specific details, the Regional Signal Section should be contacted at (845) 437-3396.
5. It is anticipated that a Highway Work Permit will be required as part of the proposed action.
6. Sidewalk must comply with current ADA requirements. The values shown on the table "Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities" shall be used to ensure that pedestrian facilities in the public right of way are ADA compliant. Please refer to engineering directive ED15-004. The applicant will need to provide inspection services as indicated.

   - **Engineering Directive ED15-004** - Design, Construction and Inspection of Pedestrian Facilities in the Public Right of Way
     The values shown on the table "Critical Elements for the Design, Layout and Acceptance of Pedestrian Facilities" shall be used to ensure that pedestrian facilities in the public right of way are ADA compliant. Please refer to engineering directive ED15-004. When submitting proposed permit projects for NYSDOT review, the applicant's engineer will need to include a letter or statement within the transmittal letter that the submitted design is compliant with ED15-004 and all other applicable codes, standards, and specifications. The applicant will also need to provide inspection services as indicated. In particular, the applicant's engineer will perform the required pre-pour concrete form inspection, completed

construction inspection, and submit a signed, sealed document confirming compliance with ED15-004 and all other applicable codes, standards, and specifications. In instances where nonstandard features cannot be avoided a justification form will need to be completed under the process promulgated under the Highway Design Manual Chapter 2 (Refer to Exhibit 2-15A).

7. This project is subject to the requirements of the State's Drivers First initiative. Delay to the traveling public must be minimized.
8. The applicant is required to satisfactorily complete the Smart Growth Prescreening Tool required under the NYS Smart Growth Public Infrastructure Policy Act (SGPIPA).
9. ETC +30 shall be included with the Final Environmental Impact Statement review as the applicant will be most likely required to submit a design report to the FHWA to preserve the I-86 Corridor status for any modifications made to Route 17.
10. Any future development must be considered at this time. The applicant can propose a plan to the department regarding phasing of subsequent development on this site.
11. Where is the rational for analysis of peak hours?
12. Please explicitly state any use of credits in the trip generation Such as: pass by, internal site, multimodal & others
13. Provide a detailed description of mitigation. The Department expects the applicant to submit a plan, and obtain a permit t0 perform such work in the Right of Way.
14. Referenced figures and tables should be hot-linked or indicated by the page number of the document.
15. Signal Warrant analysis for new signals.
16. Roundabouts must be considered as the primary option as per Section 5.9.1, pg 5-95... of the Highway Design Manual.
17. The operation of the proposed roundabout must be considered to ensure that traffic will not back up on the Interstate.
18. The Gravity Model Summary table (Appendix K) shows 58.5% of the visitors to the site are utilizing I-87 south of Harriman. The Department wants to see the analysis for the I-87/Route 17/Route 32 interchange. Though much lower, 12% of the visitors are coming from the east on I-84 (including 3% from I-87 north of I-84), The Department wants to see an analysis at the I-84/Route 17 interchange too.
19. There are diversions from EB Route 17 onto EB Route 17M at Goshen during times of heavy congestion such as Sunday afternoons. How will the proposed mitigation reduce the amount of diversions?

Traffic and Mobility - Synchro Comments

1. All Synchro build and build with improvement models at signalized intersections with crosswalks need to include the leading pedestrian interval implemented under the statewide pedestrian improvement plan.

2. On Route 17M from West Ave to Kings Highway there is a two way left turn lane along the majority of this corridor

3. On Route 17M from West Ave to Kings Highway please check on area type CBD within the lane settings. Area type CBD should also be checked on at the signalized intersection of Main Street with Church Street.

4. Please provide justification for all locations that use a PHF of .95 or higher.

At the intersection of South Street with Route 17M:

5. There are two crosswalks at this intersection that are not included in the Synchro model please add these crosswalks into the models. The pedestrian calls at this location is also set to zero in both the volume setting and phasing setting, if this is accurate please provide data that led to this conclusion.

At the intersection of Route 207 with North Connector Road:

6. Within the volume settings at this location the conflicting pedestrian calls per hour is set to zero, if this is accurate please provide data that led to this conclusion.

At the intersection of Route 17M with West Ave:

7. Within the volume settings at this location the conflicting pedestrian calls per hour is set to zero, if this is accurate please provide data that led to this conclusion.

At the intersection of Route 17M with Route 94:

8. Within the volume settings at this location the conflicting pedestrian calls per hour is set to zero, if this is accurate please provide data that led to this conclusion.

At the intersection Church Street with Main Street

9. Within the volume settings at this location the conflicting pedestrian calls per hour is set to zero, if this is accurate please provide data that led to this conclusion.

At the intersection of Route 17A with Hatfield Lane:

10. The eastbound approach to this intersection should be modeled as a one lane road with a 120' left turn storage lane as opposed to a two lane road which is how it's being modeled in Synchro.

Drainage & Site Comments

1- There is a FEMA study for the Otter Kill, which takes the majority of the runoff from the project site. The FEMA report indicates that the Old Chester Rd culvert

(local owned culvert built by NY under RC 1914) is severely undersized, influencing water elevations at NYSDOT culverts c850064 (NY-17M) and c850012 (NY-17), placing both in pressure flow at Q10 but not overtopping either at Q100. The analysis does not indicate the Old Chester Rd. culvert to be as large an obstruction as FEMA indicates; however, this specific location has been called out in the FEMA report as an area of known flooding (including flooding of the sewer pumps, assumed to be for the adjacent subdivision), although it does not mention the specific historic storm(s) at which this occurred (FEMA report is dated 2009, before Irene/Lee). If the Old Chester Rd. obstruction were to be removed by enlarging the culvert, it would allow both of the state culverts to pass significantly more flow (although per regulations & the SWPPP they will be mitigating 10and 100yr flows to existing levels).

2- While understanding that the watershed analysis in the SWPPP (Appendix G) is done for a different purpose than determining the peak flows at the culverts, and is a different type of analysis than are Regression equations (older versions of which are usually used FEMA to determine peak flows in the absence of gage data), the FEMA report indicates that the flows for this reach of the Otter Kill were determined by a detailed study of the rainfall/runoff for the area via SCS hydrographs; this is the method on which TR-55 is based, and which was used for the SWPPP. The issue is, the peak flows shown for Design Point A (c850012, NY-17) are on the order of 10x higher than the flows in the both the FEMA report and Streamstats at this location. This results in a site Q1 peak flow per the SWPPP being over 2x larger than the FEMA Q500 flow, and larger than Q200 per Regression/Streamstats, both of which encompass the entire drainage area. While there is some upstream regulation that may mitigate flows, resulting in the lower FEMA flows, this regulation is not associated with the site area; this would mean that the site area contributes direct runoff to the culvert that greatly exceeds any peak flow that has been determined by conventional methods.

In conclusion, based on the FEMA report, IF the Q10 and Q100 peak flows are mitigated to the existing flow rates per the SWPPP, there should not be any adverse effect on either NY-17 or NY-17M as a result of the project (or at least, no adverse effect that is not currently encountered). HOWEVER, if we simply use the design point flow rates per the SWPPP, the analysis shows that NY-17 could be (and actually would be now) under water at flow events somewhere between Q1 and Q5, or roughly every few years.

The suggestion would be for the Applicant to further investigate the site watershed model used for the SWPPP to see whether or not there has been some input and/or computational errors that have resulted in the extreme discrepancy. I will reach out to the Residency to see whether or not this location has seen roadway overtopping from some of the floods in the last 10 years in an attempt to verify the FEMA and/or Regression flow rates (my records do not indicate this to be a known flooding area).

Accident Analysis

1. For the locations in Table AR-1 where there is a noted accident type (7 or 8 locations out of 20) there should be at least:
   A. An accident diagram (to determine any patterns).
   B. Accident summary sheet.
   C. Existing conditions diagram.
   D. Proposed changes and the correlation between the patterns identified and mitigations proposed (or changes to the roadway network to accommodate expected increased volumes).

End of report

Town Board of Goshen

41 Webster Ave

Goshen, NY 10924

January 12, 2017

RECEIVED

JAN 18 2017

TOWN OF GOSHEN
TOWN CLERK

I am writing in regard to the two new Local Laws numbers 5 & 6 that are being proposed to allow Merlin to build an amusement park in Goshen. These laws are being written specifically to allow Merlin to break the law. If these laws are not amended, what Merlin is proposing is illegal. So what is the solution? We change the law. Does no one see the irony in this? Merlin makes millions and Goshen taxpayers foot the bill for roads for them, new police and emergency personnel (along with their equipment and vehicles) to police their park AND we get to look like Rt.59 in Rockland or Rt. 17 in New Jersey.

Goshen's Master Plan states that "the Town of Goshen is primarily and APPROPRIATLY a primarily rural community" Do these laws, written to allow Merlin to build their Mega Amusement park uphold that? No. Another excerpt- "The town MUST both preserve its fragile and beautiful rural environment and provide for the needs of its people." It says BOTH. If doing one harms the other then another way must be found. 20,000 extra people a day in a town with a population of 14,000 will critically overwhelm our infrastructure. How do you protect our "fragile and beautiful rural environment" from that?

You want to change the Master Plan? Think it needs to be reevaluated? Fair enough, but not this way. Not for the benefit of a multi billion dollar foreign corporation that's going to clear cut old growth forests of Goshen and flatten an entire expanse of rolling hills. Do it the right way. The same way our current Master Plan was developed. With time, input from committees and for the "general welfare of the community". Not just for Merlin.

Let's not forget the probability of a lawsuit by Kiryas Joel. They declared themselves an interested party and have been watching developments closely. Because they want to ride the roller coaster at our new amusement park? I don't think so, and neither do you. Their lawsuit will bury Goshen in litigation costs thanks to these 2 new laws which they will claim are discriminatory. Win or lose, Goshen taxpayers will be paying for this for years to come.

At the last two part public hearing in Goshen, public comment on the DEIS was allowed. It was very convenient that everyone who spoke had to give their name and address because it made it easy to see who was from Goshen or not. I kept a running tally of those speaking and out of the residents of Goshen who spoke, it was two to one against this proposed project. Don't believe me? We have the entire sessions videotaped. I invite you to watch them and count for yourself. Those that were not residents of Goshen were equally divided pro and con. BUT- all their comments had to do with either personal monetary gain or as in the case of "Nona" from Cornwall, wanting their grandchildren to move back to NY and believing that Legoland will fulfill that goal. Two speakers who were not from Goshen actually claimed they read the DEIS and it was "great". I cannot believe that you would give the same weight to comments like that as opposed to those Goshen residents who actually read the DEIS and made references to the concerns and lack of detail in that document. Isn't that what the public comment was for? I would also be for the park if I lived in Monroe, Cornwall, Washingtonville or New Windsor as many of these speakers identified their hometowns. You don't represent them. You represent the residents of Goshen who came out 2 to 1 against this project.

Merlin claims they meet the criteria for STEM education. It's an amusement park for 2-12 year olds, NOT a university. They are not training mechanical engineers as they claim. In NYS you have to be certified teacher to claim to offer STEM. They have shown no evidence of certified teachers in regard to this.

Some Goshen residents have hired at their own expense a professional consultant to review and comment on the DEIS. When we asked if he could have a few extra minutes to explain his findings we were told no. In order to show the citizens of Goshen that you are making an effort to make an informed decision on this proposed project you need his information. We are requesting that you give Steve Gross an hour of your time to meet with him to discuss his submission. In the 3 minutes that was allowed he showed you a shocking amount of inconsistent findings, missing wetlands on Merlin's site plan and inaccuracies in the DEIS. Merlin's representative has been allowed to give his "infomercial" at every public hearing but you couldn't give our expert more than 3 minutes? This information can be invaluable in assisting you to make an informed decision on the proposed project. You claim you are taking a "hard look" and doing your "due diligence". I

submit that now that you have seen the many flaws and omissions contained in the DEIS, not meeting with Steve Gross would be highly negligent. I am also requesting a SEIS be performed since the DEIS was so grossly inaccurate and flawed. This is needed to fulfil your obligation to do the best for the citizens of Goshen.

Ellen Guerrera

7 Ridgeview Terrace

Goshen, NY 10924

RECEIVED
JAN 18 2017
TOWN OF GOSHEN
TOWN CLERK

Planning Board of the Town of Goshen

41 Webster Ave

Goshen NY 10924

January 12, 2017

I am writing this in regard to the incomplete and erroneous DEIS that accepted as complete by the board

This document is a travesty. It's obvious that Merlin was told "Just submit anything, it will be approved without being questioned" When you submit a site plan for a specific site, in this case the property off Harriman Drive, Arcadia Rd. and Conklingtown Rd. it should be for that actual site. Have you actually looked at the site plan? It shows palm trees as part of the landscaping plan. In your "hard look" at the DEIS did you happen to notice that Merlin simply transposed the Florida site plan to the Goshen site. If you've accepted this site plan as accurate, which I assume you did since you deemed it complete, then Merlin is going to raze this site to conform to the park they wish to build. Here is sec 4.4 from Goshen's Master Plan:

"Excessive grading of sites to prepare them for development is an ADVERSE ENVIRONMENTAL IMAPCT (emphasis mine) that robs a municipality of the beauty of its natural terrain."

The DIES only pertains to 140 acres of the almost 600 acre site. You are aware that segmentation for the purposes of SEQRA is illegal. Yet this board thinks they can allow it. Another lawsuit waiting to happen.

Previous to the Merlin site plan former maps showed 3 wetlands on the property, one of which is on the exact footprint of the park. WHERE DID THOSE MISSING WETLANDS GO ON MERLIN'S MAP? Could it be that revealing that those wetlands really exist would force Merlin to comply with certain DEC regulations in regards to them? I request that you investigate these missing wetlands.

The economic impact of this proposed project on the locally owned businesses of Goshen will be negligible at best and disastrous at worst. At the last meeting the flyover option to try to mitigate traffic was seriously discussed. If the flyover goes in, there goes your argument that local businesses will benefit. If it doesn't then the traffic will be so bad no one will take the chance of driving into downtown Goshen. This is a lose, lose scenario.

You are now considering removal of the shoulders and sidewalks in an area used by students and seniors so you can have the South St. bridge accommodate more cars. This is an accident waiting to happen which will result in further lawsuits.

Mr. Burgess said at the last Planning Board meeting that these "improvements" should be tied to the opening of the park. Wrong. It should be the opposite! Merlin must be bound by what is good for Goshen, not the other way around.

There is no substantiation for Merlin's claim for water usage. As a matter of fact, the water consumption rates they offered came from their park in Windsor, England, a city whose average July temperature is 66 degrees. Does that sound like Goshen's temperature in July? How can you compare the water consumption of 20,000 people a day in an area where it commonly gets to over 90 degrees to 66 degrees? Merlin has made an art of picking and choosing between parks for whatever crumbs of information they choose to dole out to us, but you already know that.

The DEIS has no FHWA or DOT input. How were all these trip generations arrived at? Wishful thinking? The applicant is proposing significant modifications to our roads, the cost of which will be borne by the taxpayers of Orange County and New York State. The traffic consultant said that taking in the 10 other projects, including the casino in Sullivan County, there will be an increase of 18% to 46% in Route 17 traffic. The DOT itself has recommended that the DEIS not be accepted. This traffic situation cannot be mitigated until another lane is added to Rt. 17 which is not in even in the DOT's five year plan.

The DEIS is woefully inadequate regarding environmental concerns. What is the intended mitigation for the chlorides and motor oil than will run off into our water supply?

Another glaring omission is the lack of a cost benefit analysis. The claims that this will be an economic boon for Goshen have no basis in fact. Statements like that cannot be bandied about to try and sway public opinion without facts to back it up. Where are these facts? On the contrary, I believe this proposed project will have a negative economic impact on Goshen. The need for new roads, the hiring of more police officers and emergency personnel and equipment is going to raise taxes for Goshen homeowners. Merlin has already stated that they will not contribute to these costs. It is extreme negligence on your part to tout any economic benefit without an impartial cost benefit analysis.

Non existent lighting in the parking lots, palm trees in the site plan, environmental issues ignored. Many questions asked in the scoping document totally ignored. This board has been totally negligent in accepting this DEIS and has completely failed in its duty to take a "hard look" as required by law. A consultant hired by and paid for by Goshen residents has submitted a response to this joke of a document. We request that you meet with him after you have read his submission. Not collecting all the information you can from experts who will gladly make themselves available to meet with you will show that you refuse to do your due diligence in regard to this proposed project and will show that you are not working for the best interests of the residents of Goshen.

Therefore it is requested that you meet with Steve Gross and it is also requested that a SEIS be performed since there is no opportunity for further public input when the FEIS is filed. I have no expectation that the FEIS will be any better than previous documents submitted. By meeting with experts who HAVE read the DEIS and are not in the employ of the applicant you have a chance to show that you are actually doing your due diligence and taking the "hard look" required.

Ellen Guerrera

7 Ridgeview Terrace

Goshen, NY 10924

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

ERIN PASCUAL
5 VER'S LANE
GOSHEN, NY. 10924

January 13, 2017

RECEIVED
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TOWN OF GOSHEN
TOWN CLERK

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Planning Board and Town Board
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PLEASE VOTE YES and approve this project!

Respectfully,

Carly Edmond
23 South Aspen Road
Middletown N.Y. 10940

Charles F. Elmes

380 Bart Bull Road

Middletown, N.Y. 10941

914-489-2332

RECEIVED
JAN 11 2017
TOWN OF GOSHEN
TOWN CLERK

Re: Legoland

January 9, 2017

Goshen Town Board
41 Webster Ave.
Goshen, NY.

I would like to give my insight into the proposed Legoland based upon my experience with Legoland that was constructed in Winter Haven, Florida. I moved to Winter Haven in the 60's to work for the Boston Red Sox. At that time it was a small town with Orange Groves, local residents, and winter tourist, as well as tourists coming to see Cypress Gardens and their water ski show. It seemed that the water ski show was losing interest and Dick Pope, the owner decided to sell, and this is the area, much smaller in acreage than the Goshen tract that Legoland purchased.

The town really needed jobs and something to revitalize the area. Legoland was just what the doctor ordered. It brought a park setting and revitalization to Cypress Gardens which allowed families to enjoy themselves. (A lot better than casinos and much nicer group of people). The values of homes went up, people moved to the area, and it created jobs at all different economic levels. As seems to be the case in Goshen, there were all the same type of objections. I have been back to Winter Haven many times and recently talked to friends living there. Everyone I know feels that Legoland brought a very positive addition to the area. Yes, there is more traffic, but because of all the improvements and better tax base as a result of not only Legoland, but other businesses that have been created as a result, there were funds available to build new and better infrastructure. So, it brought new jobs, more tax income, higher real estate values, and a nice group of people for good family entertainment. Also with my trips back to Winter Haven, it seems like a much nicer place to live than when I was there.

New York and Orange County seem to be losing population; however in the Monroe area that does not seem to be the case. We need more and better jobs in the County, more tax revenue from businesses, and there needs to be improvements in infrastructure. It is time people and some politicians need to to stop trying to stop new things coming into the area, but to try to encourage more business, better and less dense housing to help with water and sewer, and try to work to create more jobs so children of people presently living here will be able to afford to stay and enjoy Orange County and New York State. There are a lot of good things here in Orange County, but many people are struggling. Legoland will be a good, fun project for all of us, and those that are now detractors will find, as they did in Winter Haven, that it will be a very positive addition. So, do what you can to speed up approvals, work with them and let's enjoy it as my friends and families in Winter Haven have.

Thanks

Chuck Elmes

Chuck Elmes

By hand delivery to Goshen Town Hall

Certified mail to Goshen Town Hall

Cc: Legoland Office

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Thanks

Chuck Elmes

Chuck Elmes

By hand delivery to Goshen Town Hall

Certified mail to Goshen Town Hall

Cc: Legoland Office

Charles F. Elmes

380 Bart Bull Road

Middletown, N.Y. 10941

914-489-2332

RECEIVED
JAN 19 2017
TOWN OF GOSHEN
TOWN CLERK

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January 9, 2017

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41 Webster Ave.
Goshen, NY.

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Charles Elmes
Bart Bull Road
Middletown N.Y. 10941

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Goshen, N.Y. 10924

RECEIVED
JAN 19 2017
TOWN OF GOSHEN
TOWN CLERK

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REQUESTED

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Town Board of Goshen

41 Webster Ave

Goshen, NY 10924

January 13, 2017

RECEIVED
JAN 18 2017
TOWN OF GOSHEN
TOWN CLERK

I would like to speak about the new proposed local law #6, changing the Town of Goshen's Comprehensive Plan. Regarding buffer zones -- The Master Plan states that buffers are required when development is adjacent to a residential community "to the greatest extent possible". We are seeing Legoland's buffer shrink from 2000 feet in their EAF to 900 feet in their latest proposal. If you want to make a constructive change to the Master Plan, make that buffer zone a definitive amount. One that has to be adhered to by this and any applicant , not one that can change with the wind depending on who that applicant is. This would be representing your constituent property owners and not this huge foreign corporation.

Currently the Town of Goshen Comprehensive Plan states "This area has a steeper gradient and also contains substantial wetland and is therefore better suited for low density residential development." The change you want to make adds "or a commercial tourism recreational facility that are designed to accommodate TO A

REASONABLE EXTENT the natural contours of the land and the protection of the wetland areas." How is it you can equate low density residential housing with the biggest Legoland amusement park in the United States? You have worded it so they both require the same zoning. You are changing the name to "recreational facility" in order to skirt the intent of our Master Plan which states MANY times that its aim is to keep Goshen rural and specifically forbids amusement parks. And the mitigation standard is "to a reasonable extent". Why don't you just say "Whatever Merlin feels like doing " because that is what that wording means. Why are you giving this corporation free rein to destroy this sensitive area? Why are you not standing up to them and protecting the residents of Goshen? You represent us NOT them!

As far as the DEIS, upon review, many residents have valid questions and concerns. In order to take the "hard look" required by SEQR, experts other than those employed by the applicant are necessary. While the town has their own experts, some officials have clearly signaled their support for this project. Supervisor Bloomfield has stated on the record that he is for it and attended the opening of the storefront this past Saturday

to, in his own words, "gather information". For a decision of this magnitude which will forever change the nature of Goshen you need all the facts you can get. Resident organizations have hired experts who have been examining the DEIS in great detail. We request that after the time for written comments has passed the Planning Board meet with these experts to gather from them any facts that might have been overlooked. Is this information less important because it doesn't come from Merlin Enterprises? The facts they can provide will be of much greater help in determining whether this DEIS is sufficient than attending the opening of a storefront that is there solely to promote Legoland. I'm sure you are aware that in this town there is a perception that Merlin has been given favored treatment. Let's put that perception to rest. In the interests of our community and to make an informed decision for the future of Goshen we cannot afford to pass up any opportunity to gain any knowledge available relevant to this issue.

I therefore request that you meet with Steve Gross, the expert hired by the residents of Goshen. You could not help but be impressed at his three minute presentation at the public hearing. Imagine how much more you can learn by giving him an hour of your time. Not to do so

would be extreme negligence given that in three minutes he pointed out many flaws and omissions in the DEIS. It would give the impression that this board is NOT impartial when it comes to Merlin's proposed project. I also request that a SEIS be performed since the DEIS has been shown to be flawed and has fatal omissions like the three wetlands that appear on a previous map of the area but have somehow disappeared from Merlin's DEIS. Please address this issue.

Frank Guerrera

7 Ridgeview Terrace

Goshen, NY 10924

January 15, 2017

TO: The Town Board of Goshen, NY
The Planning Board of Goshen, NY
FROM: Tom Fay

RE: Comments following the Public Hearing on Legoland, December 15, 2016

This is my second commentary on the proposal to build a Legoland Park in Goshen, NY. At this time I believe that the applicant has not fulfilled the obligation to be thorough and complete in the proposed planning and in the manner in which said plans are presented. Important problems remain unresolved. The most important of these is the impact on local traffic and the impact on local water resources. Also, if the park is built and operated, the PILOT amounts and the other fees in lieu of taxes proposed by Legoland are woefully inadequate.

It is difficult not to become cynical about this whole process. On the one hand, residents have been in attendance at meetings and presentations and have provided lengthy in-depth objections to as well as support for the plan. On the other hand, the actions of members of the Town Board and the Town Planning Board show clear bias toward the project's approval.

It is unseemly, to say the least, that a number of members of the Town Board and the Planning Board are evidently in favor of approval. The Town Board and Planning Board (as Lead Agency) should be neutral. Without neutrality the residents are not getting fair representation. The behavior of certain members displaying lapel pins supporting Legoland is evidence of this. Unfortunately, the Legoland issue has pitted supporters and opponents against each other throughout the Village and Town from the very beginning. The earlier denial of the request for a referendum on this issue is the best indication that the Town Board, Planning Board (and certainly Legoland) do not want to know the results of a vote that would quantify public opinion. Without a referendum vote, both Boards can claim that there is support from a majority of the residents, when, in truth that claim has no basis.

In addition, some of the actions of the Town Supervisor could be seen as biased or even corrupt:

1) There is reports of secret meetings between the Supervisor and Legoland representatives, which meetings have not been recorded or reported to the Town Board.

2) There is no entry in any Minutes of the Town Board for 2016 that there was a discussion or a vote on the Host Agreement between the Town Board and Legoland.

3) Further evidence—removing a member of the Planning Board because the member's wife is opposed to Legoland (this in response to a request from Legoland's attorney to do so!), and switching two members between the Environmental Review Board and the Planning Board to guarantee more positive votes.

4) There are reports of meetings between the Supervisor and the NYSDOT, working on behalf of

Legoland concerning highway and traffic issues (This shows bias; such a meeting should be the responsibility of the Applicant.) There has been no reporting to the Town Board about these meetings, which were conducted presumably at taxpayers' expense.

These are all areas that should be investigated further.

And now to return to the old much-discussed objections:

> ***Legoland at any price!*** Despite a lot of evidence to the contrary, the idea of using existing entrances and exits to and from Rte 17 (I-86) is stupid and dangerous. **The only common-sense solution is a dedicated exit and entrance onto Rte 17** that eliminates undo traffic interference with normal everyday travel to and from the Town and the Village of Goshen. Since Legoland appears to be passing the buck for this onto NYS and Orange County, those entities should weigh in on that part of the plan. But a larger question still looms: if traffic will become the nightmare that we all imagine, why was this site determined to be 'ideal' for Merlin/Legoland?
>
> ***Legoland at any price!*** I can only imagine the dollar signs in the eyes of the Town Council! At last, a ratable that's going to solve all our problems! It'll put Goshen's future on a firm footing! Yet the PILOT payments and the Host Community Fee revenue figures are laughable. This deal was appears to have been negotiated only by Supervisor Bloomfield and not subject to discussion and vote by the Board. According to the formulae for computing revenue for the town, with more than two million visitors in any given year, the Town of Goshen will receive less than 2 million dollars. ***And for 30 years?*** No one could convince me that a resident of the Town of Goshen will see one penny of tax relief in those thirty years. Compare Woodbury Common's annual tax payment of 14 million dollars! Also don't we imagine that Legoland will raise its admission price within 30 years? At least once? Does our $.65 remain fixed, or do we get a bump-up as well? Also, why, as Legoland makes more money, becomes more successful, does the Town get ***less*** money ($.20 per admission ticket)? Explain that logic to me. Does any commercial enterprise pay less in taxes the more revenue they take in? Why should this be the case during the PILOT period?
>
> My wife Karen and I live on Reservoir Road, close to the intersection with Lower Reservoir Road. I can anticipate not being able to get to Rte 17, or the Village, or 17M either way at peak traffic times. It's already been estimated that this amount of traffic and the proximity of the park will have a substantial negative effect on property values. We don't want to sell our home on which we have made many improvements in the 17 years we've been here. Property values will decline amid the traffic nightmare that will ensue and we probably will not be able to recoup any of the money we have invested into our home
>
> ***Legoland at any price!*** Water. They need alot. We sometimes have it; other times not. The Village has it to give, just barely! What is needed is a ***plan that addresses drought***. Are the Village residents expected to do without during dry periods while Legoland has full access to the water they're contracted to receive? Why would anyone in their right mind not include a drought provision in this plan? Legoland now is projecting building their Water Park into their 'Phase 2' plan, to commence perhaps 5 years after the Park opens. My understanding is that ***all***

approvals must be obtained ***now*** for present construction and future expansion. ***Extensive use of water for Legoland in Goshen, historically devoid of dependable water for its residents requires a major water recycling capability!***

Legoland at any price! Good jobs, great jobs! Yeah, maybe. But the park won't operate year-round. Prepare for all those folks out of work for three months showing up on the Unemployment rolls! If Legoland gets in, with the necessary zoning changes to the land, there will be no way to effectively control growth in that area. Goshen will have lost its Scenic Overlay protection and we should expect to see other, even more egregious projects installed there.

Legoland at any price! The public should know the total value of the land deal: what Legoland expects to pay for all the land and what the Town of Goshen will receive for its nine parcels of land. I understand that the purchase of the land would take place after approvals by the DEC. I imagine that sale prices have already been provisionally agreed to. Goshen's nine parcels are probably only 20 acres or so, but those parcels contain two 'so-called' high-producing wells. Legoland is going to let us keep the wells and a portion of the land they are on to provide access to them.

How is Goshen going to convey its land to Merlin? What is the agreed-upon sale price? Who negotiated it? Was it Doug Bloomfield on his own? The way he arrived at the terms of the "Host Agreement" payments? Are we giving them the land? Selling it for a dollar? Shouldn't the public know this? Under New York State law, isn't there a legal method for a Town to sell its own land to private individuals or businesses? Has this method been followed? Will it be followed?

Again, there is no mention in Town Board minutes for 2016 of any discussion or any vote on the sale of those parcels. Surely there must be a requirement for a public hearing about such a proposed sale!

I believe our elected and appointed officials want to sell us out! Any project that benefits one segment of the Town residents at the expense of another segment should **not** be approved. Legoland is clearly that kind of project!

It's a Pig in a Poke!

fisher mears
ASSOCIATES
1830 Route 52 | PO Box 424 | Liberty, N.Y. 12754

January 3, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

I am a resident and business owner in the region, I wear multiple hats in economic development and children's services: I am the owner of FisherMears Associates, a marketing communications firm in Liberty; the board chair of the Sullivan County Partnership for Economic Development; and the chief volunteer officer of the Town of Wallkill, Inc. Boys and Girls Clubs. I am writing to you in support of LEGOLAND New York for any number of reasons including the undeniable impacts it will have on:

- Tourism and economic development
- Jobs (800 alone during construction and over 1,000 permanent, part-time and seasonal)
- Revenues for schools
- Educational opportunities for children

An investment like Merlin's proposed $350-$500 million over its first five years will be a key contributor to not just the economic and educational landscape of Goshen, but to an entire region.

Yes, we should all be concerned with environmental impacts, and from what I see, Merlin Entertainment is committed to best practices at all its facilities worldwide regularly monitoring impacts, and constantly seeking opportunities for sustainable environmental improvement. I also believe LEGOLAND New York will do its part to be a social responsible corporate citizen to Goshen and the entire region.

Please vote yes and approve this project.

Respectfully,

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

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The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Matthew T. Flanagan
223 Rock Cut Rd Walden NY
12586

Douglas Bloomfield
Kenneth Newbold
George Lyons
Melissa Gallo
John Van Der Molen

Lee Burgus
Phil Dropkin
Kristopher Baker
Dave Gawronski
Giovanni Pirraglia

January 10, 2017

Liar(noun) a person who tells lies. Synonyms: deceiver, false witness, fabricator.
Phil Royal is a liar, plain and simple. He is a glorified salesmen and let's face the facts that people in his field embellish to push their agendas through. He's been telling the people of Goshen for months now, how "desperate" we are for jobs, hope, growth, opportunity, etc. And the people of Goshen that are either too lazy to do a little research on their own or too stupid to know where to look for that information or how to properly decipher it believe it as if it were Gospel scratched in a stone tablet. And he is 100% wrong. Goshen/Orange county does NOT desperately need the jobs and we haven't for quite a while now. In November of 2016, the unemployment rate in the United States sits at 4.6%. The unemployment rate in NY State is right around 5.1%. Orange county is currently at 4.3% and Goshen also sits at 4.3%. These statistics can be found on the U.S. Bureau of Labor Statistics website. How can it be accurately, or better yet honestly stated by Phil/Merlin that jobs are "desperately needed" here? What can also be found is the definition of a "healthy" level of unemployment (4% - 6%), of which both orange county and Goshen currently reside in. Let's say you were in the market to buy a new car, truck, van etc whether it were foreign, domestic, Audi, Ford, GMC, Mercedes, etc. You walk into one of those dealerships and soon enough, you encounter a sales person, let's say for argument's sake you are at a Ford dealership. That sales person is motivated for you to buy a Ford and will spew some "facts" about the car or truck you are looking to buy and hit you with a sales pitch and all kinds of trigger words to get you into that Ford. Do you take what that person tells you as Gospel? It's in their best interest to get you in a car for the company that signs their paycheck. Or have you done some research on your own? Even if that sales person KNOWS that there is a better car or truck for the money you are looking to spend at another dealership(say GMC, Toyota, etc it doesn't matter) they sure as hell won't tell you that. The point is this, you can listen to the sales pitch from the car salesmen, or in this case the public spokes people of Merlin but you would be wise to do some research on your own to dig a little deeper and find out the actual facts and not base your decision on the words of a sales pitch. There are drawbacks to this legoland project and they are huge, far reaching, and many are irreversible and Merlin hasn't been forthcoming about them since day one, and that's putting it kindly. I've never heard a single person in my 15 years living in Goshen say to me, "I like it here a lot, it's quiet, clean & scenic but the only thing we really need is an amusement park." Nobody has moved to Goshen in the hopes that an amusement park would someday be built close by, NOBODY. And please, we all know it's an amusement park, by calling it a recreation center/facility or whatever other lawyer's jargon you've been advised to use is insulting to the intelligence of your community. Regardless what you choose to refer to it as it doesn't belong here. Contrary to popular belief, we that oppose this are not "afraid of change" as I've heard ad nauseum by the welcome side. Change is inevitable and to be embraced, and we don't fear it at all as long as it is well thought out, within the current zoning laws, and respectful and proportionate to the entire town/area. This proposed change would be none of those. This is potentially a colossal change. We are a small quaint town that would be adversely affected by it by sacrificing water that is, and has notoriously been in short supply. Traffic = noise + pollution + lost time and all have been woefully addressed by Merlin's proposals. 30 year tax break? That would be some kind of deal of the century….for THEM, not us. THAT'S their idea of being a good neighbor as they have so often said? "Everything is awesome." Isn't that one of their catch phrases? It sure would be awesome for them, but for Goshen and Orange county residents…not so much. Do you pay your taxes? I know I sure do, and as far as I know all my neighbors and small local business owners do as well. I pay my *fair* share, and do it willingly because I truly love where I live. I chose it carefully based on the country

setting and small town feel. Don't let this sh*t storm disguised as Legoland into our town. Your responsibility lies with this town and to do what's best for us, NOT Merlin. This community is broken and split over this. People that have been neighbors and friends for 5, 10, 20 + years and more no longer are speaking over this proposal. If it were so great, such a "perfect" fit you wouldn't have ½ this community willing to lose a lifelong friendship over it. Legoland may be wanted here by some and I can't dispute that as a fact, but it is not NEEDED here as Merlin would have the masses believe and that is also a fact. Ever heard of the phrase, "There is no truth. There is only perception."? Several of the planning board members have been seen out in public with Legoland pins on and being wined and dined by the Merlin team in our local restaurants. Now you push a board member off the board because his wife is on the stop legoland page?? Lee Burgus' wife has been on the welcome legoland page, why isn't Lee Burgus pushed off the board?? Double standard and very suspicious to say the least. The planning board of Goshen is an absolute disgrace to this point in time! You're not exactly painting a self portrait of an unbiased board looking out for the town's best interest when things like that are seen and heard within the community. Poor judgement in that respect has many questioning your ability to be able to separate yourselves from the $$ of a big corporation and your responsibility to a small town. Has *anyone* on this board even read the DEIS?? Or even parts of it? It was released as "complete" and it has glaring omissions(like a traffic study of 87/17 where the lion's share of legoland's patrons are expected to pass through). How the hell do you miss something like that? By not even caring enough to read it people are assuming. How about a cost benefit analysis? When will we actually see one of those??? Pretty damn important piece of the puzzle, wouldn't you agree? I'm guessing we won't because as currently proposed, the cost is clearly going to fall on the town/tax payers while Merlin reaps the benefits. You might have been faceless names to the majority of the community before this whole process started, but not anymore. You all have been popularized by the ridiculous, corrupt and sneaky process which you and you alone let play out. This entire process stinks of under the table promises and payouts and you have put yourselves on the radar and in the proverbial crosshairs of a very angry community. Do the right thing, put a stop to this charade and send Merlin along to somewhere else. Phil Royal said they have been trying to get a park built in the area/east coast for 5 years? They've been denied in other locations such as Rockland county for a reason, apparently for a lot of reasons we are finding out as we are dragged through this ugly process. A large portion of Goshen and neighboring towns(let's not forget the negative impact on them as well) are strongly against this proposal. Don't try to jam this monumental square peg into a tiny round hole, it doesn't fit and shouldn't be here. Stop Legoland from raping the Goshen watershed and tax payers and doing irreversible damage to the community and surrounding communities! It should NEVER have gotten this far. Do your jobs, look out for Goshen's best interest and NOT your own.

Kevin Flynn, Goshen resident/tax payer since 2002

Cc: DOT, DEC, Dept. of Army Corps of Engineers

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland Public Hearing Letter
Date: January 17, 2017 at 12:19 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Patricia Flynn [mailto:pflynn2@hvc.rr.com]
Sent: Tuesday, January 17, 2017 12:16 PM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org
Subject: Legoland Public Hearing Letter

Hello,

Attached please find my letter for your review. I am hoping this gets given to all members of each board to review being it is a decision based upon many and not just one or two.

Thank you,

Patricia Flynn - Breezeway Lane, Goshen, NY - Resident since 2002

Letter to town and planning boards.docx

January 16, 2017

Douglas Bloomfield
Kenneth Newbold
George Lyons
Melissa Gallo
John Van Der Molen

Lee Burgus
Phil Dropkin
Kristopher Baker
Dave Gawronski
Giovanni Pirraglia

I am writing to the members of the Planning Board and the Town Board to ask you to please say **NO to Legoland in Goshen!** I have started this letter several times and have gone through many emotions leading up to this point. I ask myself even as I type this letter "will they even read my words?" "Will they even care?" For me at this point I feel based upon how this whole process is going that many if not most of you have made up your minds and it angers me but disappoints me even more. My home is my investment. My husband works very hard to provide for myself and our two children to allow us to live in this town and Goshen is our home. We have lived here in Goshen for going on 15 years and never imagined when we purchased our home that we would be faced with the idea that there would be an amusement park in this town. We left the City to get away from noise, crowds, pollution and traffic. All of the things that this amusement park will definitely bring to Goshen should this gain approval. We originally thought we would move to Warwick being my siblings and parents were living there at that time but we took a drive through Goshen one weekend and we fell in love with the town and the village immediately. The quaint, quiet, historical flair and the community feel was enough for us!

When we first heard the news that there could possibly be a Legoland in Goshen we seriously thought it was a joke. Then when we discovered it was not a joke and where exactly the plan was to build we thought they must be out of their minds! To even think that you, the members of the planning and town boards are considering this project is mind blowing! Many of you are from here born and raised and many of you have been here for years. What was your reason for calling Goshen your home? Why did you raise your families here? My guess is the answer is for what Goshen currently is and not for an amusement park! You all had the opportunity to raise your families here and I beg you to think of many of us that wish to do the same. When we moved up here we were aware of taxes and we are not wealthy by any means. We have been subject to hard times as have many due to the economy but Goshen was where we wanted to raise a family so we knew that we would have to sacrifice our commute to and from work to be able to afford to live here. My husband continues to make the sacrifice of commuting into NYC each day leaving home at 5:45am and returning around 7:45-8:00pm nightly just to live here. Many will say why not get a job closer and sure, if my husband could do just that and have the

best of both worlds he would do so in a second but sadly, the jobs are just not here paying the salary he makes and LEGOLAND is definitely not the answer.

This town is currently so divided and that truly breaks my heart. People have lost friendships over this. People have been so angry and bitter towards each other. I, myself being on the Stop LEGOLAND side of it have been called such horrible names and have also been guilty of reacting in a manner to which I am not proud of. Many on the Welcome side have used their children in this situation by having their children write letters to the boards begging them to bring LEGOLAND to Goshen which to me is horrible. This is not an issue for children to even be involved but this is what this is doing and you should please open your eyes and see what is happening on the Streets of Goshen over this amusement park. Should this project be approved this town will never be the same. The anger and hostility alone will remain forever. If this project does not gain approval people will eventually go back to their lives. It's the old out of site out of mind whereas if it's there, it's seen each and every day and anger and bitterness will remain. I would like to address some areas of concern/issues that have been the topic of discussion yet still no resolve.

- Traffic: Many for this project have referred to the increased traffic that will occur if LEGOLAND is approved as a "little" more traffic which angers me. I have come to find that those that don't see the increased traffic as an issue is because the majority of those in favor of this project live in the **Village and work within Goshen** or surrounding areas and traffic does not bother them which to me is very selfish. Perhaps some of you on these boards don't truly look at the traffic as a concern for those same reasons. However, there are a large amount of residents such as my husband that commute daily on 17/87 to get to his job in NYC. When we moved here we both commuted into the City daily and were aware of how long it would take but we were willing to make that sacrifice to be able to come home to Goshen. With this project traffic will become such a problem and for those that are not willing to admit that or believe that are very naïve. Traffic is already a problem on 17 and as Mr. Bloomfield was quoted as saying "Bringing in more traffic is a deterrent to the quality of life." How could you/he state that just months prior to LEGOLAND coming to town and then completely disregard traffic? How can anyone think that by adding up to 4500+ cars per day (according to Merlin's constant mailers) onto 17 will not be an issue? Let's not forget that the Montreign casino in Sullivan County is to open in 2018! Steve Neuhaus our Orange County Executive is quoted as saying "Traffic will definitely be trying for all communities within the travel route to and from the proposed casinos," in 2013 article in the Chronicle Newspaper and that was minus LEGOLAND! Our roads cannot handle that amount of cars. We are a 4 lane roadway. You do realize the amount of wear and tear that will be on our roadways right? Who pays for the upkeep? Not Merlin. Traffic currently is atrocious and even more so in the summer months. On 1/9/17 there was an accident near the Harriman tolls that shut down the East bound traffic for a few hours. It is common sense that increased traffic

creates more accidents. Route 17 can't handle the additional traffic that LL will bring. How can any of you think that it can? Those for this project even went so far as to say that it is the commuters that cause the traffic?! Well, anyone that gets in their car to go anywhere is creating traffic but this unfortunately has been the mentality that myself and others against this project have been up against for months. Merlin entertainment has stated that traffic will be going in opposite directions and not affect rush hour?! It sounds nice does it not? Are we to be so gullible to think that all people visiting this amusement park will all be coming and going at the same time? All visitors daily will be arriving for 10:00am and only coming from 17 East and will be leaving going Westbound on 17 at closing? What about those visitors staying overnight or for a two night stay? I mean, what is the point of having a hotel if they state that visitors will be "day visitors"? Will there be no visitors coming from say Buffalo? Canada even? This is to be their first amusement park in the North East and largest one at that so everyone above us will come here as opposed to jumping on a plane to Florida. This will also have a ripple affect into neighboring communities and for those that do see that is ridiculous. Today is the day of the GPS and anyone stuck in traffic on say 17 will simply get off and plan an alternate route. Those coming from Jersey will end up coming via Warwick. Those coming from CT will end up coming via 84 not to 17 but to 17M. I know this because as a Realtor when I go towards CT and come back via 84 it takes me via 17M to Goshen. All of our side roads and back roads will be affected. Traffic is a major concern and I know my nightmares will become my husband's daily reality being he commutes daily should this project be approved.

- WATER – How on earth could you turn down a project in April 2016 with Mr. Bloomfield stating "Water has always been an issue. We don't have an overabundance of water" on April 26, 2016 and yet two months later Goshen suddenly has water? It went from a need of I believe 56,000 gallons per day to 276,000 gallons per day? How is that doable? Regardless of what everyone says, and regardless of the fact that those in this town have their own individual wells, we all obtain our water from the same source! Even my 5th grader understands that! It angers me so that you would take an item as important as water and be willing to give it to a company that has no true investment in our community. Please don't mention the supposed wells that you are obtaining for them or how much they will pay the village. I think many think us residents are stupid. It's rather insulting to say the least. Water is the next gold and our region is currently under a drought watch and near to actual drought status. With this issue alone how can you consider it?
- Local Roadways – Our roadways with 17 in particular would need a complete mitigation to accommodate the amount of cars coming to LEGOLAND. Who pays for that? Merlin has stated that they are not going to pay for "expansions" and when is this to be done? After they are building? If ever! The DOT does not have us in their top 10 for areas to do this road work. It's a fantasy that you all are buying into. How can you even be

considering doing this to the residents of Goshen? People also don't seem to understand with more traffic comes more wear and tear on the roads. Who will pay for those repairs? Who is going to pay for anything on the roads? It won't be Merlin… It will be us, the taxpayers that will end up paying for anything to do with the roads. Besides, how can we know the exact traffic issues being Merlin failed to conduct a proper traffic study as per the request in their final DEIS?! How on earth did the planning board release this DEIS to the public as being complete with that glaring missing component? The area they failed to study was the area in which they themselves stated would produce the most traffic with 60% of their daily traffic right at the 87/17 interchange! How on earth did you allow that one to slip by? Did they think we would be stupid enough to miss that? I hate to think that you, the Board members thought we, the residents of Goshen would be so stupid to let that go. Do you not care about those traveling those roads daily? You should…

- Jobs – Merlin entertainment kept/keeps touting about the "jobs" they will bring to Goshen making it appear as if Goshen needs those jobs when in actuality, Goshen's unemployment rate is currently lower than NYS and the national average. Goshen and Orange County actually have an unemployment rate of 4.4%, NYS is 5.1% (which is considered in the "healthy" range) and the National average is 4.7%. I drive all over this town and County and constantly see help wanted signs so if people do not have a job, they are not looking for them. Those averages were just obtained from the U.S Bureau of Labor Statistics website. I am not begrudging any Union men/women from jobs but there is plenty of jobs currently out there for them. The jobs LEGOLAND will be offering are not positions that can pay Goshen taxes so let's not kid anyone. Sure, those jobs will be good for possibly college kids to which they also go on about but my issue there is most College kids and or any students for that matter do not finish school until June and they return to school in September. What does LEGOLAND do from March –June and then September – October until they close for the year? Who works there? This is another very vague area that is not truly addressed and many do not want to accept the fact that they will hire workers that can work for them for the amount of time they are open and anyone who thinks differently is again, naïve.
- Local Businesses - LEGOLAND Amusement park considered an all-inclusive amusement park and we all saw how many places/restaurants will be available for visitors to eat in while there. No one will leave the park after paying close to $100 per ticket and then $17 for parking to come into the village to patron our businesses. I doubt they will need to go get a flat tire fixed at Joe's Fix it, take a tumble at Kennett's gymnastics, say hey, I need a haircut let me hit up on of the barber shops, and or visit any of our local restaurants. I know most of you have older children but seriously, when have you done any of those things just mentioned while visiting an amusement park for the day? This is not Disney Land where any patrons will be staying more than two nights and for those staying for the day (which again, Merlin states that it's mostly "day

visitors" they are expecting) will want to go look for a place to eat on the way home? With tired kids no less. You know what types of places will benefit from LEGOLAND? McDonalds, Burger King, Taco Bell, Wendy's, gas stations. You know, none of the local businesses. The ones that will benefit are chain restaurants and not our local businesses so how is this good for Goshen and or my taxes? In my almost 15 years here I have never heard anyone complain about Goshen needing jobs, businesses and or how we are destitute. I use that word because a member of the Welcome LEGOLAND group sent you, Mr. Bloomfield and Mr. Neuhaus a letter making Goshen out to be this ghetto of a town and used the words "we are in a backward state and we are destitute". Her words were rather insulting. Can we use businesses? Sure but in all honesty, the businesses that have remained have done so being they offer a good product. Businesses come and go all over the United States. However, we are not any of those things that person mentioned and we actually have a very diversified and decent amount of people with decent jobs. I did a little homework and it is public knowledge. As a Realtor, I go all over Orange, Putnam, Sullivan, Dutchess, Rockland and Ulster Counties and I can assure you, for Orange County, Goshen is still one of the more affluent towns.

- Noise: Oh, I know they stated they did noise tests and in the DEIS it states that you can hear the Quarry and Route 17 but you will not be able to hear LEGOLAND. Seriously? Come on!!!! Yet again, they think we are stupid. I can hear Route 17 when I let me dog out in our back yard, the Quarry and I can hear the Racetracks in the summer time all the way in Middletown so I don't need any expert on that end. By the way, Mr. Burgess knows where I live so he knows how far I am from these listed areas. It's common sense that we live in a Valley and sound bounces. Oh, and I have ears and those things that I just mentioned about what I hear is 100% the truth. My home sits up the hill in our development.
- Property values – I am sure that some of my fellow Realtors will disagree with me and I can't honestly figure why but it does not take my designation to know that home values will decrease dramatically. As you know, a resident in the Village had a professional appraisal done by an appraiser with several years of experience and it showed that her home value could drop up to 25% and many questioned the validity of such a thing and as a Realtor I have seen it done. You can find information on Appraisel.org website stating just how and when appraisals are done in this manner and actually, who requests them and where they are used. I will give you a hint, they are used by planning board members and Courts of Law just to name a couple.

Let me ask you, would any of the Board members want to live with this literally in your backyards? How about 900 feet from an amusement park? The fact that this figure has changed from Merlin's original application is yet another inconsistency to which there are many in their DEIS the one that the Planning board deemed as complete! It is going to be in all of our backyards to an extent but what about the residents of Arcadia Hills and Elant? I have my concerns for many reasons for myself and my family but I, as a resident of Goshen truly feel for

those residents and it angers me that many don't. Do any of you care about them? I can tell you that homes up here will be a tough sell should this be approved. In my 14 years as a Realtor I have never had a client ask me if there is an amusement park in Goshen or any town that we are searching in for that matter. For Goshen it's just the opposite. They ask me things like population and tell me they are looking for a quiet, rural community, with good schools which is Goshen. Residential Real Estate is less desirable to buyers when it is located in close proximity to Commercial property. Those in the immediate surrounding streets will be prisoners in their own homes and those commuting daily will be prisoners as well. Just ask the residents of Warwick how it is for them during apple picking season! My sister says that they all know they can't go out until sundown on a Sunday being all those visiting leave the area at that time. Apple picking is for a short amount of time and is on weekends only and does not affect those commuting daily to and from work and or school. Residents here in Goshen will no longer be able to enjoy things in our own town/community. Even getting to the supermarket will become a nightmare. The entire area and surrounding communities will be affected negatively from this amusement park as well. The location is just wrong! I have no issue with Legos or amusement parks. It's just the wrong spot. I can get into the negative impact of the environment but I will leave that to Steven Gross and Paul Rubin of Hudson Highland Environmental Consulting to whom I beg of you to meet with to hear what they have to say. I will however point out some items from the DEIS that have truly upset me. I have already mentioned the closeness in proximity the homes in Arcadia Hills will be to this amusement park. Please think of these people. How would you like to look at that each day? The omission of the traffic study for the 17/87 location! How convenient that they left that out! The busiest section that state will bring their most traffic from! Why have they not given us their profits? Why have they not done a cost benefit analysis? What do they have to hide? They are taking advantage of Goshen and I would like to think you are all intelligent enough to see this. I am also upset at the rumor that has been circulating about if not LEGOLAND then the Hasidic community will be here! No zone change, neither can move in. You know that and I know that so don't change the zoning! You put that zoning in place for a reason so please respect that and leave it as is. We all see what is going on? This has been moving at such a rapid pace. Why is that? How is it that a project that is much smaller in scale such as Amy's kitchen (who does not have the same amount of money as Merlin Entertainment) has taken 2 years to gain approval and this is currently so close to approval for clear cutting trees? The FEIS is right on our feet? How is this possible? We are not stupid and it is leaving such a bad taste in many of the residents of Goshen's mouths. Perception is everything and sorry to say, both the Planning and Town Boards are not giving off a very good impression to many of us. It saddens me and angers me at the same time. It's disheartening to think that there are some underhanded, back room meetings going on. Call me a skeptic but a spade sometimes is indeed a spade.

It also angers me when people say we need growth in order to survive. Sure, growth is necessary and I am not against growth but growth on proportionate levels. This is a tidal wave of growth that is not conducive to the infrastructure of this town. We are a small rural town! I have

witnessed what rapid growth does to neighborhoods from growing up in the City and it's not good. Nice neighborhoods become not so nice neighborhoods forcing people to move. I can't wrap my head around the fact that you are considering bringing this to our town. The amount of garbage, noise, traffic and pollution along with the amount of daily visitors this amusement park will bring each day, visitors that are not invested in our community. What happened to the mock drill that was requested? How can all of you not think that we will not need more police officers (being Goshen only has I believe 7-8 full time cops), Firemen (ours are all volunteer that have other jobs) and EMT workers? It's insane for you not to believe that this is a necessity! Even Chief Watts of the Village PD thinks the same! No matter how they say they can handle evacuation plans they will never work with what our current services are. All of these things will also fall on taxpayers shoulders. Please tell me again how LEGOLAND will benefit me and my family? That's right, it will not. The only ones truly benefitting out of this is Merlin Entertainment! The money they are offering our school district is a joke too by the way. What the heck has the OCCC done to help Goshen if we are in such bad shape? It is their job to bring proper growth to this town and others and in my opinion have failed to do so. All this time and this is what they bring to the table? It angers me that so many make this town sound as if we are destitute. In my almost 15 years here I have never heard anyone complain about Goshen needing jobs, businesses and or how we are destitute. I read a letter that was written to Mr. Neuhaus and I believe Mr. Bloomfield from a member of the Welcome LEGOLAND group where she made Goshen out to be this ghetto of a town and used the words "we are in a backward state and we are destitute". Her words were rather insulting in my opinion because this town is neither.

While attending the DEIS meetings on Thursday 12/19/16 & Monday 12/23/16 (and all other meetings thus far) I found it amazing that the majority of speakers that are for this project all have some sort of monetary gain if this project is approved. The majority of pro LEGOLAND speakers were from the OCCC, Economic Development and or the Unions. Those against it were mostly residents. I can break it down for you being we did take a count. Which this can be backed up by your meeting recordings.

Here's the count for the second evening:
For LEGOLAND: 24 speakers
From Goshen: 10
Union: 1
Chambers of commerce, etc.: 8
Other : 5
Against LEGOLAND: 34 speakers
From Goshen: 28
Other (including those who just said "From Orange County"): 6
Neutral/raising concerns: 1 speaker
Total for both nights:
For LEGOLAND: 53 speakers
From Goshen: 26
Other (including union reps, economic development organizations): 27

Against LEGOLAND: 65 speakers
From Goshen: 54
Other (including those who just said "From Orange County"): 11
Neutral raising concerns: 4 speakers
Notice that Goshen residents came out **AGAINST** the project by a margin of 54 to 26! That's better than 2 to 1! There were a ton of union reps! Notice that on the second night, NINE of the 24 who spoke in favor were out of town business organizations (8) and union (1).

Sadly, many that are against this project are fearful to speak up against it for fear of the backlash they will receive from their friends and neighbors. As I mentioned this town is so divided it is sad. I have seen those that are for this project spread rumors after listening to some nut and trying to spread the rumor onto various town social media sites. Why? What good is that to make people that are fighting for their town, their quality life that they have worked hard to achieve look bad? It's just insane! Just this past Saturday as I attended my first picket ever in my 48 years on this earth to which it was the most peaceful and warm event I have ever been a part of to be faced with children inside the LEGOLAND community center sticking their tongues out, booing and throwing Lego blocks at the window while their parents did nothing to stop them. Is this what we as a society have come to? This is what is happening in Goshen right now. Another thing I would like to mention is please don't take us as fools. This park is an amusement park. You can write it up any way you choose to make it look "better" but according to definition of amusement park from Wikipedia: The amusement park industry's offerings range from large, worldwide type theme parks such as Walt Disney World, SeaWorld Orlando and Universal Studios Hollywood to smaller and medium-sized theme parks such as the Six Flags parks and Cedar Fair parks. Countless smaller ventures exist across the United States and around the world. Simpler theme parks directly aimed at smaller children have also emerged, such as **LEGOLAND**. Right at the end LEGOLAND is mentioned. Look it up!

Webster's Dictionary Definition of amusement park for English Language Learners : a place that has many games and rides (such as **roller coasters** and merry-go-rounds) for entertainment
If you google LEGOLAND, when their Florida location comes up what does it say?
LEGOLAND Florida Amusement Park!

Another item that has me so concerned over what is going on with both the Planning Board and the Town Board is the issue over Reynell Andrews. Now, I try not to fall into listening to rumors but I have to say after watching actions of things that have gone on it is very disconcerting. If indeed he was not reappointed after being a member for 18 years simply due to the fact that his wife is against this project then perhaps others such as Ms. Lupinski should step down. I have seen her in the Welcome Group video wearing an I support LEGOLAND Pin! To which we have the copy. Every member is supposed to be neutral until every bit of information has been covered or uncovered. Also, Lee Burgess, your/his wife is a member of the Welcome LEGOLAND group (which we have a copy for proof) and in all honesty, even if she is for this you are supposed to remain neutral and common sense would dictate that she should keep her position quiet until its decided being you are **Chairman of the Planning Board!**

I don't understand how you can possibly grant permit to Merlin to clear cut all those trees without even making a decision on this. Or even grant a zoning change before approval. I get it

that some smart lawyers say it's all "legal" but what is the rush? So we will end up with other property just like the property that cut down all those trees for a project that bailed on 17M? It's horrible to see that. What is the rush????? I have an idea but I pray I am wrong. My gut never lies to me but I pray this time it is wrong.

I will leave you with this conversation I had with my daughter last year. In the beginning when first announced or she had heard of the possibility of LEGOLAND coming to town she reacted as "cool, that sounds great". Never do my husband nor I prompt our children or discuss this issue with them being they are children. At the end of summer 2016 I was driving down Conklingtown Road to go visit my sister who lives off of Arcadia Road (and will actually have a straight view of this being her house sits up on a hill) and my son and daughter were in the back seat of my car. I stopped the car to view what would be the rear entrance to the amusement park and my daughter in typical 9 year old fashion asked "why are we stopping?" I answered, this is where they want to put LEGOLAND to which she replied "there?" and I said yes. She then said "but what about all of those trees?" My reply was, well they will have to cut them down. She then said "Mommy, where will all those animals that live in there go? That is their natural habitat". I answered that they will have to hopefully find a new home or some with nests may die. To which she said "they shouldn't build LEGOLAND there. It's going to affect the environment and it makes me sad." To which I said, I agree Emma. I was actually proud of the fact that she thought this up on her own and that she paid attention in science being she had just learned that in her 4th grade year and she applied it to an actual life situation. She was 9 years old at that time and she "gets" it! How can adults not get it? Her name is Emma Flynn and currently attends GIS and is in the 5th grade. Please don't allow her quality of life or the rest of the residents of Goshen's quality of life to be taken away. You all raised your families in this town for a reason. Please allow the rest of us to do the same. This town will forever change and so much will be lost if you approve this project. Please keep Goshen as it is and just say no to LEGOLAND. This is just not the right location for it. You all know it and do not allow money, Steve Neuhaus, the OCCC to cloud your judgement. Do the right thing and save Goshen! The Town Board in Haverstraw **put their residents first** and said **NO to LEGOLAND** and so have at least 4 other locations according to Phil Royle. All other locations saw the writing on the wall and it not being such a great project and I ask you to do the same. Please meet with Steve Gross and Paul Rubin the experts that were hired to hear what they have discovered. It is your due diligence to conduct as thorough a review as possible and their findings are important.

I may have not taken my first breath in Goshen but this is where I had hoped to take my last breath.

Sincerely,

Patricia Flynn – 17 Breezeway Lane, Goshen NY since 2002

cc: DOC, DOT, Department of Army Corps of Engineers

PATRICK FOLEY
A&F TIRE & BATTERY OF GOSHEN INC.
75 NORTH CHURCH STREET
GOSHEN – NY 10924
845-294-6174

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Webster Ave
Goshen , NY 10924
Attn: Town Board

1/8/2017

Dear Board Members,

I am writing regarding the proposed LEGOLAND project. I would urge you to examine the facts available, without all the hysterics, prior to making a decision.

I believe this project can provide an economic stimulus this area needs. We are all aware of how many local properties are off the tax rolls. This seems to be a way to get a decent rateable, on the books. I understand that they will be paying a reduced rate for awhile, but it will produce much more than the property is paying now, without adding a lot of students to the school district.

LEGOLAND has said that they will create hundreds of full time, part time, and seasonal jobs. The data from their other sites seems to confirm this, plus we are looking at hundreds more construction jobs, during the building phase. I believe that the people who get these jobs will be spending money in the area, for the most part.

Traffic seems to be a concern to some. This project will add traffic, but mostly moving in different directions than the commuters. We all know that traffic problems are already exist on Route 17, on Friday and Sundays, during the summer. Once the casinos are finished, this will only get worse. Although this traffic does not really effect the local roads, maybe LEGOLAND will be the additional factor to get the state moving on expanding Route 17. In the mean time, I already know enough not to go on 17 during the peak hours.

I have seen some crime statistics from Winterhaven Florida that I have difficulty attributing to the 6 to 12 year old demographic we can expect at the park. I think you should take a close look at those numbers.

Lets keep in mind that this property is not going to stay empty forever. Something will eventually end up there. I'm sure we could do a lot worse than LEGOLAND!!

Thank you,

Pat Foley

January 17, 2017

Town of Goshen Planning Board

The Town of Goshen Planning Board in its review of the DEIS provided by Legoland, has never considered or addressed the impact of the Legoland Park on the Village of Goshen. The Village of Goshen is to be the provider of water and sewer, under the terms of an agreement with Mayor Roddey and the village board, for the said park. These services are to be billed to and paid for by Legoland. but nowhere does the DEIS address the issue of watershed protection of the Village of Goshen's reservoirs.

These reservoirs do not only provide water to the residents of the village but also the businesses of downtown Goshen, the Orange County Government Complex and the Village of Goshen Fire District.

What has also not been addressed is that the Village of Goshen is the provider of police protection and services and DPW road maintenance while the park's guests are traveling on the village roads that provide EXCLUSIVE access to the park. These services, which are costly, are to be provided without any compensation to the Village of Goshen.

It certainly seems unjust that the Town of Goshen reaps all the tax benefits from Legoland but provides no services while the Village of Goshen provides all the services for Legoland, but receives no compensation, just an unfair tax burden on village residents. This is a critical issue that must be addressed by the planning board and Legoland.

On the matter of taxes I would like to state that if Legoland is so gung ho to come to New York why do we have to provide them with millions of dollars in tax assistance and furthermore consider a 30 year tax abtement. This is a 14.6 billion dollar international company that is building a FOR PROFIT park on the overtaxed backs of New York citizens.

An independent analysis of the actual financial benefits and impacts upon the host communities, both the Town and Village of Goshen, must be made part of the DEIS.

Geerd Mattheus
11 Lincoln Ave
Goshen, New York 10924

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

CMIT Solutions
Your Technology Team

CMIT Solutions of Orange County[GEO]
t: 845.291.8833 or 800.399.CMIT / f: 845.291.8833
164 Main St., Goshen, NY 10924
www.cmitsolutions.com/ocny

January 3, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Greg Miller
President, CMIT Solutions of Orange County

Each franchise is independently owned and operated

Neal Gabriel Southgate Goshen 12/19/16

31 years – built home

- from rural area not city

Chose Goshen for rural setting and good place to raise our children

We pay our full assessed taxes. Even as a retired couple = no PILOT

Our good neighbors have not asked us to help pay theirs or to ruin our woods

Not against LL – just the location

Amy's Kitchen is an appropriate project in the appropriate area

Concerns:

- Why fast tracking this project – looks suspicious. Has Goshen been sold?
- Traffic – Rt. 17 and Reservoir Rd. (traffic light) – related pollution
- Daily fireworks – noise and pollution
- Environmental impact to this sensitive area
- Water – what happens if a drought? LL 1st?
- NY paying for the flyover ($90M – all to benefit Merlin)
- Understand incentives. But what has been proposed is way too generous
- Low to no help with our property/school taxes so why would I support LL

Everyone mentions the jobs… just locate this project to another more appropriate area within Orange County and

- All jobs are still available (union and seasonal low hourly)
- County and State taxes will still be earned

Merlin is just a "carpetbagger" looking to take advantage of us.

Keep the zoning the same = no amusement parks or high density housing

While protection our rural community and keeping true to the Master Plan

Do the right thing as Rockland County did and reject the LL project for Goshen

January 4, 2017

Mr. N. Halloran
Town of Goshen Building Inspector
41 Webster Avenue
Goshen, NY 10924

Neal,
I am providing this copy to you as a curtesy.
Separately, I gave all Town of Goshen Board and Planning members an individual letter.

Re: Proposes changes to the Town of Goshen Comprehensive Master Plan

I apologize for the length of this letter, but hope that you will provide me with the respect to read it in its entirety.

I am writing this to formally object to the proposed amending and re-zoning of the current Town of Goshen Comprehensive Master Plan. I believe that approving Local Laws 5 and 6 are in direct violation of the wording and intent of the Town of Goshen Comprehensive Master Plan. The board should not change this plan to allow for the creation of a "Commercial Recreation Overlay Zoning District" that would allow a recreation facility, (amusement part, theme park, etc.), within the Town of Goshen.

My wife and I moved our family here over 30 years ago because we wanted a quiet rural way of life. We move here from another rural area, not from a city or crowded suburb. I am not against development. It just must be the proper growth in the correct area. Amy's Kitchen is a good example of both. The proposed Legoland theme park is just the opposite on both counts. Although I do understand the need for financial incentives to attract businesses in Orange County, what is being proposed by and for Merlin Entertainments is excessive and an insult to those of us who pay our full assessed taxes. This goes against Merlin's comment that they want to be a good neighbor. Keep in mind that Merlin Entertainments is a billion dollar corporation whose goal is to maximize profits. Under the proposed incentives these profits will be made on the back of the town taxpayers. The proposed small school tax payment from Merlin Entertainments will not significantly (if at all) alter my taxes. Additionally, the "contribution" in the emergency services area (Police, Fire, and Ambulance) is grossly inadequate. Just choose a more appropriate location within the county and all sales and income tax gains will still be in the county's pocket. Not to mention the "Union" and other full time or seasonal jobs.

Allow me to summarize my concerns:

- The current large lot residential zoning for the proposed area should stand as the current master plan indicates. This was done to protect this environmentally sensitive area. This important watershed area has not changed so why should a corporate suitor with promises of great riches change that? Are our town and its environment for sale? It would be a shame if that were the case.
- Why is this project being "fast tracked"? Amy's Kitchen has taken over 2 years to get to its current phase. The rush with Legoland just looks suspicious. What else is at play that drives this aggressive push for zoning changes and project approvals? Has Goshen been sold out already?
- Traffic - We already have issues with current vehicle volume on Route 17 and Route 17M. If this project is moved ahead in addition to a Route 17 "flyover" we will likely also need a traffic light at the intersection of Reservoir Road and Route 17A. Is Merlin Entertainments going to pay the $90M estimate for the "flyover" on Route 17 and any additional lights that may be needed to deal with the New Jersey traffic coming in via Warwick through the Village of Florida? I believe we already have heard from Merlin Entertainments on this topic. Their reply was a firm "no". So that leaves the county and state tax paying residents to cover these additional costs for items that are directly and solely for the benefit of Merlin Entertainments. Shame on Merlin Entertainments for pushing these onto the taxpayers. Great neighbor… not!

- Land – Why is Merlin Entertainments purchasing 520 plus acres when they only want to develop approximately 140 of those acres? I have also read that Merlin is interested in another land parcel of about 140 acres that go up to Reservoir Road. Once again, this looks suspicious to me. I have not ever heard of a corporation buying 4 to 5 times the needed land for a project. What is Merlin Entertainments not telling us? Good neighbors should share their great plans with us. Really! Is their long term plan to make Goshen into the next Orlando? I hope the Town of Goshen Board would not support that type of a massive change to our Town of Goshen Comprehensive Master Plan. Additionally, I believe that SEQRA requires that an EIS for a rezoning decision consider the full impact of that rezoning not pieces at a time.
- DEIS – From what I can understand of the Merlin Entertainments town approved DEIS there are glaring issues with its completeness and inclusion of "all" information. Not only is some of the information old, but it excludes several "Federally protected wetlands" areas in some of the maps. Again this looks suspicious to me. The DEIS actually states that more of the 520 plus acres could be subject to further expansion of Legoland, and that they'd go through SEQRA review again. Unfortunately, I do not believe that this is how the process is to work. This suggested split review is an illegal violation of the "segmentation" principal in SEQRA. Has the Town of Goshen Board and Planning Board truly protected the residents as it is their responsibility to do? Perhaps the "good neighbor" and Merlin Entertainments promise of future riches has obscured the sound judgement of some. I truly hope not.
- If approved this project will have a negative impact to our current small rural town quality of life. Many of us moved here for that way of life. Again, I am not opposed to development that brings revenue to our town. I just want it to be the correct type in the correct location. Amy's Kitchen is in the right location and will bring in the "manufacturing" jobs we need versus low paying seasonal jobs.
- Water usage – What has changed since the Lone Oak project was rejected in April 2016 for high water demands? Approving the Legoland project will utilize too much of our at times scarce water. What is driving the town to consider favoring this corporation over its residents? If approved and in the future we have another sever water drought will Legoland contractually be served first while the residents only get trickles of water? Have the well capacity calculation been conducted carefully enough with standard variances in well delivery and resident population growth? Again, shame on the town if the tax paying residents come second after a for profit entertainment operation.
- Noise and pollution concerns – With the additional traffic and Merlin indicated daily fireworks how can we not be concerned about excessive pollution? Will our levels be so high that we suffer not only resident health issues, but also government restrictions on future Federal/State grants or other funding? I believe the town needs to review this as well.

Might a better more appropriate location be the Stewart airport or another Orange county area where zoning and access are not major issues?

Again and in summary, I am totally against the proposed Merlin Entertainments Legoland project in the Town of Goshen. Please do the right thing for our town and leave the zoning as it is in the current Town of Goshen Comprehensive Master Plan. Stop the tearing apart of our residents unity over this contentious proposal. Reject Merlin Entertainments project proposal as they did in Rockland County.

Respectfully,

Neal Gabriel

Neal Gabriel
(4 Southgate, Goshen, NY 10924)

Nov. 29 2016

Town of Goshen Planning Board

Dear Sirs,

Since no public input is allowed at your meetings I request that the following be read and entered into the minutes at the Dec. 1 meeting:

The fact is that the Town Planning Board is not elected to represent the residents of Goshen. They are residents of the Town who do not allow other residents to speak at Town meetings.

I suggest that instead of Pledging to the Flag at Board meetings it be put on the ground so members of the Board can walk across it to and from their seats.

The Dec .15 meeting for Legoland DEIS review is the next chance Goshen residents will be allowed to speak on this immense project. They must be given unlimited time to express their concerns to do otherwise would negate the will of the people.

All future Planning Board meetings should allow for all residents to comment.

Sincerely,

Nick Gallo

Cc: Goshen Town Board

Dec 19, 2016

The Town of Goshen Planning Board,

I am Nick Gallo. My 1/3 acre property borders the 521 acre proposed Legoland site. My wife and I have lived here for 43 years. I have several reasons why this public hearing should remain open. The presentation of the items to be considered is inadequate. 1, Special permits, I have asked the Buildings Inspector and Town Supervisor what this encompasses and they could not answer. 2, the sale of Town property, I have asked what property. The two properties needed to build as planned, lots 11-1-68 and 11-1-69, some of the properties or all of the properties owned by the Town, again no answer. 3, clearing and grading, I've been told that the site plan is "fluid" , an expression meaning we don't know what we're doing, so clearing and grading what? When? 4, the topographical map on page 52 of the DEIS shows a 90' high retaining wall to hold back fill for the parking area, Legoland representatives claim 50' as the highest retaining wall, either will be visible from my property, 5, the DEIS is so incomplete it should not have been presented. It states that an emergency access road is needed and a gravel road will be built. According to several agencies what is required is a 25' wide blacktop road designed with drainage to prevent erosion, maintained year round, plowed and salted as needed. That road as proposed would begin at Arcadia Road travel a half mile west through wetlands a quarter mile north parallel to the Otter Kill Creek through wetlands and then turn west crossing the Creek where a bridge would have to be constructed capable of holding fully loaded fire trucks. The road would continue on to the Park through more wetlands. This is a major undertaking not addressed. Traffic in the Town and Village needs to be addressed. The area around exits 125 and 124 handles 11,000 vehicles a day, add 5,000. Accident data from NYSDOT states above State average accidents at all intersections in the study. The rate is from 25% higher at 17M/Matthews Street between Rt. 207 and Duck Farm Road to twice as high at 17A/Rt.207 between Coates Drive and Clowes Avenue add the Government Center and Legoland, what happens? A lack of empathy for wildlife is shown in the DEIS as presented. The endangered Indiana and threatened Northern Long Eared Bats hebetate the site. These bats hibernate in area caves in the winter, NOW, and tend to return to their previous roosting area in spring. The proposal to clear 150 acres plus build a one mile road will devastate the local population of a much needed animal, an animal that cannot defend itself. Add to this the lack to properly address the air, water, noise and light pollution, the destruction of habitat of many animals, the reduction of property values, the lack of recognition of the Chester School District in the DEIS and PILOT and so much more I think it is obvious that this meeting must remain open. In fact Ladies and Gentlemen the whole Legoland proposal should go back to the drawing board.

Nick Gallo

January 6, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Katie Gambino, Director of Sales and Marketing:
In Representation of:
Courtyard Marriott Middletown / Hampton Inn Middletown
24/20 Crystal Run Crossing
Middletown, NY 10941

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Jonathan Geissler

FRANK'S custom Shoe-fitting

329 Route 211 East
Middletown, NY 10940
845-342-9226

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

01/04/2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Francis W. Giannino

From: **Kelly Naughton** knaughton@bmglawyers.com
Subject: Fwd: legoland to goshen planning board and goshen town board
Date: January 18, 2017 at 3:21 PM
To: Kelly Naughton knaughton@bmglawyers.com

Begin forwarded message:

From: Neal Halloran <nhalloran@townofgoshen.org>
Subject: **FW: legoland to goshen planning board and goshen town board**
Date: January 18, 2017 at 12:23:19 PM EST
To: 'Kelly Naughton' <knaughton@bmglawyers.com>, 'Kathleen Krutki' <kkrutki@townofgoshen.org>

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Jessica Gocke [mailto:jessicagocke@gmail.com]
Sent: Tuesday, January 17, 2017 5:06 PM
To: nhalloran@townofgoshen.org; Stop LegoLand <info@stoplegoland.com>
Subject: legoland to goshen planning board and goshen town board

This is not the final copy of my letter I would like to submit but due to time constraints this is the copy I have now.

Please read. Please make the right decision for the Environment. With out Clean Air and Water all the money you think Merlin Will be giving you will not be worht anything if we have lost ourselves in the process.

Jessica Gocke

letter to goshen about legoland laws.pdf

To whom it may concern,

Goshen Town Board,

Goshen Planning Board and

Goshen Environmental Review Board (if applicable)

It seems many have forgotten that on the same pieces of land Legoland Wants, Just TWO months before Merlin Entertainment Publicly Announced their Aggressive Plans to Transform the quite HISTORIC town of Goshen, NY a proposal for zoning change to allow for high density development and commercial use of this exact same site was turned down.

One of the Many reasons stated by the Goshen Town Board members was and I quote

"One of things about Goshen is the historic charm and beauty of our community. Bringing in more traffic is a deterrent to the quality of life. Water has always been an issue. We don't have an overabundance of water".

– Doug Bloomfield Goshen Town Supervisor April 26, 2016

Board members weighed in on the issue at the request of developer Scott Leyton, who asked for the zone change at a previous board meeting.

Leyton's preliminary plans call for 383 residences and 100,000 square feet commercial/retail space on a 272-acre parcel of land, located on Harriman Drive.

"A hamlet isn't in our game plan. We had discussed it before and determined at that time that it's not a good idea," said Councilman Ken Newbold, who added, "I still feel the same way."

Councilman George Lyons agreed. "Hamlets aren't a good thing," he said, listing his reasons: the development is too dense, fearing there isn't enough water, and the lack of good roads in the area would mean extensive work.

Councilman John VanDerMolen noted his concern with the upgrading of Route 17 to Route 86. His concern: "Will Exit 125 close?"

Building Inspector Neal Halloran said it probably won't close, it might possibly be enhanced, but with no time frame set by the state, he can't say when, and if, any changes would be made.

Town Supervisor Doug Bloomfield commented on the added traffic. He said, "Goshen is a town with historic charm and beauty, and the increase in traffic that this development would bring is a deterrent to the ambience of Goshen's beauty and charm."

The supervisor went on to talk about the water—or lack of water — in Goshen. "There are three aquifers in the Town of Goshen. There's not an overabundance of water," he said, noting that a water study was done during the previous supervisor's tenure.

Councilwoman Melissa Gallo said her main concern is the water, explaining that the project would put a "tremendous strain" on Goshen's water supply.

These are EXCELLENT reasons the town Board used to justify turning down the high density and commercial zoning change that was requested.

What changed in Two Short Months?

All of a Sudden, we NEED this development to survive?

I am writing you today because of sincere concern about the current and future generations of Orange County.

YES, Merlin Entertainments Commercial Resort and Amusement Park proposal happen to use the LEGO name But LEGO is not Merlin Entertainment and Merlin Entertianment is not Lego.

However, this is not an issue surrounding a Children's Toy Brand this is not an issue

about Children.

The Issue here is about the unfortunate lack of transparency and communication between the Citizens and the elected and appointed officials of the Village of Goshen and the Town of Goshen.

According to Town of Goshen's Local Zoning Laws, Article Three, Chapter 97 dash 10 Paragraph C, subsection (b) which was updated as recently as 2004

Amusement Parks and Related Activities are specifically listed under Prohibited Uses in All Districts of Goshen, New York

Prohibited to protect you're the Quality of Life, Environment and Character of Goshen New York for the people who live here. Other prohibited uses include Junkyards and dumps. There is a reason Amusement Parks are grouped in with Junk Yards and Dumps

Ignoring these important prohibited activities is to ignore threats to the Residents of Goshen's Health and Real Estate Values.

<u>REAL ESTATE VALUES:</u>

I personally reviewed an appraisal that stated the values of homes in Goshen would see a 25% decrease in value due to the projected increase in traffic predicted by the rezoning of 523 Acres from Residential Agricultural to Commercial Recreation Overlay Legoland EAF and DEIS.

The Commercial Zoning Changes defined in the Proposed Laws No. 5 and Law No. 6 pertain to 15 properties, ONLY the 15 properties the Legoland Developer wants to buy.

THAT IS SPOT ZONING! If you pretend it is not you are lying to your self and you know it.

When the change in zoning does not advance a general public purpose in land use, courts may rule certain instances of spot zoning as illegal.

The New Commercial Overlay District would replace a Residential District that is also

home to 383 Acres of Actively Assessed Agricultural Farm land. Coincidentally the Proposed Commercial Overlay District is ALSO ONLY made up of the 15 specific lots Merlin Entertainment wants to Buy/Use/Lease.

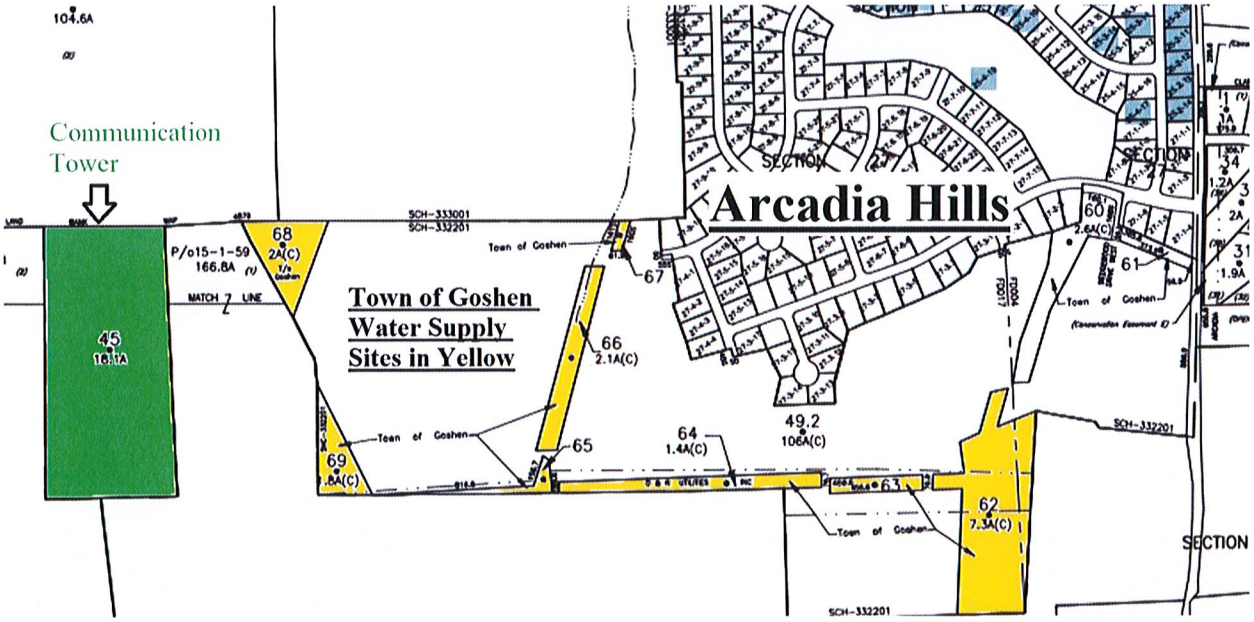
Land Merlin wants to Rezone and Buy

☑ Highlight items to reorder?

Parcel ID	Name	Agricultural District	Taxes	Acres	Assessed Value	Owner	Previous Owner	Property Class site property	Purchase Price last sold
11-1-58	422 Harriman Drive	YES	$15,908.33	111.4	$177,800.00	Fini Brothers	Fini Brothers	50	.
11-1-46	300-400 Harriman D	YES	$9,264.57	104.6	$149,400.00	Land Owner LLC	Olivia Serdarevic	ald Crops Dair Farm	$1,800,000 2014
15-1-59	19 Conklingtown Rd	YES	$9,498.32	166.8	$238,400.00	Land Owner LLC	Olivia Serdarevic	d Crops Horse Farm	$1,800,000 2014
11-1-47	420 Harriman Drive	YES	$8,820.23	0.75	$6,615.17	Brian Carey	Sheldrow	RES	$260,000 2004
11-1-49.2	1 Whitewood Drive	NO	$20,190.74	106	$225,500.00	Fini Brothers	Fini Brothers	ral 10 Acres RU Vac	.
11-1-62	Arcadia Road	NO- Arcadia Green Area	$0.00	7.3	$16,000.00	Town of Goshen	Not listed?	Water Suppy	1985
11-1-63	Arcadia Road	No-Arcadia Green Area	$0.00		$400.00	Town of Goshen	Not listed?	Water Supply	1985
11-1-64	Arcadia Road	No-Arcadia Green Area	$0.00	1.4	$700.00	Town of Goshen	Not listed?	Water Supply	1985
11-1-67	Arcadia Road	No-Arcadia Green Area	$0.00	0	$6,700.00	Town of Goshen	Not listed?	ll #52Water Supply	1985
11-1-68	Arcadia Road	No-Arcadia Green Area	$0.00	2	$2,000.00	Town of Goshen	Not listed?	Water Supply	1985
11-1-69	Arcadia Road	No-Arcadia Green Area	$0.00	1.8	$1,800.00	Town of Goshen	Not listed?	Water Supply	1985
11-1-45	338 Harriman Drive	YES	$51,446.00	18.1	$575,000.00	PC Reservoir LLC	Canevari	Communication	$ 1.00 2015
11-1-65	Arcadia Road	NO	$0.00	3.79	$19,200.00	Town of Goshen	Not Listed?	louse Water Supply	1985
totals			$115,128.19	523.94	$1,419,515.17				

ONE of those 15 properties is the town and village dividing line. This Hot Topic affects the Village and the Town Equally. Why are you not actively making them co-lead agencies? They have just as much of a right to review this project since the traffic, water and school tax issues will affect them.

Seven of these pieces (see chart above) are Water Supply Sites owned by the town of Goshen. They were gifted to the town as Green Areas. A member of the town board told me these were supposed to remain green space.



The Town of Goshen should not be selling leasing or transferring sites that were part of a

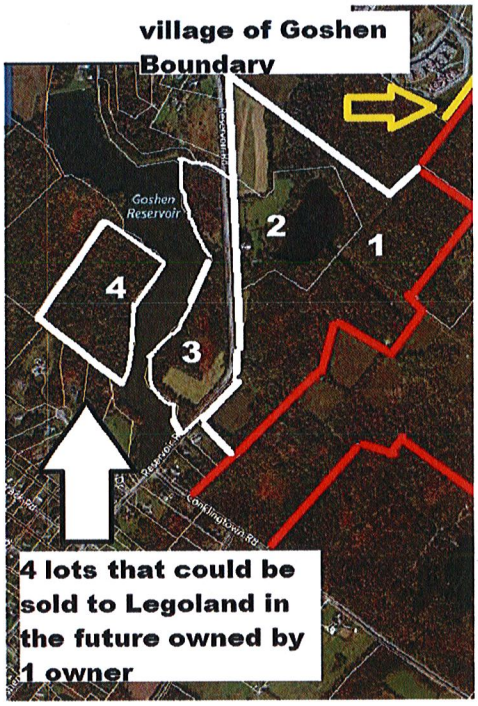
gift or green area agreement. The town attorney assured me (on tape) at a public meeting there were not wells on these pieces the town owns that are currently servicing arcadia Hills. Given the history of water problems to the Arcadia Hills development, why would the Town NOT utilize these sites NOW? Why sell them to an Amusement Park and then make the Amusement Park seem like the savior by donating them back to the Town?

That is about as shady as the lots Elant and Glen Arden Continue to finance back and forth to one another to avoid the dismal reality of their finances.

This project is so large it not only touches the village of Goshen, the Town of Goshen but it is also less than half a mile from the VILLAGE OF CHESTER boarder off Arcadia Road.1,777 feet .34 mile exactly

There should be input and review opportunities from these towns and any other school districts this affects.

You are also completely ignorning (as I heard a the Environmental Review Board for the proposed laws 8 and 9 also on tape) that there IS over 200 Acres directly adjacent to this 523 Acres you are considering rezoning that qualifies for a future rezoning into this ridiculous commercial recreation overlay district you have made up.



Address	City/Town	School Disti	Owner Nam	Building Sq	Stories	Property Cl	\
45 Reservoir Rd	GOSHEN TOWN	Goshen	Serdarevic Oli...	6,652	2	Estate	18
190 Reservoir ...	GOSHEN TOWN	Goshen	Serdarevic Oli...			Vacant Agricul...	
169 Reservoir ...	GOSHEN TOWN	Goshen	Serdarevic Oli...			Farm-Horses	
56 Reservoir Rd	GOSHEN TOWN	Goshen	Serdarevic Oli...			Farm-Field Cr...	

If you keep up with the LEGOLAND USA parks news you already know Legoland recently Aquired land Across the Street from it's original Cypress Gardens Site in Winterhaven. They are planning high density cluster resort development with over 150 units on just 50

acres. What are they going to do with the 200+ Acres Olivia Serdarevic owns adjacent to the site?

Merlin Entertainments Primary Goal is Growth. It is not a secret that they want to expand all of their parks in way shape or form that they can. The 200 Acres available directly adjacent to this site needs to be a factor the town takes into consideration.

You are making decisions that could affect 723 Acres, not 153 Acre Amusement Park.

Segmenting the Impacts in stages or to just phase one is irresponsible and illegal. You know this.

The Ledger

Legoland plans resort separate from theme park

Friday
Posted Feb 5, 2016 at 11:22 PM

Legoland Florida Resort is poised to leap across Cypress Gardens Boulevard.

By Gary White The Ledger
WINTER HAVEN - Legoland Florida Resort is poised to leap across Cypress Gardens Boulevard.

Less than a year after opening an onsite hotel, Legoland has filed plans for a lakeside resort with 166 single-story duplex units, a pool, two ponds and a 12,000-square-foot clubhouse.

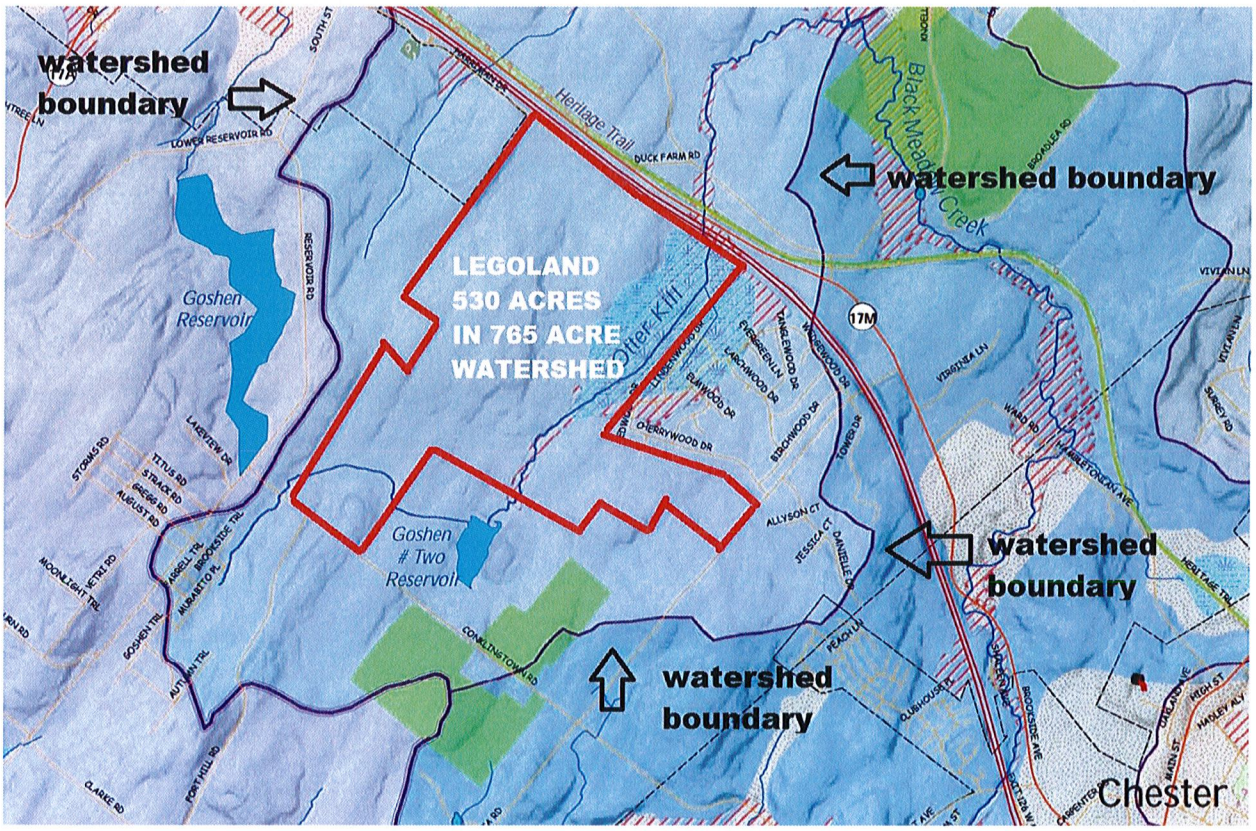
Merlin Entertainments Group, corporate owner of Legoland, calls it "Project Oasis" in plans submitted to the Southwest Florida Water Management District for a Statewide Environmental Resource Permit.

Merlin filed 15 pages of final construction documents to the district's Brooksville office Dec. 7. District staff is still reviewing details of the project, a spokeswoman said.

The project would be built on 57.7 acres of vacant land adjacent to Lake Dexter behind the Winter Haven Square shopping center, which is across Cypress Gardens Boulevard from the Legoland parking lot.

The resort would be Legoland's first expansion beyond the boundaries of Cypress Gardens, the venerable theme park purchased by Merlin in 2010. The current resort occupies 150 acres entirely on the west side of Cypress Gardens Boulevard.

Allowing a company to remove vegetation from a water shed and replace it with pavement is dangerous and will cause pollution, flooding and water shortages. If you do not understand how this can happen I encourage you to visit The concerned Citizens for the Hudson Valley Website and click on the video tabs. There is a very educational, easy to understand video on the effects of paving over a watershed, removing vegetation and why Storm water run off is one of our biggest sources of water pollution today.



There are trees on this site at are estimated to be 300 years old amongst the New Growth Trees and the Trees that are specific Bat Habitat Trees that the applicant has failed to identify on the DEIS. You can clearly some of them from Harriman Drive. These Trees are proof of to how long this land has been un touched. By remaining untouched it can continue to do it's job of filtering the water, preventing erosion and flooding.

REFERENDUM:

YOU ARE CURRENTLY CONDUCTING A REFERENDUM IN GOSHEN FOR OTHER TOPICS?

THIS TOPIC IS AS IMPORTANT AS A SCHOOL BUILDING OR A LIBRARY! The residents have repeatedly asked for a referendum. Because you have had and are currently conducting a referendum on topics that have a much lesser impact on the lives of residents, it would questionable why you would not listen to the residents and conduct a referendum on a topic that would have a much greater impact on every aspect of a Goshen residents life, from their commute to their water availability!

The decision to INVITE the Largest Legoland Amusement Park in North America was made without the Consent of the People it will affect.

The two immediately adjacent Neighbors of Arcadia Hills Development and the Residents of The Glen Arden Retirement Community will be unable to escape the negative effects of the residential, agricultural land between them being rezoned and redistricted to accommodate the aggressive expansion of a for-profit, foreign corporation.

The residents of Orange County and Goshen that I know do not want to be a host community to the largest LEGOLAND Amusement Park in North America. They specifically chose Goshen for it's Charm, Rural Character and it's local laws and zoning.

Because these residents to not want to be a host community, your decision to go forward with the spot zoning you have proposed in Laws 5 & 6 would be making them hostage communities.

Arcadia Hills will be held hostage by the spot zoning, ignoring of requests for a referendum and the ignoning of a licensed professional appraisal which Martha Bogart has submitted to you at the last public hearing.

How do you justify ignoring the voices of so may people? How could you go forward with changing the zoning of FIVE HUNDRED AND TWENTY THREE ACRES with out a referendum?

We are not the First Site Merlin Entertainment has set it's sights on and we will not be the last. Many other Towns before Goshen, have said "no" to zoning Change to Accommodate Merlin Entertainment, therefore Protecting the Identity and Heritage of their Areas. I ask that you following their footsteps in standing up for the Values that Define your consituents Quality of life.

It is nothing short of an insult to our intelligence that anyone would even try to put a positive spin on this proposed Zone Change or claim that Legoland is not An Amusement Park.

I've read articles quoting officials stating that this is an "either or situation" and even suggesting you should believe that "more traffic is good". This packaging that is being use to Wrap up Legoland as if it's a present and you should feel lucky to receive is propaganda in it's truest form. I even read that this is once in a lifetime opportunity.

Perhaps this is a once in a lifetime opportunity TO DO THE RIGHT THING and save Goshen, NY

Often when a group of Citizens like those you see before you today organize, they do so asking for CHANGE.

Ironically, I am writing you today January 17, 2017 asking for the town, not to change it's zoning laws and to adhere to the perfectly adequate 2009 Master Plan. A Third document you seem to be ignoring is the Open Space and Farmland Protection Plan.

How could you not be aware that 100% of this site falls into a key biodiverse area you yourselves identified in this plan?

B) *Otter Creek*—Otter Creek flows through the Town's reservoir system, feeds into Purgatory Swamp, and is host to significant biodiversity (in-stream, along its banks, and in surrounding uplands). Portions of this habitat system are at risk from dense residential development. Efforts to preserve a continuous corridor of land along the stream would help to maintain existing biodiversity.

C) *Wallkill River*—The Wallkill River is an important natural resource for Goshen and surrounding towns. Water quality and habitat values of this river could be increased dramatically by revegetating the banks and surrounding uplands, using a combination of native trees, shrubs, and ground layer plants.

D) *Heritage Trail*—The Heritage Trail (formerly the Erie Railroad) traverses significant wildlife habitats, particularly west of the Village of Goshen. The large wetland system on the trail, located between 6 ½ Station Road and the Village is particularly valuable, as it is home to a diversity of listed and declining marshland species. The Heritage Trail, in combination with its surrounding natural habitats, provides connectivity for wildlife between major habitat hubs.

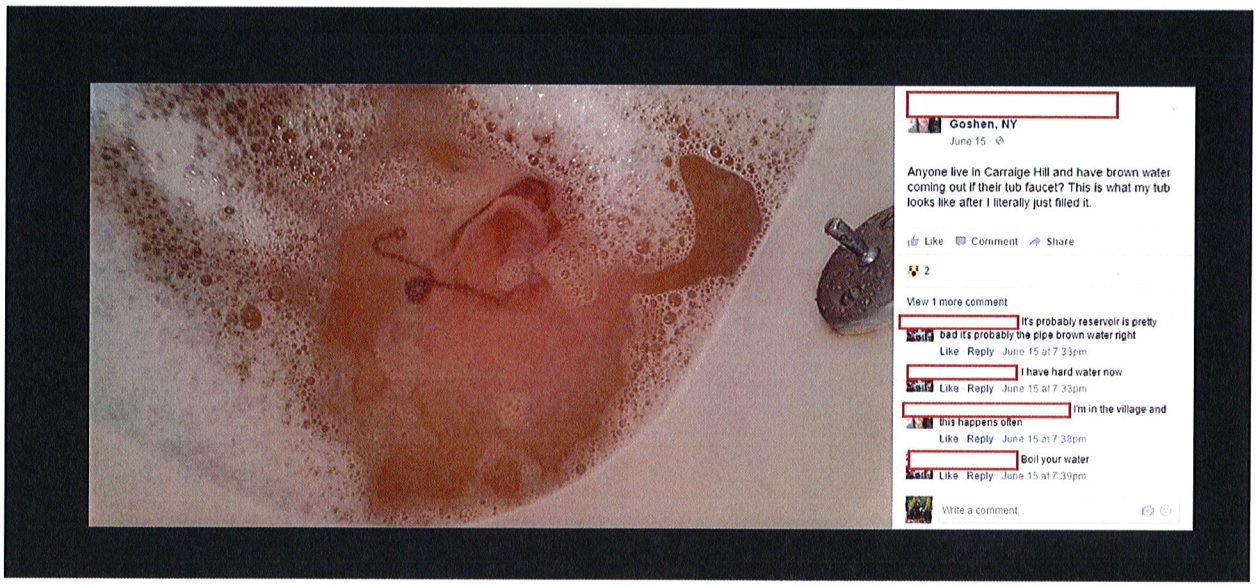
Open space tax vs commercial

Even though a commercial development might seem attractive for the reason it does not send kids to school, just like active farms and open space also do not send more kids to school, Commercial Development of the MAGNITUDE that Merlin is Suggesting requires changing the fundamentals of the host town to accommodate colossal infrastructure improvements for the benefit of Merlin Entertainment. The damage to our air quality and the repaving of the roads due to the constant traffic legoland will bring are just a few costs we will fce. With those costly improvements, we are inviting even more urban sprawl into our area and that brings with it costs

to our health,environment. Those are consequences you can not put a price tag on because they are essential to our very life and the life of future generations. Commercial Development does not belong anywhere near the Towns Reservoirs, The Watershed or the Otterkill Creek which was conveniently left off of the Merlin Entertainment maps and site plan drawings BUT that does not make the facts disappear. The Otterkill is a threatened tributary according to D.E.C. Wording.

In Goshen's Local Zoning Laws Chapter 97 dash 47 titled "protection ad regulation of agriculture" Subsection A bullet point 1 reads "the town finds that large and highly visible parking areas represent one of the most objectionable aspects of commercial development. Such parking lots damage the historic layout and architectural fabric of hamlet areas, harm the natural environment and and visual character of the community, interfere with pedestrian safety and accessibility and reduce the quality of life in developed areas

How on earth could you consider allowing a project to be approved that does not have the water capacity it needs generated from the site that is considered unsustainable development.



Regards,

Jessica Gocke

Third Generation of my family to grow up and work in Goshen, New York
jessicagocke@gmail.com

LEGOLAND PRESENTATION—12/19/16

My name is Barry Goldberg. I reside in the Village of Goshen with my daughter Debbie Marone, son-in-law Bernie; and grandchildren Abby and Jocey, all of whom have long been heavily invested in school, community, and civic affairs.

I'm here as a friend of this Town Board and Planning Board, not as an enemy. I'm also here as a card-carrying retired CSEA member and president for many years of a CSEA unit in a school district in Rockland, so I am certainly not here as an enemy of any unions.

Rather, I'm here tonight to briefly restate some points made last Thursday night, which I respectfully submit this Planning Board and Town Board would do well to seriously consider.

Here, then, are just a few of the issues required by SEQRA and case law which have not been properly addressed or considered:

* The arbitrary and capricious action of this Town Board in overturning the Master Plan of 2009, which explicitly sought to protect the rural nature of Goshen and preserve its environmentally-sensitive ecosystem.

* The arbitrary and capricious nature of the approval of Legoland just 4 months after rejecting Kiryas Joel's application, despite Legoland presenting myriad more substantial issues than KJ.* Indeed, the Town Board would be wise to consider the prospect of a major—and potentially successful—lawsuit from KJ and/or its proposed developer on religious grounds.

* The failure of this DEIS to address numerous SEQRA-required quality-of-life issues, both during construction and beyond.

* The failure of this DEIS to address the totality of the 523 acres, especially since Merlin officials have clearly stated that they intend to build out well beyond the initial 142 acres. Case law documents the requirement that this be addressed holistically.

* The failure of this DEIS to address vastly higher particulate lev-

els resulting from an expected quantum increase in vehicular traffic, not to mention from many months of blasting, bulldozing, trucking, and other construction-related activities.

* The failure of this DEIS to provide empirical data or analysis to support the unsubstantiated claim that the village's well-documented drought conditions will not be a barrier to supplying water to upwards of 20,000 visitors a day and 2 million visitors a year.

* The failure of this DEIS to provide empirical evidence that any newly-drilled well would find an entirely new aquifer, rather than tapping into an already-overutilized aquifer.

* The failure of this DEIS to address all the biodiversity related to Otter Creek, despite acknowledging that it must be preserved.

* The failure of this DEIS to address the severe impact of locational depreciation, documented to be 20% and more.

* The failure of this DEIS to identify the CPV natural gas plant in Waywayanda as an impacting project, and to provide plans to mitigate environmental damage, precisely because Legoland plans to obtain power from this very source.

* There is much more this DEIS fails to adequately address, as required by SEQRA, including, but not limited to, the significant issues of noise pollution and vehicular overload, as well as numerous inaccurate representations within this DEIS with regard to topographical elevations, retaining walls, water sheds, and flooding on Harriman Avenue.

These are important legal issues which this Town Board and Town Planning Board would be wise to seriously consider and to demand that Merlin substantively address before granting approval. Thank you.

Halloran

Barry Goldberg

Legoland presentation—12/19/16

My name is Barry Goldberg. I reside in the Village of Goshen with my daughter Debbie Marone, son-in-law Bernie; and grandchildren Abby and Jocey, all of whom have long been heavily invested in school, community, and civic affairs.
I'm here as a friend of this Town Board and Planning Board, not as an enemy. I'm also here as a card-carrying retired CSEA member and president for many years of a CSEA unit in a school district in Rockland, so I am certainly not here as an enemy of any unions. (±0:32)
Rather, I'm here tonight to briefly restate some of the points made last Thursday night by opponents of Legoland, which I respectfully submit this Planning Board and Town Board would do well to seriously consider.
So, herewith, as I am time-constrained, are just a few of the issues **required by SEQRA and case law** which have not been properly addressed or considered: (±0:55)
* The arbitrary and capricious action of this Town Board in overturning the Master Plan of 2009, which explicitly sought to protect the rural nature of Goshen and preserve its environmentally-sensitive ecosystem.
* The arbitrary and capricious nature of the approval of Legoland just 4 months after rejecting Kiryas Joel's application, despite Legoland presenting myriad more substantial issues than KJ. * Indeed, the Town Board would be wise to consider the likelihood of a major—and likely successful—lawsuit from KJ on religious grounds.
* The failure of this DEIS to address numerous SEQRA-required quality-of-life issues, both during construction and beyond. (±1:40)
* The failure of this DEIS to address the totality of the 523 acres, despite Merlin officials clearly stating that they intend to build out well beyond the initial 142 acres. Case law documents the requirement that this be addressed holistically. (±2:00)
* The failure of this DEIS to address vastly higher particulate levels resulting from an expected quantum increase in vehicular traffic, not to mention from many months of blasting, bulldozing, trucking, and other construction-related activities.
* The failure of this DEIS to provide empirical data or analysis to support the unsubstantiated claim that the village's well-documented drought conditions are not, in fact, a barrier to supplying water to upwards of 20,000 visitors a day and 2 million visitors a year. (±2:33)
* The failure of this DEIS to provide empirical evidence that any newly-drilled well would find an entirely new aquifer, rather than being drilled into a currently, already-overutilized aquifer.
* The failure of this DEIS to address biodiversity related to Otter Creek, despite acknowledging that it must be preserved. (±2:55)
* The failure of this DEIS to address the severe impact of locational depreciation of 20% and more, which SEQRA demands be addressed.
* The failure of this DEIS to identify the CPV natural gas plant in Waywayanda as an impacting project, and to provide plans to mitigate environmental damage, despite Legoland planning to obtain power from this very source. (±3:21)
There is much more this DEIS fails to adequately address, **as required by SEQRA**, including, but not limited to, noise pollution and transportation issues, as well as numerous inaccurate representations within this DEIS with regard to elevations, retaining walls, water sheds, and flooding on Harriman Avenue.

DEC 2 7 2016

These are important legal issues which this Town Board and Town Planning Board would be wise to seriously consider and to demand that Merlin substantively address before granting approval. Thank you. (±4:00)

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland DEIS Comments
Date: January 17, 2017 at 8:36 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Stefanie Goldin [mailto:stefanie.slade@gmail.com]
Sent: Monday, January 16, 2017 8:19 PM
To: pgersbeck@townofgoshen.org; nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org
Subject: Legoland DEIS Comments

I write to you as a mother of young children living in Orange County. I do not live in Goshen, but I live only about 15 minutes from the proposed site of Legoland, and drive past it on route 17 nearly every day.

I believe that the DEIS is fundamentally flawed in the shallow look that it gives to nearly every issue on the table. There is so much at stake here, summarized as determining the future character and quality of life in and of an entire region. I am deeply troubled at the prospect of of a mega theme park moving in near home. My family and I live here because we wanted to be away from congestion and noise - we wanted what most everyone wants in a home - peace, quiet, beauty, tranquility. We are even more than happy to pay high taxes for a better quality of life. Life is not simply about dollars and cents. If Merlin Entertainment will supposedly contribute to the tax base (and I think that the tax structure that lends them so much welfare is disgustingly flawed), what would the real impact be to every household in the town and county? How much would tax bills be lowered, after Legoland's needs for water, sewer, police, fire, etc. are met? I seriously doubt that any small (if any) amount of tax "savings" would be worth the major quality of life sacrifices that we would all be making to allow them to destroy our environment, suck up our resources, clog our roads, and generally obliterate so many of the wonderful things about Orange County.

My family and I are nature lovers and are distraught at the potential destruction of such an environmentally fragile and rich location. What about wildlife habitat? It is being lost so rapidly and irresponsibly around the world, to what gain? A few people's pockets? When it comes to our planet - our environment - we are all in this together, and when it is gone, it is gone, and we will have destroyed our own prospects for survival. We need biodiversity for the health of all species, including human beings. We cannot continue to cast wildlife aside forever. Will we not stop "developing" every available acre until there are none left? That is a horrifying thought.

Aside from physical pollution, environmental destruction, and consumption of resources, what about things like light pollution? Will a sea of massive stadium-esque lights be on all night long,

taking the peaceful element of our country nights with them? I read an extremely sad account recently of how quickly the view of the stars from Orange County is disappearing.

I am completely aware of the economic "benefits" to offset environmental and quality of life harm that are being touted in conjunction with Legoland. However, I have visited a handful of theme parks in my life, and not one of them is situated in a town that I would otherwise EVER want to visit, let alone live in. They tend to suck the area so dry of resources and make the surrounding area so unpleasant that the town spirals downward. I speak from firsthand experience when I predict that most families visiting Legoland with young children in tow will most certainly NOT venture into the villages of Goshen or Chester to shop or dine at local businesses. They will have just spent an exhausting, very expensive day at an amusement park, and the only "local" businesses that will benefit will be the nearest highway rest area gas station and McDonald's, as tired, stressed parents get the heck out of there as soon as possible.

Who does Legoland really benefit, aside from Merlin's already-wealthy executives and its shareholders? Perhaps some day "tourists" - out-of-towners that will do nothing for our area besides clog up our roads and pollute our air. Are we willing to lay down and just hand them our quality of life? In exchange for some mostly-low-wage jobs and the potential to lower our taxes a little bit? It is mind-boggling to me why anyone would want an amusement park in their backyard, with its 24/7 noise, light, and air pollution, that benefits people who will come to visit it once in a lifetime and who could otherwise not give a care in the world about Goshen? To the argument of "Legoland will bring something for kids to do to the area," I ask, really? Its tickets are prohibitively expensive from it being anything but pretty much a once-in-a-lifetime experience, even for upper middle class families. It is not the sort of Mom-and-Pop fun park that you would visit a dozen times each summer as a child. And, its target audience is so narrow (young children) that local kids would outgrow the fun within a couple of seasons, even if their parents were wealthy enough to afford tickets. For myriad reasons, should it be built, I will most certainly not be taking my three young children to Legoland.

Finally, I will note that changing the zoning on these large parcels of land is a very, very dangerous precedent to set. I live in Monroe, which includes the village of Kiryas Joel, which is extremely adept at manipulating zoning in its favor - legal or not - and has educated me on this topic more than I ever would have liked. Should any future application to change zoning be denied, immediate and expensive (to the taxpayer, of course!) lawsuits will be the least of the concerns.

I am sure that you have heard the phrase, but I ask you to please hear it again, and please, please really consider its meaning: "Once the last tree is cut down, then they will realize that you can't eat money." Please consider the tremendous assets that you already have - a quaint village with wonderful local businesses, surrounding natural beauty - farms, mountains, streams. Its ideal and cannot be resurrected once its plowed through and paved over. Agri-tourism is becoming more and more popular. Younger generations want to spend more time in and around nature, not more concrete jungles. Please care about those of us that already live here in Orange County, and who hope to have a bright, green, future here and say no to Legoland.

Thank you for considering my comments. It is so much appreciated.

Sincerely.

Stefanie Goldin

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: opposition to Legoland from Goldstein family at 280 Bart Bull Road
Date: January 17, 2017 at 1:05 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Carolyn Goldstein [mailto:carolyngo@aol.com]
Sent: Tuesday, January 17, 2017 12:39 PM
To: nhalloran@townofgoshen.org
Subject: opposition to Legoland from Goldstein family at 280 Bart Bull Road

Greetings:

I am writing to let you know how appalled I am about the prospect of a Legoland in Orange County. My family has been living in this part of New York since the early 18th century. We take seriously our stewardship of William Bull III's "Brick Castle" where my grandmother and her sisters, including my aunt Amy Bull Crist, grew up in the early 20th century. Our family is proud of Goshen's multivarious past--including farming, trotting, architecture, and more!--and we view the construction of this amusement park as totally counter to the county's identity. We hope and expect the local government will pursue a plan for the county that celebrates this valuable heritage--rather than paving it over!

Please do whatever you can to stop this abomination. Thank you for your consideration.

Regards,

Carolyn Manning Goldstein
280 Bart Bull Road
Middletown, NY

ENT
Specialty Care
Ear, Nose, Throat & Allergy Specialists

Allergy & Sinus Disease
ENT Surgery

Hearing Exams & Hearing Aids
Thyroid & Parathyroid Surgery

Re: LEGO DEIS Goshen Town Groundwater Safeguards
Melissa Gallo
12 Florican Lane
Goshen, NY 10924

Dear Board Member Gallo,

My wife, Emily, and I are both practicing physicians who have lived in the Town of Goshen for over 20 years. Both of our medical practices are in the Village of Goshen and we are involved and long-standing members of the community. I am writing this letter to encourage necessary and reasonable safeguards to the aquifers of the Town of Goshen. Put simply, I ask that Merlin Entertainment Group fully and legally commit to the statements and assumptions they have put forward in the DEIS.

I have read the DEIS and I am well-aware that the proposed source of potable water for the LEGOLAND project is the Village of Goshen public water system. Should the existent supply be insufficient, then LEGOLAND will fund the development of an additional well on the Village of Goshen owned well site in the Town of Wallkill. I also understand that existent wells on the property will be dedicated to the Town of Goshen and Arcadia Hills Water District. My concern is that should the expanded Village of Goshen supply prove insufficient due to expansion of LEGOLAND, future environmental conditions, engineering miscalculations or increasing needs of the Village; then LEGOLAND would in fact tap the ground water aquifers of the Town of Goshen. Those homes currently most exposed to a significantly diminished aquifer would be rendered waterless and worthless.

I base this concern on the following observations:

a) I live contiguous to the Village of Goshen Reservoir and I experienced the drought in the 1998-1999 where it was necessary to emergently tap the Glenmere Lake Reservoir to meet the needs of the Village by running an above-ground pipe between the bodies of water. The Town aquifer at the time experienced a similar diminishment with difficulty pumping sufficient water for many homes. These drought conditions are very likely to recur (in both frequency and intensity) with climate trends strongly suggesting diminished rainfall and increasing freshwater stress (Global Environmental Outlook and US Geological Survey). If the Village is unable to meet the needs of its residents and an expanded LEGOLAND will Merlin drill an alternative well on the site or access groundwater on an adjacent or near property?

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TOWN CLERK

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Thyroid & Parathyroid Surgery

b) Although parts of the Town of Goshen have plentiful ground water, those living in the Goshen Hills with homes at a higher altitude commonly need to dig wells over 400 feet deep to access the ground water and maintain the minimum water needs of a single-family dwelling. My home is in the Goshen Hills and our well (500 feet deep) requires ongoing maintenance to ensure consistent supply. Others who live in the Goshen Hills surrounding the LEOGOLAND site have experienced similar shortfalls of water and the need to dig deeper wells.

The LEGOLAND DEIS on page 56 under Groundwater and Water Supply, *Section 2 Potential Impacts,* states "No use of ground water is proposed for the Proposed Action." On the bottom of page 58, *Section 3 Proposed Mitigation Measures*, states "The use of municipal water eliminates potential impacts to groundwater at the site and to all adjacent users of groundwater. There will be no use of well water by the Project Sponsor." Neither of these statements address future conditions or plans.

I ask that the Goshen Town Board and the Goshen Planning Board require Merlin/LEGOLAND to fully commit to these statements and forego any current or future right to access the Goshen Town groundwater supplies by drilling additional wells on the LEGOLAND site or accessing groundwater from any other site in the Town of Goshen. The vehicle for obtaining that legal, irrevocable and binding commitment is in the purview of the Goshen Town Attorney.

Referencing the capacity of the Village supply, on the top of page 58 it states, "No study was done to determine if the Village's water supply system has the capacity to serve this development." Should the DEIS Water Supply engineering and assumptions prove inaccurate then the surrounding Goshen Town residents should not bear the brunt of those inaccuracies. It will be difficult to prevent LEGOLAND from exercising a right to access groundwater aquifers under their land or purchase adjacent land or water after final approvals and LEGOLAND is a fait accompli. I understand there are other reasonable alternatives available to Merlin including accessing the broader NY State Reservoir system. The impact of finding alternatives, if the situation were to arise, should be the borne by the plan sponsor and not the existent surrounding water-vulnerable residents.

Sincerely,

Lawrence Gordon, MD

Cc: Douglas Bloomfield, Supervisor Town of Goshen
Lee Bergus, Chairman Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

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Re: LEGO DEIS Goshen Town Groundwater Safeguards
Melissa Gallo
12 Florican Lane
Goshen, NY 10924

Dear Board Member Gallo,

My wife, Emily, and I are both practicing physicians who have lived in the Town of Goshen for over 20 years. Both of our medical practices are in the Village of Goshen and we are involved and long-standing members of the community. I am writing this letter to encourage necessary and reasonable safeguards to the aquifers of the Town of Goshen. Put simply, I ask that Merlin Entertainment Group fully and legally commit to the statements and assumptions they have put forward in the DEIS.

I have read the DEIS and I am well-aware that the proposed source of potable water for the LEGOLAND project is the Village of Goshen public water system. Should the existent supply be insufficient, then LEGOLAND will fund the development of an additional well on the Village of Goshen owned well site in the Town of Wallkill. I also understand that existent wells on the property will be dedicated to the Town of Goshen and Arcadia Hills Water District. My concern is that should the expanded Village of Goshen supply prove insufficient due to expansion of LEGOLAND, future environmental conditions, engineering miscalculations or increasing needs of the Village; then LEGOLAND would in fact tap the ground water aquifers of the Town of Goshen. Those homes currently most exposed to a significantly diminished aquifer would be rendered waterless and worthless.

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Sincerely,

Lawrence Gordon, MD

Cc: Douglas Bloomfield, Supervisor Town of Goshen
Lee Bergus, Chairman Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

2004 Route 17M • Goshen NY 10924
Tel: (845) 294-0661 Fax: (845) 818-9646
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My name is Marcela Gross. I am a lifelong resident of Warwick. According to the DEIS, currently – TODAY – traffic starting on Sunday afternoons backs up so far from the Harriman toll plaza in the summer that drivers exit at either Route 17A or South Street in Goshen. Incredibly, though, an assessment of the impact on the Harriman toll plaza and the NY State Thruway is completely absent from the DEIS. The I-84/Route 17 interchange was studied, but that's going to get only about 22% of the traffic from Legoland. THREE TIMES AS MUCH will go through Harriman. How could the DEIS ignore that??

Currently, traffic diverts off Route 17 onto Route 17M to parallel Route 17. So then what in the world will happen to Route 17M with the Legoland traffic? Well, the DEIS does have an answer for that, but you sure have to look hard to find it!

If you dig deep into the 6006 page traffic study in Appendix G, you might just find an obscure Table 9 that, starting on electronic page 711, shows that in the build condition WITH IMPROVEMENTS, intersection after intersection along Route 17M will have a level-of-service "F". Now, I may not know traffic, but as a retired school teacher, I DO know what an "F" means.

So imagine this if you will, you're in a car coming back from a weekend in the Catskills, or perhaps from the new Montreign casino when that gets built in Monticello, and you're heading for the Thruway when you hit a wall of traffic on Route 17. You try to detour onto 17M, but that's a parking lot, too. What are you going to do? You know yourselves that the smartest thing to do then is to take 17A all the way to Tuxedo and make your way to get on the Thruway down in Sloatsburg, avoiding the Harriman tolls altogether. The same will be true for all this traffic heading out of Legoland. If you can't move in one direction, and you check your GPS, you'll head the other way and go down 17A.

So what is that going to do to the traffic for us in Warwick? Well, there's no answer for that! It's pretty obvious for us that live locally that we're going to get a whole new mess of traffic coming through, but you wouldn't know that from reading the DEIS! Warwick could just as well be on another planet. But we're going to be getting all this traffic precisely at the same time that tourism is peaking in Warwick. I don't know if you've ever been in Warwick during the peak season, but a five minute trip to the ShopRite can turn into a half hour. If you add in the Legoland traffic from not only people detouring around 17, but also coming up from North Jersey through Warwick, it's going to be a nightmare.

Living in Warwick, we don't like our tourist traffic, but at least we know all those cars are coming to Warwick to spend money in OUR town, with OUR farmers, and OUR merchants. The people heading for Legoland are heading only there, and will pay a high admission price to get in. They're going to make sure they get their dollar's worth and spend their whole day, eating at Legoland's restaurants, with their shopping limited to buying Legoland souvenirs. They won't be adding anything to Warwick's economy – or Goshen's for that matter – except perhaps to buy gas.

I think you should consider what this will mean for local residents just trying to get around town, and for non-Legoland people that really want to get to local merchants. I think it's going to hurt us in Warwick. If the people who want to spend money in our town can't get in, they're going to turn around and go somewhere else. And for you locally in Goshen? It looks like you guys will pretty much be screwed. Why you think this will all be a good idea for Goshen is beyond me.

My name is Steve Gross. I am a lifelong resident of Warwick. I am the principal of Hudson Highlands Environmental Consulting. Overall, the DEIS is missing huge blocks of information, such as the capacity of the new proposed well, a wetland delineation report, traffic impact on the NYS Thruway and Harriman tolls, an assessment of the historic value of the houses being demolished, and the fact that the impact statement only studies the impact of developing 140 acres of the 522 acres being rezoned. Beyond that, the DEIS makes critical information difficult to find, and provides false statements. To illustrate this, I am going to focus on just one figure in the DEIS, and I bet you will hear things you do not know.

This is Figure III-6, which illustrates the proposed cuts and fills for the project.

- This is a very hilly property. Just like in Isaiah, the valleys will be raised up and the mountains made low in order to make it suitable for a theme park. The dark orange indicates cuts up to 50 feet, and the dark blue indicates fills up to 90 feet.

- The impact statement states, "Based on the proposed grading plans, approximately 196,187 cubic yards of fill will be required to be brought to the site." This is not true. This table provides details on the massive amount of cubic yards that would be cut and filled, but you have to do the math yourself. The cuts add up to more 1,620,000 cubic yards, and the fills add up to more than 2,151,000 cubic yards. That yields a net fill of more than 531,000 cubic yards, more than 2 1/2 times as much as reported in the impact statement. Using a 16 cy truck, that would be 33,199 truckloads of fill.

- The impact statement states, "The site's natural variations in topography will work to visually buffer the site as the development will sit lower than surrounding land." This

is NOT true. Now, none of the contours for the developed condition are labeled, so anyone who looks at this graphic has to really work hard to get anything out of it. But the northeastern corner of the parking lot would sit on top of 90 feet of fill at an elevation of 520 feet, 100 feet HIGHER – not lower -- than the back yards of these houses at 420 feet, so they're going to be looking right at this massive fill slope towering above them and the tree line. The parking lot then keeps rising to an elevation of 584 feet, or about 160+ feet above these homes.

- The impact statement also makes reference to vegetated buffers of 1000 feet, or 1200 feet, and Mr. Royle has actually stated it would be 2000 feet from residential areas, and 1000 feet elsewhere. NONE of these numbers are true. These back yards are about 900 feet away from this fill slope.

- The impact statement states "The hotel will be built into the naturally sloping topography so that it is two stories from the front and four stories from the rear elevation." This is not true. This shows the hotel sitting at about elevation 522 on fill over a natural elevation of 458. You can see the dark blue color, indicating fills in the 50 to 70 foot range. This would be held back by a retaining wall, not a natural slope as described in the impact statement. The 4-story building sitting on a 60+ foot tall retaining wall would be the equivalent of a 10-story building.

This is the tip of the iceberg. This impact statement is riddled with holes, buried information, and false statements. It is a sales document, not the tool intended under SEQRA for you to make an informed decision. All of this should give you pause as to the veracity of the

information you are being given. Slow this process down. Your first responsibility is to the residents and businesses of Goshen, not this applicant. Protect those who live and work in Goshen first. Even if you do approve this project, you need to properly identify the potential impacts that may occur, negotiate changes in the proposed plan to reduce those impacts, and ensure that improvements are put in place that will mitigate the remaining impacts and benefit the people of this town.

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TOWN CLERK

January 13, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

As a Goshen Resident and Business Owner in Middletown, I believe that approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being totally transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity! PLEASE VOTE YES and approve this project!

Respectfully,
Henry Gitner
Henry Gitner Philatelists, Inc.
53 Highland Ave.
Middletown, NY 10940

NEWBURGH
BREWING COMPANY

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TOWN OF GOSHEN
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January 3rd, 2017

Town of Goshen Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

- LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!
- LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Paul Halayko
Owner, President
Newburgh Brewing Company

paul@newburghbrewing.com
845-569-2337 ext 101

From: **Priscilla Gersbeck** pgersbeck@townofgoshen.org
Subject: FW: Legoland environmental study - additional considerations
Date: December 16, 2016 at 9:45 AM
To: Richard Golden rgolden@bmglawyers.com
Cc: Kelly Naughton knaughton@bmglawyers.com

Another letter.
Priscilla

From: jharragi [mailto:jharragi@mw.k12.ny.us]
Sent: Thursday, December 15, 2016 3:02 PM
To: dbloomfield@townofgoshen.org; NHalloran@TownofGoshen.org; pgersbeck@TownofGoshen.org
Subject: Legoland environmental study - additional considerations

To Goshen Town & Zoning Boards & Building Department,

This is a formal request that the following points be included in the environmental review prior to its acceptance. Specifically:

- Because of the magnitude of the traffic, the traffic study must be expanded to include all regions where Legoland motorists can pass through. This should include every highway across Orange County (and in some cases beyond) but mostly to all roads in all communities directly impacted that will experience any extra vehicles due to this project.
- There should be a determination of the total carbon footprint of all aspects related to the project including operation, construction and increased traffic congestion.
- Total additional time accrued to motorists and an assessment of the value of that time to people across the region.
- The increased carbon footprint (caused by additional traffic/stop and go/use of air conditioning) is caused by burning extra fuel which, on the surface, is paid for at the gas pump. This cost to motorists should be accurately accounted for and disseminated to the public. This cost determination should not only include increased fuel consumption, but also incidentals such as extra wear and tear on a vehicle.
- The traffic study should have seasonal daily granularity. As you know we have particular types of traffic congestion that is characteristic of the season and week day. For example, Sundays in summer generally have extremely heavy eastbound traffic – if this factor is not included, a study's conclusion is totally misleading.

An environmental impact study that does not include all of these items and detail these costs to the community members is incomplete, inadequate and misleading.

What follows is a letter to the local newspapers because it includes more thorough discussion as to why these are very important issues. Of particular note is the final paragraph which has an additional request that Goshen obtain records of any of Merlin's preliminary studies, discussion

and correspondence pertaining to traffic as it effects the hotel and the park – as well as the interaction between them:

Climate Change Theme Park and the 'Legoland Mileage Reduction Tax'

Climate science has been delivering some very distressing messages. Significant changes to our environment have already occurred, such as large reductions in arctic sea ice coverage area and thickness. It is no longer a question of "if" these changes will bring huge challenges to society, but how soon – and how severe the impact will be.

A troubling class of risks, referred to as tipping points, has been identified. These are events that, once underway, bring consequences that become impossible to avoid. One tipping point is the acceleration of the rate at which methane escapes from permafrost. Once the escape rate exceeds a certain threshold, the very potent greenhouse effect of that gas will cause a feedback loop where the additional methane increases heating, bringing more melting and with it even faster escape of methane, on and on. Among other possible tipping points are sea-level rise, ocean acidification, and the loss of the sea-ice which reflects much larger amounts of sunlight away from the earth than does the open ocean.

These ideas are not my own – these are concerns of the vast majority of climate scientists around the world.

Inexplicably, we live in a nation whose economic system effectively rewards polluters by having no mechanism to apply the cost of dumping wastes into the environment – particularly CO2 entering the atmosphere. The apparent absence of response to this crisis is not an accident – it is intentional, through a political system that is controlled by self-serving industrialists who choose their near term prosperity over the long-term well-being of the people who share this planet. How else could you explain the outright denial of these proven climate hazards by a large faction of politicians in Washington?

Some have said ignorance is bliss... however I cannot follow our leaders' habit of hiding their heads in the sand. Perhaps they seek a subterranean utopia in which they expect to ride out the crisis? Since our nation's politicians are proving incapable of looking out for our interests, and our children's interests, I think it is essential that we wage this battle locally. To that end, we must ensure that any projects which we allow are done in the most environmentally responsible way...

One project that must be examined from this perspective is Merlin Entertainment's Legoland in Goshen, NY.

This project is expected to bring a great deal of additional traffic to our area. It will increase congestion in our region, slowing our ability to get around - particularly on warm summer days when cars are most apt to run air-conditioning. These conditions promote the highest levels of automobile pollution and the worst fuel economy. This not only impacts Legoland guests, but every motorist who currently uses our roads. We can think of this as the 'Legoland Mileage

Reduction Tax'. This 'tax' is likely to sum collectively to tens of millions of dollars per year – and like the waste of time, will fall most heavily on Goshen residents.

The environmental impact study for Legoland must determine the total carbon emissions of all aspects of the project to ensure that Goshen is the most environmentally responsible choice for the location of the facility. If a developer does not ensure their project has the lowest carbon impact possible - they don't deserve to be here. Goshen should also request to see any preliminary research that has already been conducted by or for Merlin, as well as all public and internal discussion and documents relating to interaction between the Legoland park, potential traffic and the attendance at their hotel.

Steven M. Neuhaus
County Executive

I♥NY

ORANGE COUNTY TOURISM

Susan Hawvermale
Director of Tourism

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JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 4, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

We are in support of the proposed LEGOLAND New York project and urge you to approve it. We cannot afford to say no to LEGOLAND. The tourism industry is a major economic driver and Orange County must attract larger projects in order to compete with both the national and international markets. It is the future of our cities and currently the bread and butter of our villages.

The job, tax, and stimulus benefits have been outlined succinctly in many places, substantiated by the positive effects LEGOLAND has had in other communities Merlin Entertainment has shown their commitment to the area through its outreach to both businesses and residents with plans for future partnerships that will give Orange County advantages that could not occur with any other development of that site.

This is an investment in the future for all of us. Please approve this project.

Respectfully,

Susan H. Hawvermale
Director

Orange County Tourism ♦ 99 Main Street ♦ Goshen, NY ♦ 10924
845-615-3860 ♦ Email: tourism@orangecountygov.com
www.OrangeTourism.org

ADMINISTRATION
William J. Hecht
District Superintendent/CEO
Deborah McBride Heppes
Assistant Superintendent for Finance
Theresa A. Reynolds
Assistant Superintendent for Instruction
Sharleen Depew
Clerk of the Board

ORANGE·ULSTER BOCES
LEARNING FOR LIFE

BOARD MEMBERS
Dorothy A. Slattery, President
Eugenia S. Pavek, Vice-President
Michael Bello
Lawrence E. Berger
Martha Bogart
William M. Boss
David Eaton

December 15, 2016

Dear Goshen Planning Board;

At their regular meeting held on December 8, 2016, the Orange Ulster BOCES Cooperative Board approved a project resolution that would add new classroom space to the Regional Education Center at Arden Hill on Harriman Drive in Goshen to allow for the growth in enrollment. This project will increase the number of students who attend this site along with the volume of buses in the next few years. The Board discussed the proposed construction of a Legoland Theme Park and the potential impact it could have on BOCES and our Arden Hill Campus, given this new information. The Board also heard a brief report on the Draft Environmental Impact Statement (DEIS) and the information provided in the Traffic Pattern Study, which included a proposed "flyover" to Harriman Drive just south of BOCES Arden Hill Campus. Everyone agrees that this opportunity has the potential for a great partnership. BOCES and the Cooperative Board would like the Planning Board to consider the following additional points and the potential impact they could have on BOCES when making decisions about the project:

1. The recently approved plan to "build out" classroom space on the 2nd floor at the Arden Hill Campus along with the 3rd floor in the future.

2. The anticipated growth in student enrollment at this campus and the increase in the volume of bus transportation that this will bring to Harriman Drive in the next 2-5 years.

3. The impact that the proposed "flyover" would have on decreasing the volume of traffic in and around the Regional Education Center at Arden Hill and alleviate safety concerns.

As you were made aware in my previous letter, Orange Ulster BOCES' Strategic Plan calls for the growth of additional programs and enrollment at the Arden Hill Site beyond the plan approved at our last Cooperative Board meeting and we ask that the Planning Board take this information into account when making decisions. I would like to thank you for your time in dealing with this very important matter and I would welcome the opportunity to speak with you at any time to discuss this matter further. Thank you.

Sincerely,

William J. Hecht
District Superintendent/CEO

Phone: 845-291-0100 53 Gibson Road, Goshen, NY 10924 www.ouboces.org

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland of Goshen
Date: January 3, 2017 at 9:52 AM
To: Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

-----Original Message-----
From: Lisa Herring [mailto:blondie4kids@earthlink.net]
Sent: Monday, January 02, 2017 8:15 PM
To: nhalloran@townofgoshen.org
Subject: Legoland of Goshen

Hello

I just wanted to let you know how wonderful I think it will be for Goshen if Legoland is able to build here. It will do so much for our town, I am concerned if it does not happen Goshen will suffer. I think it is a great idea and I look forward to the ground breaking ceremony!

Thank you

Lisa Herring

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland DEIS Comment
Date: January 17, 2017 at 2:42 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: John Houlihan [mailto:jjhoulihan@hotmail.com]
Sent: Tuesday, January 17, 2017 1:23 PM
To: NHalloran@townofgoshen.org
Subject: Legoland DEIS Comment
Importance: High

Goshen Town Board, Goshen Planning Board and Environmental Review Board,

Thank you for your service to our Goshen community and we ALL understand the immense pressure that NYS, especially Andrew Cuomo and Steve Neuhaus must be putting on the boards. Please remember that you all have picked or elected because of your unbiased and educated ability to properly choose what is in the best interest of our Goshen community. It is up to the boards to follow the laws that have been established and to properly weed out companies and corporations that want to come to Goshen and basically try to takeover a large portion of land.
Please remember the HUGE change that LEGOLAND will bring to Goshen. LEGOLAND does seem like a wonderful idea for Orange county but the Goshen site, no matter how it is spun, just does not make sense for so many glaring reasons.
Either negative or positive, the change will be immense for such a small town and it must be carefully reviewed, re-reviewed and scrutinized probably more than any other issue that Goshen has ever handled.
The land must be protected, the water protected, the air protected, the infrastructure protected and most importantly the citizens protected.

Please revisit and respect,
Town Law No 5
Town Law No 6
The Rezoning of 523 acres
The many holes and inaccuracies of the Legoland Deis Review
The Clearing of 180 acres

Thank you,
J. Houlihan
Goshen

file
Legoland

Supervisor, Douglas Bloomfield

From: Hudson Valley Economic Development Corp. <sborys@hvedc.ccsend.com> on behalf of Hudson Valley Economic Development Corp. <sborys@hvedc.com>
Sent: Friday, December 16, 2016 12:01 PM
To: dbloomfield@townofgoshen.org
Subject: HVEDC Board of Directors Passes Resolution, Pledges Full Support for LEGOLAND New York Project

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LEGOLAND NEW YORK

The HVEDC Board of Directors passed a resolution at this morning's December meeting in support of the LEGOLAND New York project that is proposed in Goshen.

BOARD RESOLUTION
in support of LEGOLAND New York

The Hudson Valley Economic Development Corporation Board of Directors gives its full support to the proposed Legoland New York park, to be located in the Town of Goshen in Orange County. The project offers tremendous economic benefit to the Hudson Valley region, and will bring millions of dollars in economic growth and hundreds of jobs. Specifically:

LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

Sales tax receipts at LEGOLAND New York would generate approximately an additional $300 million over 30 years. Orange County's sales tax revenue share would be $138 million.

LEGOLAND New York would generate approximately $30 million in Orange County hotel tax over 30 years.

LEGOLAND New York will create 800 construction jobs. LEGOLAND New York will hire local construction labor.

Excluding construction jobs, LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees.

LEGOLAND New York will generate approximately $421 million over 30 years in tax and fee revenues (PILOT payments, host community fees, hotel taxes and sales taxes). The existing site currently generates only $91,185 annually in real property taxes.

The proposed PILOT agreement will result in LEGOLAND New York making guaranteed PILOT payments of $1.4 annually beginning the first year the park opens. The PILOT payment increases to $1.9 million on year five when the investment in the park reaches $500 million. In all other years, the PILOT payments would increase by 1.5 percent, compounded.

Over the course of 30 years LEGOLAND New York will pay $52.6 million in PILOT payments alone, of which $38.4 million will go to the Goshen Central School District.

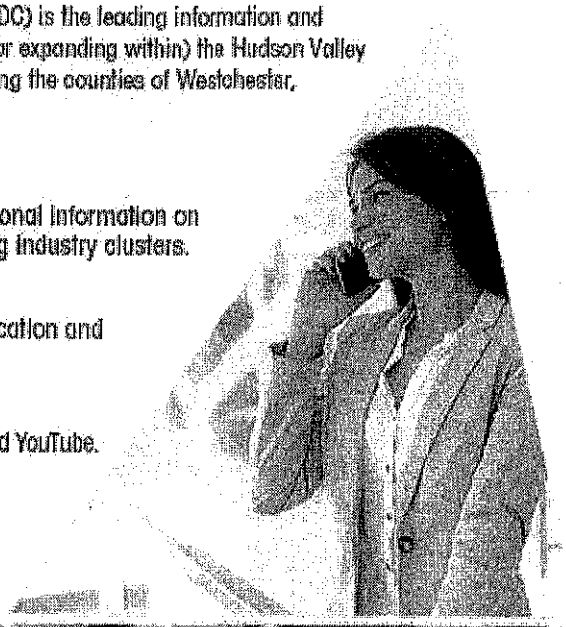
$1.022 million in the first year would go to the Goshen Central School District, $210,000 would go to the Town of Goshen and $168,000 would go to Orange County. These amounts will increase each year over the term of the 30 year PILOT agreement.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. For each visitor up to 2 million visits, LEGOLAND New York would pay the Town of Goshen 65 cents, and 20 cents for each ticket thereafter - with no cap on payments. This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the success of the park.

Resolved, this 16th day of December 2016.

"As the leading economic development organization in the region, it is important for our diverse board of top executives of local private and public companies and organizations to support large projects such as LEGOLAND New York that will not only have a huge positive impact on Orange County, but the entire Hudson Valley," said Robert J. Levine, Esq., chairman of the HVEDC board of directors.

The Hudson Valley Economic Development Corporation (HVEDC) is the leading information and strategic consultation resource for businesses relocating to (or expanding within) the Hudson Valley region - New York State's powerful economic engine - including the counties of Westchester, Rockland, Putnam, Orange, Ulster, Dutchess and Sullivan.



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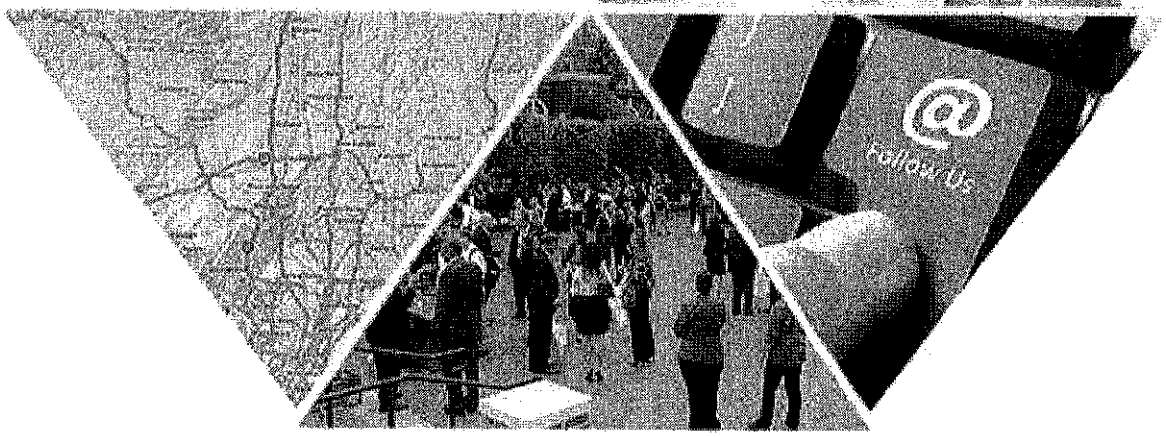

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HydroQuest

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December 15, 2016

Public Hearing Notes

As a hydrologist and hydrogeologist, I am here tonight on behalf of the Concerned Citizens for the Hudson Valley.

We are concerned that homeowners and businesses will not have sufficient water available for normal water usage during periods of drought, much less the extra 27 percent required to supply the proposed Legoland project. Proof of adequacy of water supply is of paramount importance. The DEIS fails to provide the detailed information required by both the lead agency and the public to assess water adequacy.

While other adverse environmental impacts have the potential of being mitigated, lack of sufficient water supply can cripple Village homes and businesses. One need not look beyond California's epic water supply issues during periods of drought to focus the camera lens closer to home. Scientific proof, complete with comprehensive supporting data, is critically important in order to evaluate whether there is sufficient water available to meet existing and future demands. The DEIS presents no detailed data and analyses to document that there will not be a MAJOR ADVERSE ENVIRONMENTAL IMPACT.

In fact, in all likelihood, based on the repeated drought conditions experienced by the Village - provision of large water volumes to Merlin's Legoland project will result in major water supply deficiencies during periods of drought - when water quantity is most essential. The DEIS fails to provide the needed data and analyses needed to address this critical SEQRA issue.

Simply put, there is not sufficient water quantity data or analysis in the DEIS for the Lead Agency or the public to conduct the coherent analysis needed to formulate science and information-based comment on water supply and demand. Specifically, Merlin failed to provide any detailed, empirical, data to support their unfounded claims that there is sufficient water for:

1) Existing Village needs in times of drought when one reservoir is dry and the other is extremely low;
2) Future Village water demands as built out 5 to 10 years in the future;
3) Major water supply demands required for the Legoland development; and
4) Expansion of the Village's existing well field/aquifer. A third well was drilled and tested under the concept that it might provide needed water for Legoland. However, Merlin has provided NO testing data, graphs or analysis of this information. It is not in the DEIS and therefore cannot be considered part of the DEIS application.

NO data is provided in the DEIS to support singular water demand values as are provided in other major development projects.

Importantly, the Village routinely experiences drought conditions that require warnings and/or water reduction measures. The DEIS fails to address this critical hydrologic situation that repeatedly occurs and fails to provide any hydrologic rationale or data to support selling a high percentage of the Village's finite water supply to a developer in advance of detailed proof of water adequacy. NONE of the data and information needed to conclude that there is sufficient water now to warrant sale to Merlin or to justify entering into an agreed upon Resolution to sell water to Merlin is presented in the DEIS. Neither the Lead Agency nor the public have the detailed hydrologic information needed upon which an evaluation of adequacy of water supply may be made.

Based upon review of historic drought periods throughout the region, as a professional hydrologist, there is reason to believe that the Village's water supply is already stressed during periods of drought – without addition of large volume water users. I address these issues in greater detail in the affidavit I am hereby submitting into the hearing record. In conclusion, the DEIS is incomplete. It does not contain sufficient hydrologic information upon which an informed decision may be made regarding the existing Village water supply, much less potential adverse environmental impacts of major additions to the drought-restricted system. I recommend that the DEIS be rescinded, pending addition of needed hydrologic information and analysis.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ORANGE

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CONCERNED CITIZENS FOR THE HUDSON VALLEY, ROBERT BEASLEY, JOAN DONATO, WILLIAM GREENE, WILLIAM LANDA, JORGE AND CAROL MALDONADO, KATHERINE AND SALVATORE NERI, AL AND ANN MARIE ROLO, PETER SCHELLENBERG, ROBERT AND ELAINE TITO, LAWRENCE AND GLORIA WHITE, ROBERT AND DONNA WOLFSON, NICK GALLO,

Petitioners.

ARTICLE 78 PROCEEDING

vs.

VERIFIED PETITION

TOWN OF GOSHEN PLANNING BOARD, MERLIN ENTERTAINMENT GROUPS, U.S. LLC, TOWN OF GOSHEN, FINI BROTHERS CONSTRUCTION,

Respondents.

FOR AN ORDER AND JUDGMENT PURSUANT TO ARTICLE 78 OF THE CPLR

----------x

PAUL A. RUBIN, being duly sworn, hereby deposes and, under penalties of perjury, states as follows:

1. I am a hydrologist, hydrogeologist, geologist and cartographer with thirty-five years of professional experience. I earned a B.A. degree from the State University of New York at Albany in 1977 and an M.A. degree in geology with a specialty in hydrogeology from the State University of New York at New Paltz in May, 1983. My professional experience includes work conducted for the New York State Attorney General's Office (Environmental Protection Bureau), Oak Ridge National Laboratory (Environmental Sciences Division), the New York City Department of Environmental Protection, and as an independent environmental consultant as President of HydroQuest. My educational background and professional experience are more fully set forth in my Curriculum Vitae, attached as Exhibit A.

2. Within the broad field of hydrology, I have specialized expertise in both surface water and groundwater hydrology. Beyond this, I have specialized expertise in contaminant transport in fractured bedrock, unconsolidated and karst aquifers. I have conducted detailed assessments of streams, wetlands, watersheds, and aquifers for professional characterizations, for clients and as part of my own personal research. I have authored numerous reports and affidavits related to this work and have made presentations to judges, the NYS Assembly, the NYS Senate, and others. In addition, I have published papers and led all day field trips relating to this work at professional conferences.

3. Recently, I have been called upon by the Concerned Citizens for the Hudson Valley (CC4HV) to review the Legoland Draft Environmental Impact Statement and related documents to assess whether sufficient hydrologic material and technical analysis are presented to address the sufficiency of water for both the Village of Goshen and the proposed Legoland development.

4. I submit this Affidavit in my capacity as President of HydroQuest in support of CC4HV's assertion, in part, that the DEIS is so lacking in critical data so as to prevent a proper review. As an experienced professional in the fields of hydrology and hydrogeology, I am unable to formulate any reasoned assessments or conclusions from the material contained in the DEIS. Therefore, this same lack of information will necessarily prevent members of the lead agency from being able to take a "hard look" at the proposed project and the potential impacts associated with it.

5. Specifically, Merlin's and the Village of Goshen's water demand and water availability, as summarized below in a September 23, 2016 Farr Engineering letter, is not founded on empirical data presented and supported in the DEIS:

> "*Based on our analysis the Village of Goshen with its current available and permitted supply can provide the water requested by the Legoland project and also serve the CURRENT needs of the Village.*" (page 4)

During periods of drought, it is likely that the permitted water allocation of 1,300,000 gallons per day (903 gallons per minute) may not be available. This is discussed below, as is the premature resolution with Merlin to sell them large water quantities (adopted by the Village Board of the Village of Goshen on August 8, 2016: DEIS Appendix E).

6. Importantly, the DEIS is wholly incomplete relative to documenting water availability and water quantity needed for Merlin Entertainments Group US Holdings Incorporated's (i.e., Merlin, the applicant) Legoland project. The DEIS has insufficient factual support to properly assess either demand for water by Legoland or sufficiency of available surface and groundwater supply. Following the scoping session, Merlin had the responsibility to properly study and document its study of water availability. Merlin failed to do this. As such, the Planning Board again should have rejected the DEIS as incomplete, rather than certify it as complete and ready for public review and comment. The Planning Board's release of the DEIS was premature.

7. Based upon material presented in the DEIS and in a Farr Engineering letter addressed to the Village of Goshen dated September 23, 2016, it is not possible to determine if sufficient surface and groundwater are available to support existing and future water demand for the Village of Goshen and Legoland. Furthermore, additional material that addresses drought conditions and limited water availability indicate that analyses conducted to date on water availability do not correctly factor in known water supply limitations.

8. The DEIS and Farr Engineering letter purport that existing Village water usage from June 2015-June 2016 was 237,000,000 gallons with a July 2015 water usage of 24,000,000 gallons. This July 2015 water usage equates to an average daily water use of 774,194 gallons per day (gpd) or 538 gallons per minute (gpm). No supporting documentation of these values is presented for the 2015-2016 data year or for other water years where water demand may have been higher. As such, it is not possible to assess the veracity of the limited data presented.

9. The Village of Goshen is supplied by a combination of surface water and groundwater. Appendix E of the DEIS states that:

> "*The Village of Goshen water supply system consists of two surface water reservoirs and one well field and is permitted by the New York State Department of Environmental Conservation to take a combined amount of water up to 1.3 million gallons per day (MGD). The Prospect Reservoir and Green Hill Reservoir are the main source of water supply for the Village of Goshen Water District. The Prospect Reservoir is located off of Lower Reservoir Road at the site of the Village Water Filtration Plant. The Prospect Reservoir is fed by surface runoff as well as the Green Hill Reservoir, located off Conklingtown Road. The Crystal Run Village (CRV) Well Field is located on Stony Ford Road in the Town of Wallkill and contains two Village owned wells; Well #1 is approved for 275 gpm and Well #2 is approved for 300 gpm. The permitted taking from the aquifer is limited to 0.45 MGD with Well #1 and Well #2* ***alternately pumping***." (emphasis added)

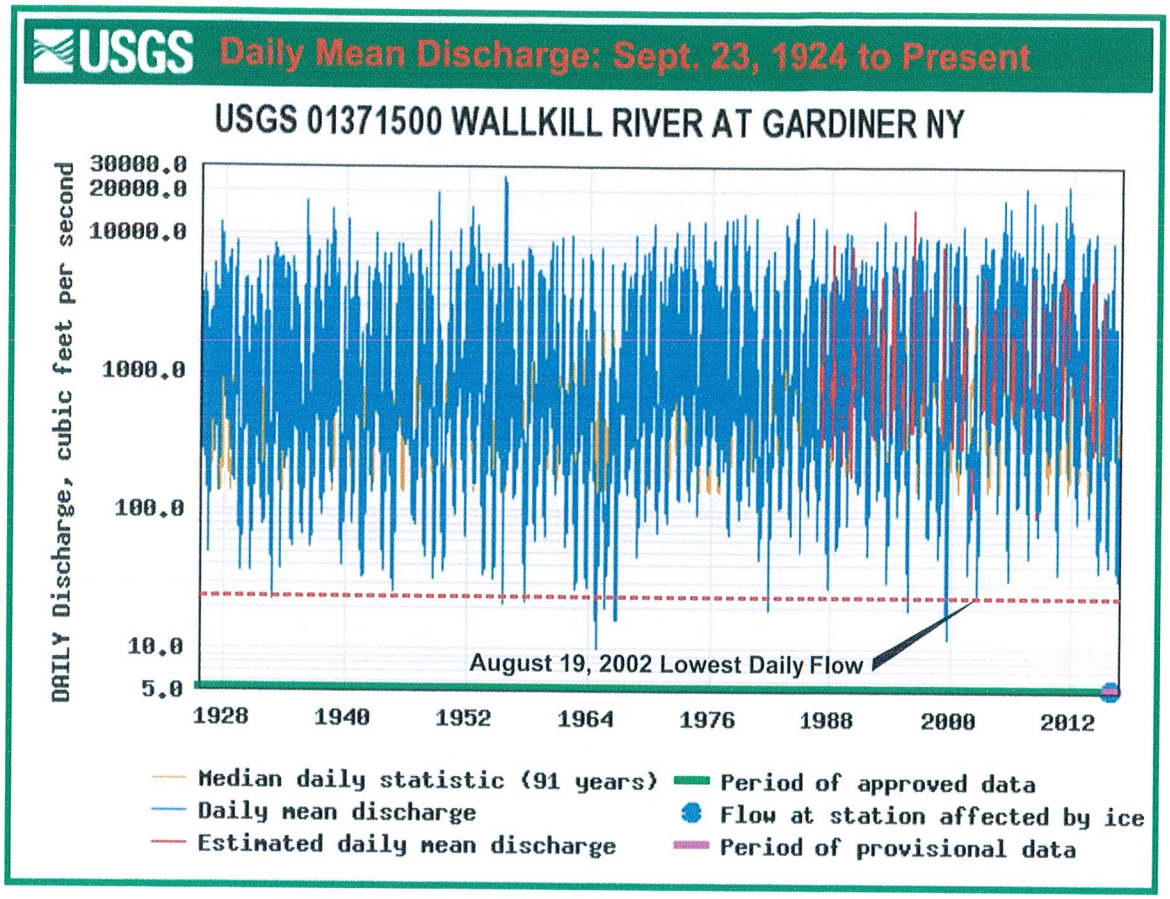
10. The DEIS fails to address the quantity of surface water available in the Prospect and Green Hill reservoirs, much less how much is available during times of drought and the emergency water shortage situations that repeatedly plague the Village. Information not included in the DEIS sheds some light on this. The December 1982 Camp Dresser & McKee *Orange County, New York Water Supply Development and Management Plan Volume II Appendices* document the relatively small drainage areas, reservoir size and storage volumes of the Prospect and Green Hill reservoirs, respectively (i.e., 346 acres, 48 acres, 180 million gallons; 487 acres, 7.4 acres, 50 million gallons). The Camp Dresser & McKee report provides an "*Estimated Yield*" of 0.50 million gallons per day from the combination of these two reservoirs. Apparently, this estimated value does not incorporate an assessment of short or long-term drought conditions that may greatly diminish the quantity of available surface water. Importantly, the DEIS fails to provide analysis of surface water availability during drought conditions. In fact, the DEIS fails to provide any historic or recent reservoir water level and volume figures. As such, it is not possible to document or verify surface water yield potential of either Village reservoir during drought conditions.

11. The DEIS fails to address the Villages' historic or recent drought conditions and provide a record of all the drought warning stages that have occurred (i.e., alert, warning, emergency). The Town of Goshen's May 2003 Water Use Alert Policy documents the Town's recognition of repeated water quantity problems. Documentation of repeated water crises relative to insufficient reservoir water volumes is essential in establishing water availability during short and long-term drought conditions.

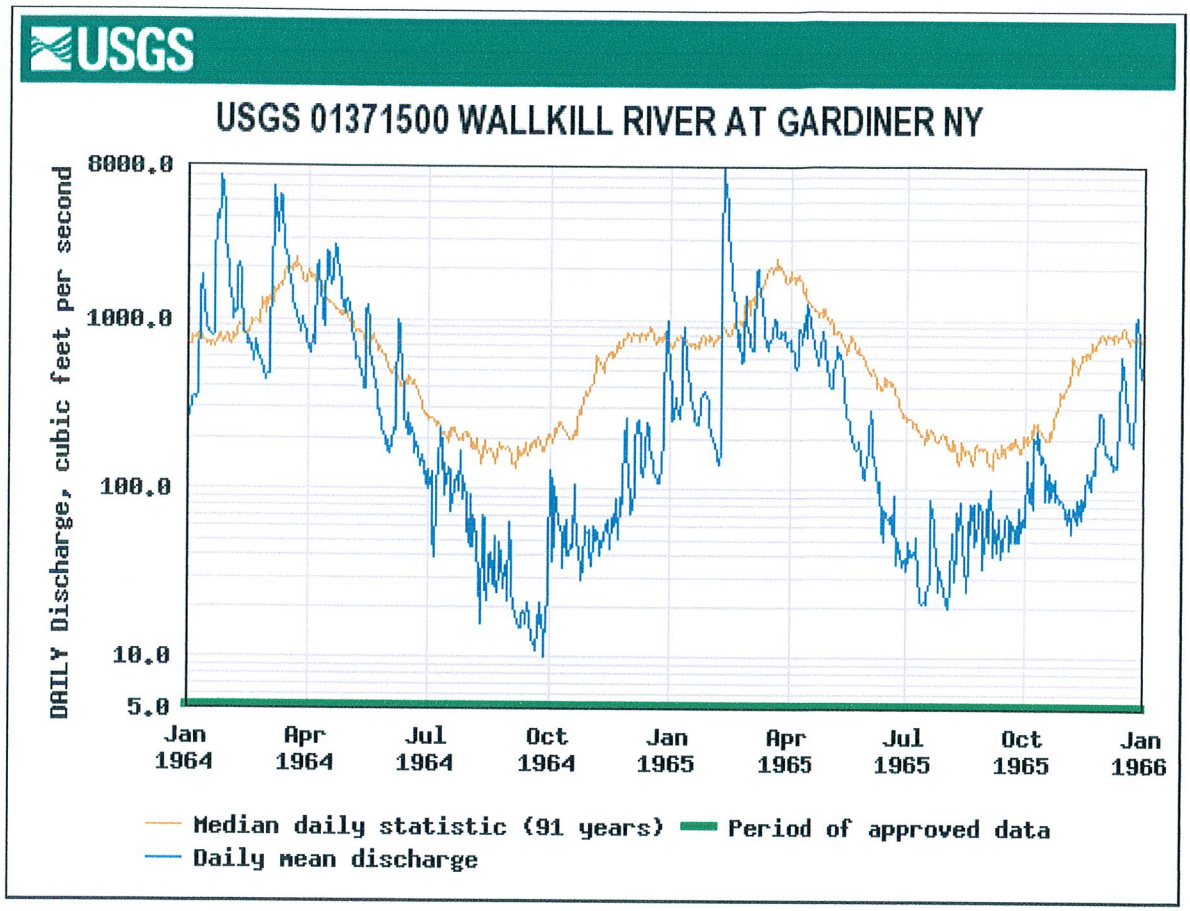
12. A revised DEIS is needed to assess reservoir water level and capacity information throughout the period of historic record. This information is needed to assess drought frequency and the reliability of the Village reservoirs during periods of drought. Current and historic data is needed to evaluate whether reservoir water should be factored into water availability calculations during worst case drought scenarios.

13. While the DEIS fails to address low reservoir capacity during periods of drought, water quantity issues are well-documented in the Village of Goshen. For example, a March 16, 2002 New York Times article by Winnie Hu (A Village Running Dry Hopes It has Struck Water) states that; "*The village's main reservoir has only six weeks' worth of water left in it, and the backup reservoir is already dry.*" Hu discusses the village board's October resolution banning the use of water from the municipal system for washing cars, watering lawns or any outdoor use with potential fines of up to $250 and 15 days in jail for the first offense. This is just one of many examples of historic Village of Goshen reservoir drought conditions that persist to this day.

14. Until such time as the DEIS is updated with all historic and current reservoir level and volume data, it is reasonable to conclude that reservoir water deficits have and will continue to occur through time as drought events occur. As a surrogate data source to support this hydrologic fact and the need to conduct a rigorous hydrological drought analysis as part of a revised DEIS, review historic and long-term flow records documented on the Wallkill River at Gardiner (USGS gaging station 01371500) is useful. Because drought conditions are regional in nature, streamflow records provide a predictive tool to broadly assess likely drought conditions in un-gaged locations situated in similar topographic and regional settings. Reference to the graph below that depicts the daily mean discharge of the Wallkill River from September 23, 1924 to December 6, 2016 reveals numerous times of low river flow. Note the low Wallkill River flow of 24 ft^3/sec recorded on August 19, 2002, the approximate time when the Village of Goshen's Prospect Reservoir water level was alarmingly low and when the Green Hill Reservoir was dry. Visual comparison of periods of low river flow on graph with the Village of Goshen's 2002 drought indicates that numerous similar or worse drought periods have occurred over the last 92 years of record. When population growth over this time period is considered, it is obvious that the small reservoir watershed sizes coupled with repeated drought conditions will likely result in major water deficits in the future (e.g., compare 1964, 1965, 1980, 1994, 1995, and 2001 with 2002; a major NYS disaster declaration was made on 8-18-65 due to water shortages). Hydrologically and statistically, these situations will occur again. The absence of any empirical-based assessment of worst case drought and water demand situations, especially when contemplating the newly signed legal agreement to provide water to Merlin, places existing Village of Goshen water users in jeopardy.



15. An important hydrologic factor to consider when contemplating sale of large volumes of the Village of Goshen's water supply to a corporate entity is the likely duration of drought conditions with an eye toward existing and future buildout water demand. As seen on the Wallkill River daily mean discharge plot below for the years 1964 and 1965, low flow and drought conditions may be long lasting. This critical type of water availability assessment should have been conducted prior to entering into a legal agreement to provide water to Merlin. At this juncture, protection and preservation of the Village of Goshen's water supply should be predicated upon rigorous assessment of empirical data and analyses <u>not</u> presented in the DEIS. As proposed, the Legoland action may result in a significant adverse environmental impact to Village of Goshen water users. Empirical data and analyses sufficient to protect Village of Goshen water users is wholly deficient from the DEIS.



16. During a Town of Goshen Public Hearing held on August 22, 2002, Dr. Serdarevic bemoaned people riding on the reservoir with an ATV all summer when there was no water. Village residents report observing very low reservoir levels during other years, with estimates of the Prospect Reservoir levels around 40 percent of capacity. All empirical data from Village records of reservoir water levels and volumes should be included in a revised DEIS so that analysis can be conducted regarded reservoir capacity and drought frequency and duration. It is entirely possible that very limited or no reservoir storage may be available during periods of extended drought. In such cases, the Village may be forced to rely solely on groundwater obtained from wells in the Crystal Run Village Well Field. In this event, groundwater availability from the two pre-2016 Crystal Run wells, which must operate alternately to not deplete the aquifer, would only be capable of providing about 56 percent of the July 2015 Village of Goshen metered water usage - only about half of what is needed. Under this worst case scenario, there may not be sufficient water for Goshen's existing infrastructure or for 5 to 10 year Village buildout, much less for Merlin's proposed Legoland project. The DEIS lacks

essential empirical data and rigorous water demand analysis sufficient to evaluate consideration of providing water to Merlin. Clearly, the "hard look" envisioned in SEQRA is not sufficient to conclude that no significant adverse environmental impact may occur that may jeopardize existing Village of Goshen water users.

17. The real potential of drought-plagued Village of Goshen reservoirs being unable to provide even existing water supply demand raises yet another issue associated with public water supply systems - that of system redundancy. For groundwater based public water supplies, the 2012 Edition of *Recommended Standards for Water Works* (aka 10 States Standard), Section 3.2 Groundwater, Sub-section 3.2.1 Quantity, Sub-section 3.2.1.1 Source capacity states:

> "*The total developed groundwater source capacity, unless otherwise specified by the reviewing authority, shall equal or exceed the design maximum day demand with the largest producing well out of service.*"

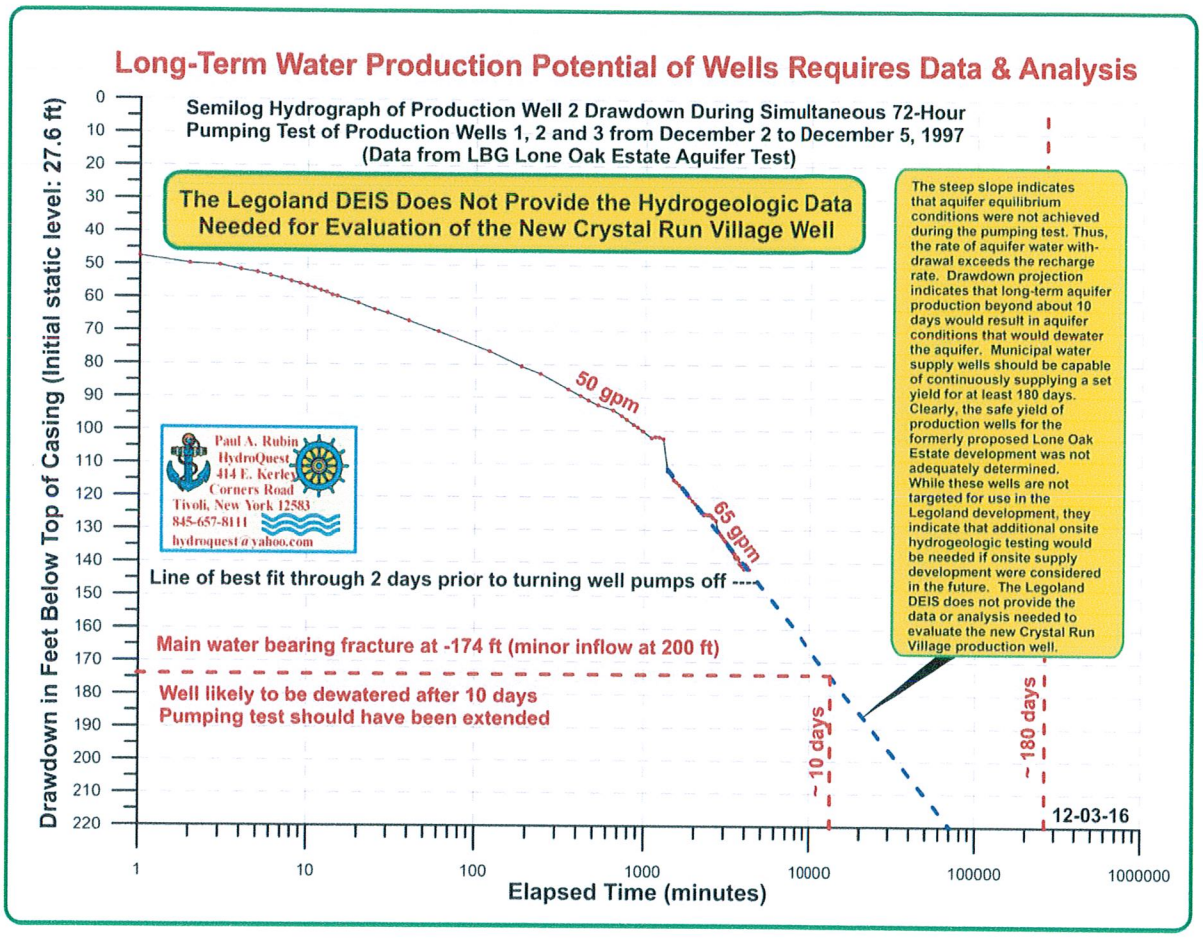
Should both Village of Goshen reservoirs not have sufficient water quantity to augment Village wells during extended periods of drought, it is likely that existing water demand could not be met, even with addition of a third Crystal Run well and without consideration of selling a large water volume to Merlin. Significantly, extended drought conditions may reduce the quantity of groundwater available to wells, which might further impact the Village of Goshen's water supply. Thus, drought conditions may result in no system redundancy. The very serious nature of a potentially inadequate water supply must be addressed in a revised DEIS. Clearly, no empirical data with complementary analyses are presented in the DEIS that support the sale of large water quantities to Merlin. Any added water availability obtained from the new Crystal Run well is not presented in the DEIS and, as such, cannot be considered as any part of the basis for DEIS completeness or for basis of project approval.

18. As discussed above, the reliability of the two Village of Goshen reservoirs for production of surface water during periods of extended drought is in question. The "*Estimated Yield*" of 0.5 MGD from the two reservoirs as put forth by Camp Dresser & McKee is not rigorously supported. The DEIS does not provide any of the factual, empirical, data required to confidently determine to sell water to Merlin for a high demand water project.

19. Similarly, the DEIS fails to provide any empirical data to support the long-term availability of 275 gpm from alternating use of Crystal Run Village wells. No pumping test drawdown and recovery data, hydrographs and hydrogeologic reports which document the safe

yields of Crystal Run Village wells used by the Village of Goshen is provided in the DEIS. The lack of any geologic and hydrogeologic data supporting reported well yield values of 275 gpm and 300 gpm fails to provide the lead agency and the public with any means of verifying the safe yields of Village wells located near Stony Ford Road in the Town of Wallkill. While this information almost certainly exists in a report somewhere, it is not included in the DEIS - thus making it impossible to evaluate the long-term reliability of the aquifer, even if it is fully capable of sustaining a safe yield of 300 gpm. Therefore, the lead agency and public are not in a position to evaluate this aspect of the Village of Goshen's water supply.

20. It is not prudent to rely on singular, unsupported water use or yield values provided in the DEIS, by Farr Engineering or in dated reports provided in the DEIS. An example suffices to make this critical point. Appendix D of the DEIS (LBG 1999 Well Completion Report, Lone Oak Estates) provides hydrogeologic data and analysis of wells targeted for use in a proposed Lone Oak Estates development. As portrayed in the report, 72-hour pumping test data and arithmetic graphs appear to provide support for project water adequacy from three production wells. Unfortunately, the graphical method used was of a limited nature and failed to plot drawdown data on the standard hydrogeologic semi-log graph used to predict long-term safe yield of wells at 180 days. As seen on the example graph below of Production Well 2, it is highly likely that this production well would have been dewatered after 10 days of continuous pumping, not after 180 days or more. The Village of Goshen cannot afford to find themselves in this situation after approval of the proposed Legoland project. Before the lead agency approves a Merlin Legoland application, it would be prudent to conduct similar analyses of the two pre-2016 Crystal Run wells and the new Crystal Run well. The DEIS fails to provide any of the empirical data needed to conduct the hydrogeologic analyses and to assure Village of Goshen long-term water adequacy before considering selling water to Merlin. Again, the DEIS fails to provide any of this data and, as such, is incomplete and should not have advanced to the public review and comment stage.



21. Failure to construct semi-log plots of drawdown vs. time (used to predict drawdown at 180 days), such as in the above example plot depicting drawdown in Lone Oak Estate Production Well 2 during a simultaneous well pumping test, can lead to false conclusions regarding long-term water availability. In turn, extended use of such wells can lead to permitting development beyond available water resources. Because water availability is vital to the Village of Goshen, detailed hydrogeologic information must be included in a revised DEIS.

22. No geologic or hydrogeologic data and reports are included in the DEIS that address the new Crystal Run Village well and its safe yield, **or whether pumping it will simply draw in groundwater from the same aquifer area as the two existing production wells**. There needs to be data in the DEIS to demonstrate that the new well will not simply be "another straw in the same glass", pumping out the same water from the same aquifer with overlapping cones of drawdown depression. Hydrogeologic data and analyses are needed in a revised DEIS to confirm that the new well can provide additional capacity. The DEIS states that this new well is

anticipated to be located approximately 200 feet west of the two existing wells (page 57). As discussed above, it is not possible to evaluate water availability in the absence of this information. As such, release of the DEIS was premature and should be rescinded, pending addition of all hydrologic information required to substantiate Village and Legoland project water availability under a worst case drought scenario.

23. Review of Village records on November 29, 2016 showed that substantial boring, soil testing, step drawdown and aquifer testing has been completed on a new Crystal Run Village well, as based on invoices contained in a very limited project file. This third Crystal Run Village well was completed to supplement existing Village water supplies and to, potentially, "*...demonstrate that there exists proper means and methods of obtaining sanitary sewer disposal services and potable water to meet the demands of the Project ...that sufficient resources are available to provide the requested services to the Project*" (DEIS Appendix E: Village of Goshen Resolution Regarding Water and Sewer and Engineering Reports).

24. Invoice descriptions show that requested files provided in the Village Hall on November 29, 2016 were not complete (e.g., "*Report summarizing test well program for CRW wells for Mayor, Trustee and Attorney*"; "*Water and sewer report to analyze capacity*"; "*Water and wastewater capacity analyses*"; "*LL Water taking report modification and updates*"; "*Finalize water and wastewater reports and distribute*"; "*Site review of installation of CRV Well 3 and meet with driller and hydrogeologist and issue report*"; "*Monitoring well installation and geologic logging*"; "*Final boring logs*"; "*ASTM D422 Washed Sieve Analysis*"; "*Grain size analysis*"; "*Step drawdown data reduction and analysis*"; "*72 hour aquifer testing data collection*"; assorted Miller Hydrogeologic proposals; Crystal Run well maps; CRV Well 3 well construction figure). None of this material was in the box of material provided to Ms. Sandy Rothenberger and myself in fulfillment of her FOI request, yet clearly it exists. All this material should be made available to the public now and should be incorporated into a revised DEIS for distribution and public comment. Its absence from the DEIS shows that the application material was incomplete and should not have been distributed for review. Its omission from the DEIS places the lead agency in a position of not having the factual, empirical, data and analyses needed to assess the reliability of their existing water supply, much less the ability to sell large water volumes to a developer.

25. Not only does the DEIS and related Farr Engineering material fail to provide needed hydrologic and hydrogeologic data and analyses, it seeks to have its reviewers accept at face value Merlin's Legoland water use values as reported from other Legoland projects. No detailed water use values are provided for other Legoland facilities that are needed to substantiate the basis for values provided in the DEIS and the Farr Engineering letter dated Sept. 23, 2016 (RE: Outside Village Water Capacity Request from Legoland (Merlin Entertainments)). Singular annual, peak month and peak month average daily flow values presented provide no means to verify claimed water demand figures. Detailed projections of all water use values throughout the planned development are needed. A large scale project without detailed water use breakout, such as is proposed here, is not acceptable. The DEIS provides no empirical water use values upon which to evaluate the proposal.

26. Furthermore, no detailed breakout of information regarding projected Village of Goshen water use values are presented specific to a 5 or 10 year demand period. Merlin systematically fails to provide critical hydrologic and hydrogeologic data needed to evaluate the adequacy of either existing water resources or the impact of additional project water demand.

27. The current DEIS fails to provide basic information and data required to meaningfully respond to project scoping requirements. This makes undertaking of any serious environmental review impossible. In the absence of the hydrologic information addressed here, neither the lead agency nor the public can rigorously evaluate actual water availability and whether there is or is not sufficient supply to meet existing or future demand. The Village of Goshen's resolution to sell large quantities of water to a private corporation without public input and review of empirical data of the nature discussed in this affidavit was premature.

28. The DEIS fails to provide hydrologic information needed to determine whether the Village's water supply is sufficient to consider high volume sale to a private company. As documented in this affidavit, the Merlin DEIS is incomplete and, as is, failed to provide sufficient empirically-based data to form the basis for entering into a water sale resolution with Merlin to provide a projected 27 percent annual increase in water usage above 2015-2016 Village of Goshen water demand for private corporate profit. Furthermore, hydrologic reports, aquifer test data and information were withheld from the public and were not made available upon FOI request. The DEIS should be rescinded, upgraded with empirical data and analyses

and provided thereafter for public review and comment. Anything less jeopardizes existing Village of Goshen water users.

Paul A. Rubin

PAUL A. RUBIN

Sworn to before me this
6th day of December, 2016

Notary Public

Jaime & Patricia Insignares
240 Arcadia Road
Goshen, NY 10924
January 10, 2017

RE: The proposed Development of LEGOLAND and Zoning changes in Goshen

Goshen Town Board, Goshen Planning Board, Environmental Impact Study Board,

Once again, we as residents of Goshen, and living within a close proximity of this proposed theme park, are writing to express our deep concern about this project coming to our beloved town.

We have attended the meetings, read the studies and researched Merlin Entertainment properties built elsewhere. Goshen is not the place for this sort of development. We could list all the reasons why, but they have all been expressed over and over and over again, in many valid and well researched comments and writings elsewhere - even in Goshen GDEIS from July of 2008, which unfortunately, no elected or appointed official seems to have read as of late.

Much more to our dismay, none of the concerns we expressed in an earlier correspondence have been seriously addressed with solid solutions or plans. We have witnessed only namby-pamby talk by the boards, and the alarming lack of commitment to the constituency to say the least. The DEIS told us nothing. It was vague and incomplete in many areas - too many areas.

As well, we have been forced to deal with non-profit, and organized labor groups, who have no business trotting out their people to influence this project while intimidating and berating those who oppose it. These people are not employed by Goshen, nor do their organizations pay taxes here. They, as groups, will not feel the affects the residents will feel if this project is approved. Their only interest is benefiting themselves in the short-term, or by gaining memberships to their organizations. They are not Goshen. We are – the taxpayers, landowners and supporters of the infrastructure of this town. Without us, Goshen, as a whole, would not exist. We are the backbone of this town's government, schools, services, businesses, community, etc. A multi-billion, with a "B," dollar international company, who will obtain a huge tax break along with a fairly large amount our hard-earned tax money, and who will change the face of Goshen forever, is not the answer to Goshen's past or present money woes. Merlin's financial statements show they are an extremely profitable company who should have no problem funding themselves in a more appropriate setting – one with far better access and established zoning.

As before, we expect only the deepest consideration and honest actions from our representatives. The proposed laws, 5&6, should be the last action this board takes until every sound professional and unbiased study with adequate conclusions, has proven without a doubt, there will be no significant negative impact by this park on the land, the roads, the water, the watershed, the streams, the reservoirs, the flood plains, the wildlife, any found endangered species, the soil, the air, the trees, the pollinators, the private wells, all aquifers, and mostly, the quality of life of the citizens residing in the immediate area of the park, and their property values. This takes more than a few months to reconcile – if it can be at all – we sincerely doubt it.

We conclude with a quote from Mr. Halloran's presentation of his Florida Legoland visit, "They were cleaning the park with a leaf blower at 6 a.m." We will stop there...

Thank you for your consideration, but mostly, ours. Please keep Goshen historic.

Dear Honorable Town Supervisor, members of the Town of Goshen Council. Town of Goshen Planning Board Chairmen and Planning board members,

I am writing this letter in support of Lego Land, New York. Projects such as this are known to have great economic development impacts for the hosting community. I believe that Goshen will benefit from Lego Land because it will bring in families with children under 12 , loving parents and grand parents and school teachers and students who want to provide educational opportunities to their family and students in a fun and interesting environment and this type of business will boost clean economic development.

Some of the positive impacts will be construction jobs, tax revenues in excess of a million dollars each year to the school district without adding children to the district, the town and county will get increased tax revenues each year and employment opportunities will increase for High Tech jobs, skilled and entry level jobs now and in the future.

Goshen will become a destination place for short term guest and young families. Our town will become robust with restaurants and shops. pre existing businesses will thrive. The demographic that this park will bring will be family friendly who will seek food establishments, farmers markets; boutiques, personal care and car services . Lego Land New York will help our town to change in wholesome, family friendly way.

Regarding water and traffic, I am confident that the town planning board, engineers and consultants will, through the SEQR process, protect the environment and will seek ways to mitigate any negative impacts. The Environmental Impact statements address water, sewer and traffic. The environment impact statements point to the wells on the Lego Land property and these wells are likely high producing and could supplement the current municipal water supply; The development plans seem to address traffic to the greatest extent practicable. Additionally, although not part of the scope of this project, with Lego Land's payment of tax revenues to the county and state perhaps improvements can be granted to Route 17 / 86 and ancillary roads. Perhaps the increase of state revenues from this business and other that will follow will spur the economy and grants could be given to improve the interstate with additional lanes. Perhaps the increase in population, even if transient, will spur a good super market to be built in Goshen.

The possibilities are endless.
I support the zone change for LegoLand and I support its approval for development.

Mary Rice Israelski
5 Woodcrest Lane
Goshen, NY 10924
914-443-9023

January 10, 2017

Dear Honorable Town Supervisor, members of the Town of Goshen Council. Town of Goshen Planning Board Chairmen and Planning board members,

I am writing this letter in support of Lego Land, New York. Projects such as this are known to have great economic development impacts for the hosting community. I believe that Goshen will benefit from Lego Land because it will bring in families with children under 12, loving parents and grand parents and school teachers and students who want to provide educational opportunities to their family and students in a fun and interesting environment and this type of business will boost clean economic development.

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Mary Rice Israelski

Mary Rice Israelski

5 Woodcrest Lane
Goshen, NY 10924
914-443-9023

JAN 1 0 2017

JEREMY DAVIES
24 Gregory Drive
Goshen, N.Y. 10924
845-519-7140

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Douglas Bloomfield, Supervisor
Town of Goshen
41 Webster Avenue
Goshen, N.Y. 10924

January 15, 2014

Re: Proposed Legoland/Written comments

The following are my concerns from the Legoland DEIS

Noise:

1) The noise study was done in Carlsbad California, the terrain, and the soil conditions are not similar to the proposed site that legoland is to be built on, there needs to be a study done on site using the same decibel levels of noise that are emitted from the Carlsbad amusement park.
2) The noise sensor at Glen Arden was put at the end of the driveway away from the facility at a much lower level than where the facility sits, a new study should be done with the sensor in the proper place, at the top of the hill where the residents actually live.
3) A study was not done of what the construction noise will be to nearby residents, a diesel bulldozer can emit up to 95db of noise, a study needs to be done at a comparable construction site with multiple bulldozers and excavators and a comparison done with what effects that will have on the nearby residents. This was not found in the DEIS.

Fiscal impact:

1) There has been no fiscal impact study done ie: what will the future cost be to Goshen residents, additional police, firefighters, ems, road repair. This was not in the DEIS.
2) There is no study on what Multipliers will follow the building of an amusement park in Goshen, hotels, fast food restaurants, affordable housing. This was not in the DEIS.

Environmental impact:

1) A study needs to be done on the health consequences of this park to nearby residents.
2) What will be the effect on the elderly and ailing individuals with pulmonary conditions.
3) A study needs to be done on the on the co2 and particulate matter that will be produced on site, during construction and when 3500 cars and busses are entering the site and what the pollution levels will be. This was not in the DEIS.

Traffic:

1) How are you going to mitigate the traffic on Harriman drive, the stacking figures are wrong in the DEIS.
2) If and when traffic backs up on Harriman drive, and there is a medical emergency at Glen Arden, who is going to be responsible for a death occurring because it took an extra 5 minutes for an ambulance to get there. This is just a scenario and I am putting this in to make sure that if this does happen it is on record and both boards be responsible for this.

Archeological

1) Site 07106.000122 needs further studies and the army corp of engineers should be brought in to investigate.
2) More shovel studies need to be done on the site due to the findings in this section, again the army corp of engineers need to be notified.
3) Shovel studies need to be done on the entire purchased property and not just the phase on project (Phil Royle has been quoted as saying " he could not rule out further phases").

In closing I would like to say that these are just a few of the items I found that need more investigation in the DEIS. One of my main concerns is that the DEIS only covers phase 1 of the Legoland project and needs to cover the whole property being purchased, Legoland has never in it's history stopped and just the the initial phases projected.

Phil Royle stated that "this legoland will be nothing like any of their projects in the Unite States, it will be more like the project in Windsor England", if this is the case why was the DEIS comparing it to Carlsbad and Winterhaven? The DEIS must therefore start over and do LL studies in Windsor England or these studies will be innacurate.

Amusement parks are illegal under our master plan, you keep saying it is not an Amusement park. Legoland calls itself a theme park, if you look in Websters dictionary under theme park it say's it's a synonym for amusement park.

Thank you

Jeremy Davies
24 Gregory Dr.
Goshen NY 10924

CC:
NYDEC
NYDOT
NY ARMY CORP OF ENGINEERS

January 16, 2017

Town of Goshen Board and Planning Board

41 Webster Ave

Goshen, NY 10914

Care of Neil Halloran

My name is John Mirabella. I have lived in the Village of Goshen for 25 years. I will be addressing proposed Laws #5 & 6.

- The charm of the Town of Goshen and the Village of Goshen is small town rural upholding American values and ideals. The site is currently zoned as RU – rural. These laws will permanently change all of Goshen. Legoland and the multiplier businesses will have a cumulative impact requiring a slew of additional services including housing, health, safety, judicial etc. The character and appeal of the community will change.
- Change happens. Most are successful when planned and in line with natural growth. A detailed cost/benefit analysis must be included with-in these proposed law changes. Avoid Mistakes like Cross Bronx Expressway which destroyed communities. Current Zoning is in place for smart growth including commercial and in accordance with the Master Plan.
- As government officials ask yourself: Who What Where When Why. You need to listen to Goshen residents first, the taxpayers who live here. Many vocal supporters have a self-serving interest first and are not entrenched in the Goshen community. Merlin motives are profit. Union motive is jobs. Union jobs exist wherever Legoland is built.

You need to assess separately the long term drawbacks and benefits of the more permanent jobs.

- If you are for this project because it's Legoland or else. That's extortion. Respect yourself. Protect the zoning and no extortion. Keep the communities trust and avoid accusations of impropriety, malfeasance and corruption. Enjoin a PUBLIC REFERRENDUM. Bind or non-binding, give our tax paying residents a direct voice.
- Lastly, keep in mind, local government is the museum curator for our community. The town of Goshen like the Mona Lisa needs protection from negative urban impacts such as noise, light, pollution. Environment, traffic. We need to protect resources such as Land and Water. Smart growth with intense study of all impacts is crucial to protect the community and its citizens. Respect what you are doing, stop rushing this project. Do the work necessary including a GEIS for these laws and all those to follow that are being developed because of this project and a SEIS for the inadequate DEIS that has been approved by the Town of Goshen Planning Board.

Thank you. John Mirabella

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January 17, 2017

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TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board Members:

First and foremost, I would like to thank the members of the town and planning boards for their service. The role of the boards is often challenging and thankless, but please be assured that the work you do is greatly appreciated.

I am writing as a long-time Orange County business owner, as well as a resident, to express my support for the proposed LEGOLAND New York project. I believe that this project presents a once in a lifetime opportunity for the town of Goshen, as well as all of Orange County and the Hudson Valley region. As I travel around the counties of New York State, the fact that LEGOLAND has chosen Goshen as its home has made it the envy of the rest of the state.

This project will not only provide the region with a significant boost in tourism and associated economic development, but will also be a positive, family-friendly destination for the many young families within Orange County. It is the desire of all municipalities to keep their young families in the region, and projects such as this help to make that desire a reality. From what we've learned, Merlin Entertainments makes a strong commitment to engaging the youth in the communities surrounding their facilities, helping to spur interest in STEM (science, technology, engineering and math) from an early age.

Beyond the social benefits, the LEGOLAND New York project will bring new revenue to Goshen and its school district. Based on the results of many other tourism projects, this can also be expected to have a beneficial effect on many of the surrounding businesses, including, but not limited to hotels, restaurants, retailers, gas stations and many other small business located in and around Goshen.

Lastly, the project will provide many opportunities for local employment, both during the construction of the project and thereafter. During construction, it is anticipated that 800 construction jobs will be created, helping the local engineering firms, consultants and contractors who rely on projects like this to support their families. Once opened, LEGOLAND New York is expected to create 500 full time, year round employment opportunities, 300 part-time employment opportunities and 500 seasonal employment opportunities. We ask that these numbers be taken into serious consideration, as projects with those types of employment opportunities are few and far between.

Like all major projects, it is important that the project team, the town and the surrounding communities identify any areas of concern and work proactively together to resolve those. I am confident Merlin Entertainments will address any issues identified during review of the LEGOLAND New York project. Based on their efforts thus far and my interactions with the project team to date, I strongly believe that LEGOLAND New York will be a very positive addition to the community, and encourage the board to vote to approve the project.

Again, I thank you for all of your effort and wish you the best throughout the process.

Respectfully,

James P. Smith, Jr.

James P. Smith, Jr.
President
Advance Testing Company, Inc.

WWW.ADVANCETESTING.COM
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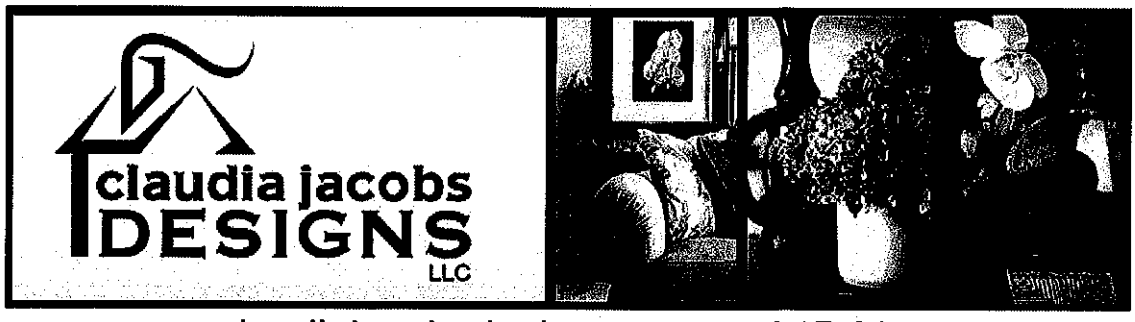

www.claudiajacobsdesigns.com ~ 845-294-8993
197 Reservoir Road, Goshen, New York 10924

Dear Mr. Halloran,

It is unfortunate that I could not attend tonight and last week's meeting due to an illness but I felt it important to send in a letter to you concerning LEGOLAND.

When I first heard of the location of the project, I admittedly freaked out. I reside on Reservoir Road, just past Conkinlingtown Rd. After attending the very first public meeting, my fear subsided. Except for traffic, many concerns were addressed and I increasingly changed my opinion to favor the project.

As time passed & I met a few representatives from LEGOLAND and learned more information via the Goshen Chamber of Commerce meetings, I continually become more impressed with the company & project. Phil Royle spoke recently at a breakfast meeting and shared how guests of the park would pay upon exiting, not entering the park. This would alleviate traffic build up into the park. Brilliant!

For the past week being homebound and watching too much daytime television, including The Ellen DeGeneres Show. On more than one occasion, LEGOLAND tickets and packages were shared to an overly enthusiastic crowd. Ellen also mentioned how generous the company is with donations. It was nothing but positive, feel good, warm and fuzzy information that continues to prove this is a positive project for Goshen.

Claudia Jacobs

BEVERLY AND JOHN JAPPEN
225 CONKLINGTOWN ROAD
GOSHEN, NEW YORK 10924

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

15 January 10924

COPY

Chairman, Planning Board
Town of Goshen
Goshen, New York 10924

Dear Sir:

I, like many residents of the Town and Village of Goshen, am deeply concerned about the proposed Legoland Project being considered by our elected officials. The following are a series of questions that need to be answered before the plans for this project proceed:

First, what's the hurry??? Why is this project being fast tracked while other projects take years to be thoroughly discussed and vetted before they get to this point??? Why is the zoning being changed to accommodate a usage which was specifically excluded up until Merlin came to Town. The current zoning and town plan is the most appropriate for both the present and future residents of Goshen and zoning should not be changed cavalierly to accommodate the Legoland Project.

Second, an enviromental study must be done on the entire tract of land not just the 153 acres Merlin is saying they will use for "Stage 1".

Third, how many stages are there to this project? Merlin says this is Stage 1 and some folks think they will keep the rest of the acres as open space. I prefer to know from the beginning what the whole plan is not just the beginning. What other plans do they have for future expansion? I, for one, do not believe they will buy over 500 acres in the Town of Goshen and leave most of it as open space.

Fourth, Cost/benefit analysis. There needs to be a serious study done on the impact a project of this size will have on our community. It is inevitable there will be costs not covered by the current level of payments Merlin is offering to the Village and Town. So how is this going to raise our taxes to supply the additional services needed for this project?

Fifth, Water really!! Where have you magically found enough water for this project? As an over 40 year resident of the Town of Goshen, I coined the phrase.....The bad thing about Goshen is we don't have enough water but the good thing about Goshen is we don't have enough water to invite large scale development. Now suddenly we have all the water they need!!

LASTLY, TRAFFIC, TRAFFIC, TRAFFIC!!!! Do you really think traffic can be handled by the proposed traffic plan? Have you ever been on Route 17 on any Sunday afternoon or evening during the summer? This is the current traffic WITHOUT the Monticello Casino which is scheduled to open in the spring of 2018. There is no way the traffic plan submitted for this project will work. Go back to the 'drawing board' and come back with a more realistic plan which shows the real impact this project will have on our community.

Beverly Jappen

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland Public Hearing Letter from Town of Goshen Resident
Date: January 10, 2017 at 8:47 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Ryan Jordan [mailto:ryan.s.jordan@gmail.com]
Sent: Monday, January 09, 2017 5:12 PM
To: nhalloran@townofgoshen.org
Subject: Legoland Public Hearing Letter from Town of Goshen Resident

To Town of Goshen Town Board and Town of Goshen Planning Board and all of its members and consultants,

I live in the town of Goshen on Abbe Rd. I moved here earlier on in the year but I am a life long resident of Orange County. Goshen was high on our list of places to move because of the small town feel and the fact that there seemed to be a dedicated effort to keep it that way. When we moved, a local builder built our house, a local electrician and plumber also helped. I contracted a local company to build my patio, swing set and shed. I believe in shopping local. We couldn't wait to raise our 2 kids here, but the fact that legoland has quickly entered the picture has put some doubt into that decision. There is no way anyone can believe that Goshen will remain the same should this be approved. It has been hard to watch a project of this magnitude be fast tracked without the most diligent research possible. As our Goshen representatives you have a moral and ethical obligation to represent your residents who chose Goshen because we align with the "master plan" of this fine village/town. **If you can honestly tell yourself that there is full transparency and understanding on the CURRENT and FUTURE impact of this project, then you have not fully read through the DEIS as it is easy to see the numerous gaps stated throughout it.** "Estimated" numbers provided by legoland seem to be just favorable enough, but they use sites that aren't even comparable to the site in Goshen or plainly omit areas of significant importance such as various traffic issues for various routes that could be taken. If the board decides to change the Town of Goshen Laws 5 and 6, it has the potential to negatively impact not only the residents of Goshen, but the ecosystem and environment as well. I understand that people outside of Goshen may think this is good for the area, but it is not needed and it not fair to push upon the residents of Goshen. They do not fully understand its impacts, and they are being one sided and greedy. If it is jobs they are looking for, our area already has a low unemployment rate, and has many job opportunities. legoland will not bring the necessary jobs needed to help boost an economy. Take a look at Glassdoor (a site that allows previous employees to anonymously rate the company they worked for). Merlin Entertainment averages 3 out of 5 stars

from previous employees (that's 60% - failing grade in school). Most people complain of the low wages, if you look for Legoland you will find another 3.2 average (64%) with complaints about the fact they use seasonal workers so there is little advancement, low wages, no insurance, etc. For the people that say they want a place for their kids to be able to work when they get back from college, are these the aspirations we are now setting for our children? I went away to college and still came back to the area because i love it here. I have a well paying job, and would never want my children to go away to college to come back to a low paying seasonal job. Why can't we think of other solutions, and look to lure tech companies or something of the like. Companies with meaningful well paying jobs. legoland will impact this community and we are the people who will have to deal with it day in and day out. The unprecedented traffic issues a project like this can cause to an already strained 17 and off shooting roads are undeniable. I commute home everyday on 17, and already have to deal with the gridlock of summer Fridays. If this project is moved forward, that could be a reality everyday. **THAT MEANS LESS TIME WITH MY FAMILY!!! I moved here to spend more time with them!!!** More time out doors with nature. My kids love to be outside and hiking in this beautiful area, and this amusement park which is not permitted would wipe out a significant portion of amazing woodlands. Should this project be approved it would not be in line with the future we had envisioned for our kids and this community. I understand growth, and i welcome change. But different areas are capable of handling different kinds of change and Goshen is wrong for this project. This is an extremely drastic one whose repercussions will fall upon the residents should any issues arise such as road work, our emergency responders and the necessary requirements they need to successfully help and protect the residents of Goshen (I know the demands as I was an member of Monroe Volunteer EMS prior to moving to Goshen). Please do not jump to conclusions, think about other options. Do the necessary due diligence, which should take way more time than it has taken to properly gauge any and all of the various impacts it will have to our village/town and the surrounding areas. We can come together to plan for our future, but legoland should not be a part of it. The strain on the roads, environment, local community, water, sewer, and first responders will be too much to bear with no guarantee from a large corporation that they will foot the bill should it be needed. **The town/village is not protected for any risk mitigation, and there is significant risk in a project of this magnitude.** Merlin has made it clear that they want to pay as little as possible, and has not shown that they are willing to go above and beyond for our great town. There was no legoland when we grew up in this area, there is no need to bring it here now. Let my kids experience the childhood we enjoyed. Please say no to legoland for our town.

Thank you,

Ryan Jordan

1 Abbe Rd.

Goshen, NY 10924

RECEIVED
JAN 13 2017

MORE THOUGHTS ON LEGOLAND's DEIS, Number 2

As I sat and listened to the comments of DEIS, the second, on Dec 15 and 19, and as I continued to read the DEIS, I couldn't help but notice a very lacking and key ingredient that should be in any DEIS and project of this magnitude. There is no cost benefit analysis. Hopefully you are reading this....if so, you know I am not the first person to note this most important analysis. Who benefits from this mega project that truly does not belong in Goshen.

It is preposterous to think that the Village of Goshen residents and businesses. But is no evidence that they will. To think so is just acting like an ostrich that buries it's head in the sand.

In all the propaganda disseminated by Legoland, there is no mention of this all important analysis. I have heard that Goshen will benefit from lowers taxes. But nowhere is that assured and or computed as to how much. So, before the Town and Planning Boards sell out to Merlin, we, the residents need to know. You owe to your constituents!

Second, and another major part of the DEIS missing in action is segmentation. They want to take over 523 acres of green and open lands, including wetlands, but they claim to only be building on 140 plus acres, or thereabouts. All they cover, and not adequately, the 140 plus acres that are initially involved. What is to become of the other 400 acres...No discussion. No breakdown...no assurances. They talk about phases...but in very secretive ways..

The DEIS does not make their long terms plans clear. Also, what happens if things don't work out as hoped and they decide to up and leave before their outrageous 30 tax pilot is complete. Who is left holding the bag.

Further, it is disgusting how they come into Goshen and in just a short period of time think they own us. Do they? Is that what Town and Planning Boards has allowed to happen? THIS IS NOT GOOD FOR GOSHEN!

They claim to want to be good neighbors, but are bullying their way into our lives. To demand that certain planning board members be silenced or kicked

out is beyond the pale. It is heinous and disgusting. No wonder 7 surrounding communities didn't want them. I hardly think we are the envy of those communities. I would think we are more than likely the laughing stock. The destruction of Goshen will lie squarely in the hands of the Town and Planning Boards if you allow this to happen.

Get a spine and stand up to the bullies that are controlling your decisions and start working for the people who you took an oath to represent. Your original master plan called for the protection of the green and open lands; the wetlands, the wildlife and vegetation. You already turned down one developer because of the master plan....now do the same with Legoland! It will ruin Goshen!! Is that what you want your legacy to be?

JWS

Village of Goshen

Legoland Public Hearing re: DEIS Dec. 15, 2016

I find the second, and accepted DEIS, Presented by Legoland (Merlin Entertainment) document woefully lacking in adequately addressing many issues originally presented (August 2016) to the scoping committee. Thus, it makes me truly wonder if the planning and town boards even took the necessary time to thoroughly read the 6000 plus page document as presented by Merlin Entertainment on November 17, 2016. Had they done due diligence then it seems to me they would have certainly found the same and lacking flaws. Unless, of course, they just made up their minds to shove this massive projects down the throats of concerned residents and taxpayers of Goshen, in the hope that we wouldn't notice, and just go along by either being complacent, or not having enough time, or desire, to read through the gigantic document thereby allowing this massive project to hastily go through without much "ado". If so, their lack of concern borders on insanity, or maybe even, criminal intent. The destruction of Goshen as we know it is shameful and in my humble opinion, criminal.

First, and foremost, this document totally lacks any discussion of the impact this massive project will have on the quality and health of human life. This oversight alone should give all parties pause as to whether The Merlin Corporation really cares about the lives that may be adversely affected.

They talk about a traffic study done on Thursday August 18, they talk about unavoidable disturbances to the surrounding environs due to blasting, use of pesticides and herbicides; they admit that wildlife and vegetation will be impacted, or in their words, "disturbed"....therefore an admission of guilt. Of course, they only mention a few species of wildlife that will be negatively impacted, such as the long-nosed and brown nose bat, the Northern bog turtle and the northern tree frog. What about the 40 or so other species of wildlife that will be negatively affected?

How come in 6000 pages of their findings, mostly of which is described as "potential" occurrences, or comparisons to parks in California and Florida, there is absolutely nothing about the impact this project will have on human life, while under construction, and then afterwards. They have not done one iota of research on people living in the area who might be suffering from asthmatic and / or other lung related conditions that would very likely be exacerbated by an overwhelming increase of vehicular (cars and buses) exhaustion and toxic fumes, due to an overwhelming increase in traffic and congestion. It is seems quite evident that Merlin doesn't care, but what about our planning board and elected officials who were given the solemn duty to care about the lives of their own residents? It's not only about the money, or, shouldn't be.

The unsettling affects from "blasting", bulldozing acres and acres of dust and soil, the constant drive-by of trucks will not only increase the amount of poisons released into the air, but will cause an increase in noise pollution. Has Merlin done any humane research of the people living at Glen Arden and how their lives would be adversely affected by the constant traffic, noise, release of pollutants, etc? What about other residents living in close proximity to the project?

Shouldn't human life be a leading issue in any environmental impact statement? Nothing from the first, and / or the accepted, second DEIS, from Merlin speaks to this. For this reason alone, the DEIS should not have been accepted. Merlin cannot give any assurances that human lives will not be negatively affected, or that their health can, and most certainly, will be affected. How many lives affected make this a worthwhile project? What is the value of one human life to the town and planning boards?

Traffic remediation is a joke. What is different in this document than that first, and failed, DEIS? Nothing! You, the planning board, gave the public less than a month to read, contemplate and respond to over 6000 pages of potential assertions, comparisons and denials. I reiterate did any of the planning / town board members actually do due diligence and actually read this whole document word for word? If you had you would have laughed at the idiocy of this document.

Back to traffic...their whole discussion of mediation is limited to the area of Rtes 17 and 17M around exits 124 and 125. And they seem to base their study on some research based on traffic counters performed Thursday August 18, 2016. A Thursday is way different than a Friday, or Sunday, when traffic is unbearable. And also, their research was done pre Legoland. No one, not even the best experts in the world can predict just what the extent of traffic will be once Legoland is built. They also give the uncaring excuse that "there is already" traffic, so what difference will their park make?" What on earth is Merlin thinking? They also use comparative studies of the parks in Florida and California. That is ridiculous and absurd! This is tranquil Goshen! What Goshen will become if this monstrous project goes through is another story!! I honestly can't believe how the Planning/Town board let this one slip by!!! Something to ponder.

Again, no discussion of Rtes 17 and 17M from Monroe to Middletown, and beyond. Traffic will be affected on all roadways surrounding the project, not just roads that lead to specifically into Legoland. Of course, their only concerns are the roads that lead specifically into their park. How neighborly!

The only solutions they seem to have come up with are signage, new traffic signals, and widening of a few roads....in and around South Street....and Harriman Dr. Of course, their main contention is that there is already traffic on these roads...OMG...so it's ok that there will be an

increase in traffic and the nightmares and tolls it will take on human life? How many roads and lanes will have to be shut down during the two year construction phase? And that's ok?

There are many, many other glaring points that this document either alludes to, or completely fails, to make. Two in particular...back to effects on human life. With the prediction of 1 – 2 million people / year visiting the park, there has to be some thought as to the "potential" for a rise in crime that could impact the town and village of Goshen, as well as surrounding areas. Can anyone be 100 percent sure that it won't? I do believe that police captain, James Watt, of the Village of Goshen, had something to say about this. Seems he agrees. Therefore, just the possibility alone will require an increase of the police force in the town and village of Goshen. Who will pay for the increase? Merlin only seems to be interested in what happens within their own borders. They don't seem to care about any "potential" adverse circumstances and / or bearing that their park will have on the surrounding areas. Though they say they want to be good neighbors...they are anything but....starting with the rush to pass this DEIS through and the use of underhanded tactics to cajole the planning and town board, IDA and other organizations to go along.

And finally, to those union workers, filling this room...no one on either side, particularly the opponents of Legoland are making attempts to stop them from getting a job....rather, we are supportive of your needs, but not here in Goshen. Let's not destroy the beauty and serenity of Goshen. There are several other places in Orange County that would be much better suited for the likes of Legoland...that is, if Legoland even has to be in Orange County. Remember, there are no guarantees that Legoland will even be here for the full length of their 30 year pilot (tax abatement) request. And if they leave, which they probably will, then what?

And, furthermore, getting back to the DEIS...they makes claims as to how many jobs will be created, both temporary (construction), permanent and part-time, but they cannot, or will not, divulge the salary they will be paying to employees...they are very secretive to this fact and admit to being so...that they don't have to divulge any salaries. That's not right and it's not being transparent...so, once they are not being honest in their desire to be good neighbors. And to make one further point on this...the horrendous financial agreement...this 500 billion dollar company will only agree to 1.3 million dollars to Goshen and 1 million / year to Goshen schools. The annual school budget is $68,000,000 plus or minus....What's wrong with this picture? They will make close to one or two billion dollars a year with all the charges the public will be paying...from food, to parking to admission and more.

One last, and critical point, I must make is that the DEIS mentions that they may have to have their own substation to handle the amount of electricity required to run this mega park. Thus, that is a most likely scenario. Once again, Merlin seems to be making a comparison to electrical usage in California and Florida. Baffling! Not once have they done any research on the number

of power outages that Goshen and surrounding areas deals with on an annual basis. This area cannot sustain the amount of energy Legoland will have to consume. There is no denying this area suffers from more than enough power outages. How much can we , or will we, the consumers, have to take? Oh, just to remind the Planning /Town Boards, when the substation off Cheechunk Rd in Goshen, was first proposed, residents were vocally concerned about the aesthetic and other damaging effects the substation would have. But, the builders of the project promised, and assured, residents that the substation would be fully buffered and unseen from the roads. How did that turn out?

So, I ask for sake and safety of humanity, tear down this myth!!!

JWS

Village of Goshen

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Katherine Davies
24 Gregory Drive, Goshen, NY 10924

Dear Goshen Board Members,

I am writing this letter to inform you of my concerns with the DEIS submitted for review by Merlin Entertainment.

WATER:

The DEIS does not adequately addresses the issue of water. Water droughts and restrictions are common in Goshen. Legoland intends to use the water both from Arcadia Hills and the Village of Goshen. BOTH of these areas have problems with supplying water to its residents, especially when there is a drought. How can this water possibly supply residents and an **Amusement Park**, which includes an aquarium and a potential water park with water? I do not understand how this is feasible.

Second, the DEIS does not even mention a water park which has been mentioned at several public meetings by Merlin Entertainment representatives.

Allowing Legoland/Merlin Entertainment the rights to use Goshen water I believe this will increase taxes in Goshen instead of decrease them as many resident hope.

TRAFFIC:

The DEIS does not adequately address is traffic. Legoland is supposed to bring more visitors a day than there are residents of Goshen. As a commuter traffic is a problem 365 days a year, but it is especially an issue during the months in which Legoland **Amusement Park** intends to be open. The traffic will only get worse with twice as many cars on Route 17. In order to expand Route 17 exit 125 must be removed. This would cause additional traffic and negatively impact Goshen residents, especially residents who commute.

ENVIRONMENT:

Legoland will negatively impact our environmental. **Amusement parks** must constantly evolve to stay relevant and attract visitors. Those changes are not even mentioned in the DEIS (ie. Potential Water Park). Even if the town board thinks the benefits out weigh the risk for this intial phase we don't know how the other phases will effect the environment.

There is a reason that land is not zoned for **Amusement Parks.** To change the zoning would FOREVER change Goshen. Merlin Entertainment rushed the DEIS (which wasn't even conducted over the full 8 months they would be open) and are manipulate Goshen residents and board members. This decision should not be made without ALL necessary information.

I thank you for your time and consideration. I hope you read this letter and take into consideration what I have said and what other Goshen residents have said.

Sincerely,
Katherine Davies

P.S. Please stop calling Legoland a Commercial Recreational Facility. If you Google Legoland it comes up as a Legoland **THEME** Park. According to Thesaurus.com **THEME Park** is a synonym for **AMUSEMENT Park**.

Supervisor, Douglas Bloomfield

From: William Kauffman <altardonkey@gmail.com>
Sent: Monday, January 16, 2017 9:52 PM
To: dbloomfield@townofgoshen.org
Subject: Legoland captive animals

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Has anyone addressed the "Aquarium feature," or whatever they're calling it, that they say will keep the park open all year? In a time when Ringling Brothers is closing, SeaWorld is changing and losing money, both due to growing public awareness of the cruelty of animal captivity, do we want captive fish in a family entertainment facility in Orange County? Do we want to teach our children that keeping animals captive is good, and the way to see and interact with them? I hope not. I will not visit Legoland.

Thank you.

William Kauffman
Newburgh, NY

For the animals,
for Farm Sanctuary,
Bill Kauffman
www.bill-photographer.com
Shepherd on.

BLOOMING GROVE STAIR COMPANY

1 STAIR WAY
MONROE, NY 10950
TEL. 845•783•4245
FAX 845•782•2361

309 BROADWAY
MONTICELLO, NY 12701
TEL. 845•791•4016
FAX 845•791•4018

Tuesday, January 03, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We should take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Jesse J. Kehoe
President - Monroe Stair Products Inc.

BGS
QUALITY & SERVICE ON THE RISE

THOMAS P. KENNEDY, CPA
12 Hidden Glen
Highland Mills, NY 10930

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 4, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous economic development impacts it will offer Goshen and the greater Orange County community.

Please remember:

The Goshen Central School District will receive **$38.4 million of $52.6 million** in PILOT payments over the course of 30 years.

In the first year of operation, **$1.022 million** in the first year would go to the Goshen Central School District, **$210,000** would go to the Town of Goshen and **$168,000** would go to Orange County. These amounts will increase each year over the PILOT's 30 year term.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. **The Town of Goshen will receive 65 cents for each visitor up to 2 million visits and 20 cents for each ticket thereafter – with no cap!**

This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the park's success! Think of all the worthy community projects that will finally become a reality with these funds!

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

And, LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

I believe Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Sincerely,

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland DEIS comment
Date: January 17, 2017 at 5:01 PM
To: Kelly Naughton knaughton@bmglawyers.com, Kathleen Krutki kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Barbara Kidney [mailto:bask999@yahoo.com]
Sent: Tuesday, January 17, 2017 4:57 PM
To: Douglas Bloomfield <dbloomfield@townofgoshen.org>; Neal Halloran <nhalloran@townofgoshen.org>
Subject: Legoland DEIS comment

To the Town & Planning Boards, Town of Goshen:

I am very concerned about the possibility of your Boards OK'ing the Legoland project. I am concerned about the deleterious effects of such a massive venture on: public health, air quality, water quantity and quality, noise levels (especially given the amphitheater amplification effect in the immediate vicinity of the proposed project), loss of irreplaceable arable soil, habitat disturbances, traffic flow on Rt 17 and nearby roads, and quality of life (including for nearby senior care & health favilties) AND property values for nearby residences.

If you were to OK this project, as I understsnd it, you would be in violation of the Town's Comprehensive Plan AND zoning laws. Not only would that be illegal, but an unethical violation of trust. One of several consequences of the illegality would be the costs of lawsuits to the Town & its taxpayers.

I attended the Dec 15 hearing though I did not speak there. From that experience I conclude the only pro for this project is the presumed increase in employment opportunities. I would remind you that your Boards' jobs are not to increase employment opportunities in your Town, but rather to fulfill the mission of your Town's Master Plan and to protect the public health and environment of the Town, and to uphold and abide by your own Zoning Laws. Any changes to them, to be legal, need to follow legal procedures, as you must know, and which some of you appear to be ready to disregard.

I would also add that I believe the hopes of Legoland's supporters for increased revenue to the Town would be completely in vain. Merlin might make out well financially, but increased costs to the Town from lawsuits, fallen property values, loss of other businesses, loss of residents, probable increase in petty crime after those consequences, road damage, loss of water, increased illness due to pulmonary and other stress issues, would leave the Town strapped financially, as

illness due to pulmonary and other stress issues, would leave the Town strapped financially, as well as just an ugly strip on the way to Legoland.

I will take the opportunity to comment that I am shocked that your Town is considering amending local law to allow an aquarium. In these days of increased enlightenment about animal needs and rights, & the cruelty of imprisoning marine life (dolphins, orcas, seals, etc.), the demise of Sea World & Ringling Bros., you want to bring this kind of thing in to your Town?! My goodness, this make Goshen look SO behind the curve! (What next, gladiator fights?)

I have an office near your Town, although I do not live there. As an area resident, if Legoland were to be built, my business and commuting and general travel in the area would be adversely affected, as would my health when I am in the area and subjected to increased air pollution and traffic stress. I think this proposal is too big and regional in scope to be left to just one Town to solely decide. If your Town violates its own Comprehensive Plan and Zoning Laws, I would assume a regional mass action lawsuit would ensue, and I would certainly consider joining in.

Respectfully submitted,
Barbara Kidney

275 Rt 17K
Newburgh NY 12550
845 567 0857

Supervisor, Douglas Bloomfield

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

From: Barbara Kidney <bask999@yahoo.com>
Sent: Tuesday, January 17, 2017 4:57 PM
To: Douglas Bloomfield; Neal Halloran
Subject: Legoland DEIS comment

To the Town & Planning Boards, Town of Goshen:

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I would also add that I believe the hopes of Legoland's supporters for increased revenue to the Town would be completely in vain. Merlin might make out well financially, but increased costs to the Town from lawsuits, fallen property values, loss of other businesses, loss of residents, probable increase in petty crime after those consequences, road damage, loss of water, increased illness due to pulmonary and other stress issues, would leave the Town strapped financially, as well as just an ugly strip on the way to Legoland.

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I have an office near your Town, although I do not live there. As an area resident, if Legoland were to be built, my business and commuting and general travel in the area would be adversely affected, as would my health when I am in the area and subjected to increased air pollution and traffic stress. I think this proposal is too big and regional in scope to be left to just one Town to solely decide. If your Town violates its own Comprehensive Plan and Zoning Laws, I would assume a regional mass action lawsuit would ensue, and I would certainly consider joining in.

Respectfully submitted,
Barbara Kidney

275 Rt 17K

Newburgh NY 12550
845 567 0857

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Oppose Legoland
Date: January 17, 2017 at 2:44 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

-----Original Message-----
From: vanessa muslim [mailto:vanessa10941@yahoo.com]
Sent: Tuesday, January 17, 2017 2:05 PM
To: nhalloran@townofgoshen.org
Subject: Oppose Legoland

Dear Town of Goshen Planning Board, Zoning Board and Town Board,

I am sending you this letter in regards to my view on Legoland. As you already know, I am opposed to this project for several reasons.

First I would like to say, Legoland is a amusement park. You call it a "commercial recreational facility" which is ridiculous. But, we know it is because amusement parks are prohibited in Goshen.

The water is a major issue as well as the traffic. Also do you really believe they will not expand in the future? What about our quality of life? And their request for a 30 year pilot is insane!

I really think you all should consider the issues the DEIS is lacking. All of the info that was not included in their report was submitted by the expert Steve Gross.

The cons out weigh the pros.

Thanks,
Vanessa kolk
Village of Goshen Resident
Sent from my iPhone

Diana Kornish
25 Lincoln Avenue
Goshen, NY 10924
845-341-7081

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 4, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

I have actively followed the process as it has unfolded, so I am writing to let you know that this Goshen resident and taxpayer is in favor of the proposed LEGOLAND New York project. I look forward to the positive economic impact it will have on Goshen and the greater Orange County community.

The Goshen Central School District, the Town of Goshen and Orange County will all benefit beginning with year one. The Pilot Payments, a Host Community Fee and the Sales Tax which will be collected because of this theme park will be substantial and make a huge difference to our area. ***Think of all the worthy community projects that could finally become a reality with these funds!*** The numbers that have been presented don't even take into account the additional businesses that will open because of the LEGOLAND Project or the increase of revenue to our current business community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!*** We need those jobs here in Goshen, NY.

I believe Merlin Entertainment will address all issues you might have in its environmental impact review and I also believe Merlin and LEGOLAND New York are committed to being transparent in this process. LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen. From all the information I have seen, this is how Merlin operates.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Sincerely,

Diana Kornish

Diana Kornish

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 6, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board Members:

I am writing in support of Legoland New York and see the tremendous opportunity for our beloved Goshen and greater Orange County community. In addition to the jobs created, economic boost and tax benefits, the educational opportunities are extensive and impressive.

As a resident, parent, educator and PTO President of the Scotchtown Avenue Elementary School, I am excited for all this company has to offer our children and community.

School Field Trips, PTO Partnerships, Teacher Appreciation Days and Workshops will be cutting edge offering a dynamic curriculum. The benefits and programs offered introducing next generation science standards, STEM - Science, Technology, Engineering and Math, problem-solving and programming, solar and mechanical power are inspiring. Concepts of friction and wind resistance, levers, motors, pulleys will be adopted at such a young age. With a solid foundation and the excitement of learning using a tactile approach our future is bright.

I believe Merlin Entertainments has been transparent and have faith and confidence through the SEQR process, local town board, engineers and consultants to protect the environment, quality of life and seek ways for positive impact.

Thank you for your thoughtful consideration of this once in a lifetime opportunity.

Sincerely,

Annmarie Kovacs

Annmarie Kovacs
21 Valley View Road
Goshen, NY 10924
Ph: (201) 523-0603
E-mail: am23sk@yahoo.com

- I'm not writing a long letter
on how much we would Love
to Support Legoland Goshen
enclosed is a small Section
of the Voices you don't hear
- there are so many! and
out of state as well!
I will, however,
say I appreciate a[illegible] you
as I am sure a
large number of
Goshen feel you a[illegible] a
great job in ensuring the
best decisions are all[illegible]
for the community
- Kr[illegible]

RECEIVED
JAN 11 2017
TOWN OF GOSHEN
TOWN CLERK

A Collection of Conversations

Legoland, NY

Orange County, NY Moms Facebook Page

1.

Sprint Wi-Fi 9:12 PM 71%

Search

Hi there to all the moms I. This page. I am not starting a fight. But. Those of you who have Children that love playing with Legos. I want to ask a simple request. Would you please have your child draw or write a picture of them playing with Legos or write a letter to why they like Legos. I would greatly appreciate it! Please you can mail them to Address:
Goshen Town Hall
41 Webster Ave.
Goshen NY 10924

The goal is to send the board positive and upbeat and beautiful drawings from children to present to the board. Through out the process.

If you even make a comment here stating your child's wonder of Legos I would greatly appreciate it. Thank you

Write a comment... Post

2.

Sprint Wi-Fi 8:59 PM 74%

Search

I consider Legos a learning and physical and mental exercises my kids have tons of them

11 hours ago · Like · 3 · Reply

I have three boys 8 6 and 2 and all three of them are OBSESSED!! with legos!! Downside: I have the world's smallest legos all over the floor and due to the price I can't buy the sets that they really want. But I find legos to allow my boys to build and create sets using their imagination which many child seem to have been loosing.

10 hours ago · Unlike · 2 · Reply

I am thinking this is with regard to

Write a comment... Post

3.

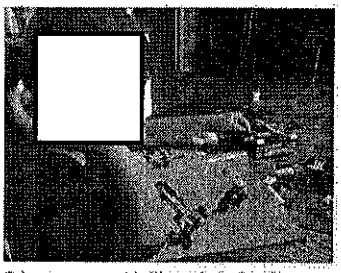
Sprint Wi-Fi 9:03 PM 73%

Search

for Legoland!!

Write a reply...

My son is super excited for lego land . He is super serious about his Legos. He follows the instruction book. And then displays the finished work on a shelf.



5 hours ago · Unlike · 1 · Reply

Write a comment... Post

4.

Sprint Wi-Fi 8:59 PM 74%

Search

My 8yr old son LOVES legos & building with them, they are his only toys in the house. He is sometimes very hyper & cant sit still without wanting to do stuff. We've tried arts/crafts/science projects but he gets bored. Every night he builds something & makes me take pictures of his build. I love that it helps stimulate his brain cells & keeps him concentrated.

I'm in agreement with Legoland coming here. I live in New Hampton not far from Goshen & lived here my whole life, I don't like the idea of more traffic & taxes (maybe) going up. But it will mean more jobs for the area which we need. Plus it helps families with little kids who can have a place to go regularly. There's not much

Write a comment... Post

5.

Sprint Wi-Fi 9:02 PM 73%

Search

[redacted]

There was an article regarding the traffic flow and from what I know and the article I believe it's a great solution. I can't wait for Legoland to get approved and built. We need this in the area

[redacted] Write a reply...

[redacted]

Does it count I love Legos!! My husband has the biggest bin I've ever seen from his child hood!

9 hours ago · Unlike · 3 · Reply

[redacted]

Hey if Goshen doesn't want Lego land there are plenty of plots in Monroe and newburgh that could accommodate it, I am tired of

Write a comment... Post

6.

Sprint Wi-Fi 9:02 PM 73%

Search

[redacted]

I think Legoland coming to the OC is a great thing, job creation, tax revenue, etc. Hopefully they propose a good traffic adjustment to help get the congestion out, but other than that, I think it will be a really great addition to the OC. And yes, I would much rather an amusement park my kid can enjoy than tenement buildings!!!

9 hours ago · Unlike · 10 · Reply

[redacted]

I agree, Legoland is such a fun place and it provides hours of entertainment for children and adults alike

[redacted]

Hopefully we get a discount as OC residents lol because it is expensive as hell!!!

[redacted]

Write a comment... Post

7.

Sprint Wi-Fi 9:12 PM 71%

Search

If you even make a comment here stating your child's wonder of Legos I would greatly appreciate it. Thank you in advance.
-me!

Like Comment

14

[redacted]

I'm assuming this request is to assist in a presentation for the proposed legoland? Please edit post so members know what they are sending to be a part of. Thanks
-admin

11 hours ago · Unlike · 17 · Reply

[redacted]

We went to Legoland in Cali and my kids love that place!!!!

Write a comment... Post

8.

Sprint Wi-Fi 9:12 PM 71%

Search

[redacted]

We went to Legoland in Cali and my kids love that place!!!!

11 hours ago · Like · Reply

[redacted]

My children love them.... however... they make me spend $80 on a set just for the Lego guy that comes with it! Lmao!

11 hours ago · Like · 3 · Reply

View 1 previous reply...

[redacted]

I saw a section at toys r us recently that was just the legs people individually sold and made me so excited !!

[redacted]

yes but my kids want the special ones you have to pay a

Write a comment... Post

9.

Sprint Wi-Fi 9:12 PM 71%

Search

[redacted] I am thinking this is with regard to the amusement park, which is very different than a love of Legos. I have 3 boys who love playing with Legos however that does not mean I support an amusement park in my backyard.

10 hours ago · Like · 11 · Reply

[redacted] My son wrote a poem about Legos and it was published in the literary book thing from around the country. I forgot the name of it, (bad mom). now he is 11, so more into minecraft and electronics but his love of Lego will likely last awhile.

10 hours ago · Like · Reply

[redacted]

Write a comment... Post

10.

Sprint Wi-Fi 9:12 PM 71%

Search

[redacted] Legoland in our backyard is a bit scary, but what are the chances that Kiryas will get that property??? That is a bigger concern to me

10 hours ago · Like · 11 · Reply

View 11 previous replies...

[redacted] but like you said what if someone wanted to build a shit load of houses would goshen be ok with that eye sore and strain

[redacted] either way no one is happy

[redacted] was not meant to be prejudice. It's

Write a comment... Post

11.

Sprint Wi-Fi 9:13 PM 71%

Search

I'm in agreement with Legoland coming here. I live in New Hampton not far from Goshen & lived here my whole life, I don't like the idea of more traffic & taxes (maybe) going up. But it will mean more jobs for the area which we need. Plus it helps families with little kids who can have a place to go regularly. There's not much close here for us to do. I love the majesty of a quiet neighborhood but in thinking long term for our economy LEGO land would benefit more than condos or a Hasidic community. That may be more detrimental to us. I'm thinking positive. Who knows, it might bring more businesses to the area as well. We'll see.

9 hours ago · Edited · Like · 4 · Reply

Write a comment... Post

12.

Sprint Wi-Fi 9:13 PM 71%

Search

[redacted] I think Legoland coming to the OC is a great thing, job creation, tax revenue, etc. Hopefully they propose a good traffic adjustment to help get the congestion out, but other than that, I think it will be a really great addition to the OC. And yes, I would much rather an amusement park my kid can enjoy than tenement buildings!!!

9 hours ago · Unlike · 10 · Reply

[redacted] I agree, Legoland is such a fun place and it provides hours of entertainment for children and adults alike

[redacted] Hopefully we get a discount as OC residents lol because it is expensive as hell!!

Write a comment... Post

13.

Sprint Wi-Fi 9:13 PM 71%

Search

[redacted]

There was an article regarding the traffic flow and from what I know and the article I believe it's a great solution. I can't wait for Legoland to get approved and built. We need this in the area

Write a reply...

[redacted]

Does it count I love Legos!! My husband has the biggest bin I've ever seen from his child hood!

9 hours ago · Unlike · 3 · Reply

[redacted]

Hey if Goshen doesn't want Lego land there are plenty of plots in Monroe and newburgh that could accommodate it, I am tired of

Write a comment... Post

14.

Sprint Wi-Fi 9:13 PM 71%

Search

[redacted]

Hey if Goshen doesn't want Lego land there are plenty of plots in Monroe and newburgh that could accommodate it, I am tired of orange county having nothing for families around here I am tired of driving hours away or across the river or to another state for some fun for my kids Lego family here.

9 hours ago · Unlike · 9 · Reply

[redacted]

I have 4 kids who live to play with Legos. Both girls and boys. Daily lol. As a matter of fact the majority of presents this year are all lego related. I really hope that Legoland is able to come to Goshen for my kids to have somewhere close to home that we can visit and enjoy as well as bringing Goshen back to

Write a comment... Post

15.

Sprint Wi-Fi 9:13 PM 71%

Search

[redacted]

I have 4 kids who live to play with Legos. Both girls and boys. Daily lol. As a matter of fact the majority of presents this year are all lego related. I really hope that Legoland is able to come to Goshen for my kids to have somewhere close to home that we can visit and enjoy as well as bringing Goshen back to the thriving town it should be... Good luck! I'll send some pictures.

9 hours ago · Unlike · 2 · Reply

[redacted]

My 4 year old son adores Legos. He started with Duplo and now uses the "big boy" version. They help him be creative, imaginative, and best of all - they're technology free but still fun enough to hold his attention. I remember playing with

Write a comment... Post

16.

Sprint Wi-Fi 9:14 PM 71%

Search

[redacted]

My 4 year old son adores Legos. He started with Duplo and now uses the "big boy" version. They help him be creative, imaginative, and best of all - they're technology free but still fun enough to hold his attention. I remember playing with them as a kid - I actually remember some of the exact things I created - and I love watching him learn and create in the same way I did.

I am hugely in favor of Legoland coming into our community and will be visiting frequently!

9 hours ago · Unlike · 6 · Reply

[redacted]

The castle is right in Chester.. the only employees you ever see in

Write a comment... Post

17.

Sprint Wi-Fi 9:14 PM 71%

Search

[redacted]

The castle is right in Chester.. the only employees you ever see in there are teens.. I would expect the same with Lego land.. in which case how will this generate more jobs to produce an economic change.. not really imo.. I enjoy the quiet quaint country town.. personally I hope Lego land doesn't get approved.. I can't imagine what it will be like to get from Goshen to middle town on the weekends.. if I wanted traffic and overpopulation I would move to Westchester ..

9 hours ago · Like · 3 · Reply

[redacted]

Legoland is not geared towards teenagers. They are geared to the younger group and families since

Write a reply... Post

18.

Sprint Wi-Fi 9:14 PM 71%

Search

[redacted]

Bricks 4 kidz in New Windsor has Lego fun for reasonable prices!!! Check them out.

8 hours ago · Unlike · 2 · Reply

[redacted]

Everyone loves legos lol

7 hours ago · Unlike · 3 · Reply

[redacted]

My son who has CP and autism non verbal is obsessed with Legos. He loves to help put them together and line up the Lego people. We have such a large amount now we are willing to donate some to make room for more that he will receive

7 hours ago · Unlike · 2 · Reply

View 1 previous reply...

Write a comment... Post

19.

Sprint Wi-Fi 9:14 PM 70%

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[redacted]

Legoland is going to be a huge asset to the families with special needs kids who pretty much need a place like this close to home. The Castle and water parks won't ever be an option for us & so i am so looking forward to a place to bring my twins where they "fit" I just feel for the families of goshen and how it will change everything for them.

[redacted].. as you know I have a special needs kid and we have been to Lego land in Florida.. while it's a great place.. it was no less overwhelming than any of the other amusement parks.. still a lot of stimulation noise and

Write a comment... Post

20.

Sprint Wi-Fi 9:14 PM 70%

Search

[redacted].. as you know I have a special needs kid and we have been to Lego land in Florida.. while it's a great place.. it was no less overwhelming than any of the other amusement parks.. still a lot of stimulation noise and people.. all things our kids don't do well with..

[redacted]

Sure it is all those things but for us now Legos and stacking is one of our calming and coping mechanisms. Sometimes it's the highest reinforcer. I'm optimistic too that other doors will open as we grow like the water parks and we can do more but for Greer this would be an

Write a comment... Post

21.

Sure it is all those things but for us now Legos and stacking is one of our calming and coping mechanisms. Sometimes it's the highest reinforcer. I'm optimistic too that other doors will open as we grow like the water parks and we can do more but for Greer this would be an amazing.

I would love for my son to have a part time job there someday

6 hours ago · Like · 2 · Reply

My stepson's in laws have a pool house with an entire

Write a comment... Post

22.

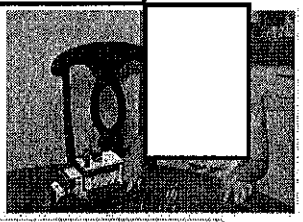
My stepson's in laws have a pool house with an entire village built out of Legos inside! They are very hopeful for Legoland!!

Write a reply...

My son is super excited for lego land . He is super serious about his Legos. He follows the instruction book. And then displays the finished work on a shelf.

Write a comment... Post

23.



Write a comment... Post

24.

We would absolutely love to see Legoland go in the fact that we have to drive 3 hrs to go to Sesame place is crazy we need someplace close!! That said my daughter adores Legos it's a family toy that we do together!!

4 hours ago · Like · Reply

I am all for playing with legos and having my kids play with legos but LL in Goshen is a disaster - traffic - pollution - water - tax breaks - to name a few - #stoplegoland - it is a disaster for Goshen - built it upstate with all the other amusement parks and casinos - this is not the town for it - seriously enough

Write a comment... Post

25.

Sprint Wi-Fi 9:15 PM 70%

Search

What you guys need to think is either way down the road it's Lego land or kiryas Joel pick the lessee of the 2 evils one that will give this area economic boost not a drain

4 hours ago · Like · 1 · Reply

not true

Not true at all.

Not true

Write a reply...

You are wrong - if Goshen does not change the zoning then Kiryas Joel cannot build there - you are wrong to think they will

Write a comment... Post

26.

Sprint Wi-Fi 9:15 PM 70%

Search

Im sorry, but regardless of what it is or isnt zoned for, if they want it bad enough they will get it. Money talks and all they need to do is give it to the right person

2 hours ago · Like · Reply

- I disagree. They tried to take over Otisville but the Town fought it. Why make it easy for them to bring high density housing?

2 hours ago · Like · Reply

Im sorry, im for legoland and have no desire to argue my stance. We can agree to disagree :)

2 hours ago · Like · 1 · Reply

Write a reply... Post

27.

Sprint Wi-Fi 9:16 PM 70%

Search

Residential zoning is not zoned for high density housing.

Write a reply...

This is very misleading

3 hours ago · Like · 2 · Reply

?

Write a reply...

I definitely will! My boys LOVE LEGOS. Who seriously doesn't!?

2 hours ago · Like · 1 · Reply

I do love them. LL in my town not so much.

Write a reply...

Write a comment... Post

28.

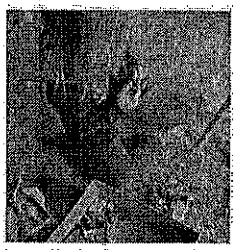
Sprint Wi-Fi 9:16 PM 70%

Search

Yes I definitely will have my son write something and mail it!! We are very excited about the idea of Lego land since we live right in new Windsor :)

1 hour ago · Like · Reply

My daughter loves them and she's only 2



1 hour ago · Like · Reply

Write a comment... Post

29.

Sprint Wi-Fi 9:17 PM 70%

Search

[redacted]

Refreshing.

35 minutes ago · Like · Reply

[redacted]

I think that the idea of having a fun thing to do with the kids makes LL an exciting idea. However- it's such a shortsighted way to think. Our kids are young enough for this for a few years... a blip in our lifetimes and this will change our area in negative ways for generations.

33 minutes ago · Like · Reply

[redacted]

I agree. I have been on the fence leaning toward no for quite some time. I will be further educated at tomorrow night's meeting.

29 minutes ago · Like · Reply

Write a reply... Post

30.

Sprint Wi-Fi 9:17 PM 70%

Search

Write a reply...

[redacted]

My son having the time of his life at Legoland Discovery Center in Westchester. He loves lego's & has built sets suggested for kids in an older age bracket then he is. For Christmas he will be getting his biggest set yet, the millennium Falcon from Star Wars.

1 hour ago · Like · Reply

Write a comment... Post

31.

Sprint Wi-Fi 10:20 PM 61%

Search

[redacted]

I went to the Lego teachers conference last month. It was AWESOME!! they are giving all teachers a FREE membership and field trips will start at $5 per student for schools and Scouts. Can't wait!

38 minutes ago · Like · Reply

[redacted]

Legos teach our kids great eye n hand cordination ..... makes them...

Write a comment... Post

32.

Sprint Wi-Fi 10:20 PM 61%

Search

teachers a FREE membership and field trips will start at $5 per student for schools and Scouts. Can't wait!

38 minutes ago · Like · Reply

[redacted]

Legos teach our kids great eye n hand cordination ..... makes them think really hard to make sure they fit legos in the right spot♡♡♡♡♡♡♡

9 minutes ago · Like · 1 · Reply

Write a comment... Post

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

1/9/2017

Dear Town of Goshen Board and Town of Goshen Planning Board

Re Traffic and Traffic report and Data

First of all, all the testing used is outdated and therefore inadmissible. Some of the data is from the 1980's, are you kidding me. The other data is from two other DEIS reports. This is done fast and cheap I believe Goshen deserves real up to date data. Traffic data collected and done at a time when traffic is at peek in the summer.

We need current data that is done during real traffic period not after the summer Catskill traffic. We need data done from Harriman to Monticello, not from Chester to Goshen. We need data done on side roads that are not closed to traffic. We need data that includes all housing development, Amy's, the casino, government center, library and add in for open undeveloped potential commercial sites that are being pushed by Orange County Partnership, the IDA and the Mid-Hudson economic development program.

Traffic will be a major problem and will not be able to be mitigated with a fly over.

Is Goshen supposed to sit in traffic for 5 years until and when the State of New York plans on turning it into route I-86 and widening the highway. What will it be like if we have traffic and road construction going on at the same time. Why not just tell Legoland to come back in 5 years when we have appropriate roads and reapply.

Why should the taxpayers pay millions of dollars for a ramp or fly over to bring people to a private, for profit amusement park that will be making a proposed million plus dollars per day. Legoland/Merlin should pay for all road improvements that need to be done. Legoland should build in a commercially zoned area not in a zoning made just for them.

The traffic studies that the data is based on is out of date and should be thrown out with the rest of the DEIS as is should be marked with a giant "F" sent back to the applicant asking them to do it correctly.

These are only a few of the things that need to be corrected in the traffic study:

Attached please read the DOT report addressed to Lee Bergus dated October 26, 2016.

We are asking you meet with our hired experts who have been paid by the taxpayers from CC4HV to do the job you should be doing.

We would like to have a balloon test done by Legoland so we all can see how high their rollers coaster the power plant (which they left out of the DEIS) will be and how high the hotel and water tower will be.

We are also requesting that Lee Bergus, Diane Lapinski and Supervisor Bloomfield recuse from themselves from the Legoland project.

,Lindsey Corr

349 Sarah Well Trail

Goshen, NY 10924

K. BAKER

Company Requirements

The company asked for water and sewer services from the Village of Goshen. Ussher said that several wells on the site will be available for residents' use in Arcadia Hills, which experienced several recent years of drought.

The company will ask Orange County and the state to pay for and develop offsite roads and infrastructure. Legoland officials want the state or county to install right hand turns and widen some roads leading directly to the park, especially along Harriman Road. "Without these, LEGOLAND can't open," Ussher said.

To start construction of the park, the company needs planning and zoning approvals from the town. At the county and state levels, the company asked for project incentives in the line of grants and tax abatements.

It received an Empire State grant in 2015 and will ask for another one. It will also ask for an Orange County Industrial Development Agency grant for construction, a sales tax grant, and a PILOT (payment in lieu of taxes) as the project progresses.

Community Involvement

Merlin Entertainments will host an open house on July 7 in Goshen. They will give a condensed version of the town board presentation several times. Since this is Lego, after all, there will be a Lego model of the envisioned park and other parks. Company officials will be available to answer questions and concerns.

Ussher said the company uses a system which has been successful in developing other LEGOLAND parks and resorts.

"We don't just find the sites—we design, develop, and operate the parks. We start from talking to local governments, then we acquire or lease the land. We talk to various municipalities about incentives and we take it through rezoning, then we design and build the site."

He said they've only just started with LEGOLAND New York.

To contact this reporter, email yvonne.marcotte@epochtimes.com

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Article printed from The Epoch Times: **http://www.theepochtimes.com**

URL to article: **http://www.theepochtimes.com/n3/2092357-legoland-builders-lay-out-plans-for-resort-park/**

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NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

Cathy Calhoun
Chief of Staff

MEMORANDUM

Traffic Impact Study
Submission dated September 19, 2016

LEGOLAND

SEQR # 16-132
Village of Goshen
Orange County

New York State Department of Transportation
4 Burnett Blvd.
Poughkeepsie, NY 12603

Report date: October 25, 2016

NEW YORK STATE OF OPPORTUNITY. | Department of Transportation

ANDREW M. CUOMO
Governor

MATTHEW J. DRISCOLL
Commissioner

TODD WESTHUIS, P.E.
Regional Director

RECEIVED
OCT 31 2016
VILLAGE CLERK
GOSHEN, N.Y.

October 26, 2016

Lee Burgus
Planning Board Chair
Town of Goshen
41 Webster Avenue
Goshen NY10924

Re: SEQR# 16-132
LEGOLAND, Rt. 17M
Village of Goshen

Dear Mr. Burgus:

Maser Engineering submitted the FEIS on behalf of the project applicant in a package dated September 19, 2016. At this point most of the comments relate to details of which all may be found within the enclosed report.

The most significant comments address the following:

1. A post implementation study should be included to validate the results of the Traffic Impact Study. This study would include data collection of actual traffic conditions generated by the site and would result in minor improvements and adjustments to traffic signal timing.
2. The proposed trip generation in the Traffic Impact Study lacked sufficient documentation to be verified by the Department. Please include a more formal approach as to how the numbers were generated and include comments on the why the ITE Code 420 Amusements Parks was not used.

Please let me know if additional information is needed.

Very truly yours,

Lee Zimmer, P.E.
Traffic Signals & Highway Work Permits

Enclosure

cc: Village of Goshen
Town of Goshen
Orange County Planning
Kim Henken, NYSDOT Permit Engineer R8-5
P Grealy, Maser Consulting

The following comments result from the review of the project submission dated September 19, 2016.

Project Wide Comments

1. Trip generation for LEGOLAND New York, in the study, is based on ITE information & attendance from the LEGOLAND California in Carlsbad California. LEGOLAND New York will be almost 20% larger in land area (153 acres vs 128 acres) than LEGOLAND California. The ITE calculation for code 480 Amusement park for 153 acres was slightly higher than the number used for this study. I would expect the trip generation number to be closer to the ITE average for a 153 acre theme park and be above the numbers based on the Carlsbad location. The trip generation is difficult to verify as precise numbers were not submitted, and the methodology of how the Carlsbad numbers were combined with the ITE were not included. Please include the Carlsbad traffic data, a more specific methodology on how the trip generation number was obtained and why or how this differs from the ITE method.
2. As per the NYSDOT manual Policy & Standards for the Design of Commercial Entrances to State Highways, the traffic projection was estimated for the completion of the project. However, the Department would recommend that the lead agency (Village of Goshen) ask to see the projection extended to include the estimated time of completion plus thirty years (ETC+30).
3. The Department would also recommend that a post implementation traffic study be performed after the site has been in operation based on actual traffic counts, funded by the applicant to ensure that the initial assumptions were correct. Traffic signals may need to be retimed as part of the post implementation study.
4. In addition to the standard morning peak, afternoon peak and Saturday peak periods several other peaks were modelled. Please provide methodology as to how these were generated.
5. Based on the Department's experience with the various events and county fairs in the Hudson Valley Area maximum traffic generated exiting the site is shortly after a typical midsummer intense rain shower. It is not uncommon to lose 60% of remaining patrons in the immediate hour following the storm. Based on the ITE trip gen for amusement park of 153 acres this could easily exceed the Sunday afternoon peak numbers shown in the study. While not necessary germane to the issuance of highway work permit this number would be valuable to local law enforcement and various first responder agencies of what to typically expect from a park this size. There are two lanes in and only one out, why?
6. The Flyover would not meet the federal interstate standards, and could preclude this section of Route 17 from becoming I-86. The letter says improvements to Harriman Drive would be designed to accommodate bicyclists. From the plan, this appears to be by lane and shoulder widening but it does not show the proposed widths.
7. Exit 125 would need to be removed to provide necessary room for required improvements for the redesigned deceleration lane at Exit 124.

8. Additional lane would be required on Route 17 to provide separation between acceleration lane for East bound from Route 17M ramp to the deceleration lane for Route 17 Exit to the roundabout adjacent to the site.
9. The Department would require the consultant to perform a full environmental assessment of the project in order to complete the improvements as a department project.

Intersection Specific

1. Background Growth Rate of 1% is acceptable
2. Show traffic splits; The Traffic Impact Study shows 1% of Traffic on 17M and 65% coming from the Thruways corridor. Please justify?
3. Show macroscopic traffic generation/distribution in a map or schematic between I-84, Route 17M, Route 207 and Route 17.
4. Show AADT in the Road Description Section. Also show a map with just the intersection numbers use in the Traffic Study.
5. What is the number of employee's on site?
6. What is the impact on the 17/84 Intersection, why is this not shown?
7. Will Route 17M be used for LEGOLAND traffic? What will happen to LEGOLAND for the weekend that AMY's Kitchen has large event and has to manually flag traffic along Route 17M?
8. PHF numbers in the study range from.56 to .97, please justify all extreme values.
9. Include signal warrant analysis for all new Department signals.
10. Bridge from 17M over 17 shows 4 -11' lanes. This narrow lane section might reduce through put. Please justify how this does or does not affect traffic flow?
11. A separate bridge for pedestrians might be cheaper than retrofitting additional width to previously mentioned bridge.
12. O-198 is shown as full detection in the model. Existing signal has no mainline detection.
13. O-183 and the adjacent signal O-198 are both listed as actuated coordinated but have different cycle lengths, please explain?
14. O-62 should have the CBD box checked in the analysis as it meets the criteria. O-62 also has calling detection and not presence detection as indicated in the model.
15. Can the roundabout located near the site drive back traffic up on to the mainline Route 17?
16. Flyover is one move away from being separate entrance to 17, Why not add the move?
17. Model 17M to 84 from Goshen Using Amy's Kitchen data.
18. Any NTOR signs in the area?
19. ITS as part of this project?
20. Department has an ITS project on 84 within the timeframe. Consultant must coordinate design of ITS with Department project.
21. Interconnect traffic signals to TMC, with system detectors for SYNCHRO GREEN adaptive network. Build multiple plans for various events.
22. TOD signs may be limited to interstates and Route 17 to minimize traffic on smaller highways.

23. If exit 125 is not removed the improvements to exit 124 will not achieve sufficient deceleration lane and will generate a weave problem. Please address this by stating intensions for exit 125.
24. The FHWA historically has been against connections by one entity to an Interstate, explain how the flyover would potentially be granted by the FHWA?
25. The letter mentions restriping the South Street Bridge and widening to add a travel lane. The plan in the TIS shows this is accomplished by removing the sidewalk on the southbound side. Even though it looks like most existing pedestrian activity would be on the NB side, I am not in favor removing sidewalk on SB side. Future development may result in pedestrian activity on SB side and removing the sidewalk now could leave us in a bind later. At the very least, it would require a crosswalk across 17M north of the bridge. Also, reducing the travel lane width by one foot will not help bicyclists.

End of report

January 8, 2017

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen Planning Board

Town of Goshen Zoning Board

41 Webster Avenue

Goshen, NY 10924

Dear Goshen Planning and Zoning Boards,

I am writing to you today to express my deep concern in relation to your considering two new laws amending the Goshen Comprehensive plan to allow LEGOLAND to build here in our beautiful town.

Have you thoroughly studied the DEIS? Where does is consider the cumulative impact this project will have on all our lives, community members, longtime tax payers, our children and the future of Goshen. The DEIS shows use of approximately ¼ of the land they are purchasing...this entire project needs to be reviewed, now. Why would so much land be purchased to only use such a small amount...come on planning and zoning, this is just the beginning. We will be being ROBBED of our land, our water, our infrastructure, our emergency services and most of all our QUALITY OF LIFE.

In my opinion as a 30 year resident and taxpayer to allow this MEGA AMUSEMENT PARK to build here in Goshen and NOT even remotely pay their fair share of taxes would be a terrible decision for you all to make. Please don't amend the comprehensive plan Goshen voted into effect just a mere couple years ago.

Sincerely,

Lillian T. Swingle

Lillian T. Swingle

Goshen

Mr. Neal Halloran

Town of Goshen Building Inspector

41 Webster Ave.

Goshen, NY 10924

William Landa

332 Reservoir Rd.

Goshen, NY 10924

Jan. 4, 2017

Dear Mr. Halloran,

Goshen is at a historical moment when one event will change its course for generations. It has already opened old wounds and set neighbor against neighbor, even family members against each other. The weapons of choice are words of discourse, fear and hate. How did Merlin a foreign corporation that was summarily dismissed from other areas in New York, become such a negative force when it decided to pitch this Amusement Park of the absurd in Goshen. Especially when years of hard work and tens of thousands of taxpayers' dollars were spent to establish Zoning Laws and a Comprehensive Plan created to protect the citizens and environment of Goshen. Merlin should have been thrown out the first day, for proposing this absurdity. Because of all this turmoil caused by the proposed Legoland project, this town is now ravaged with division, anger and mistrust.

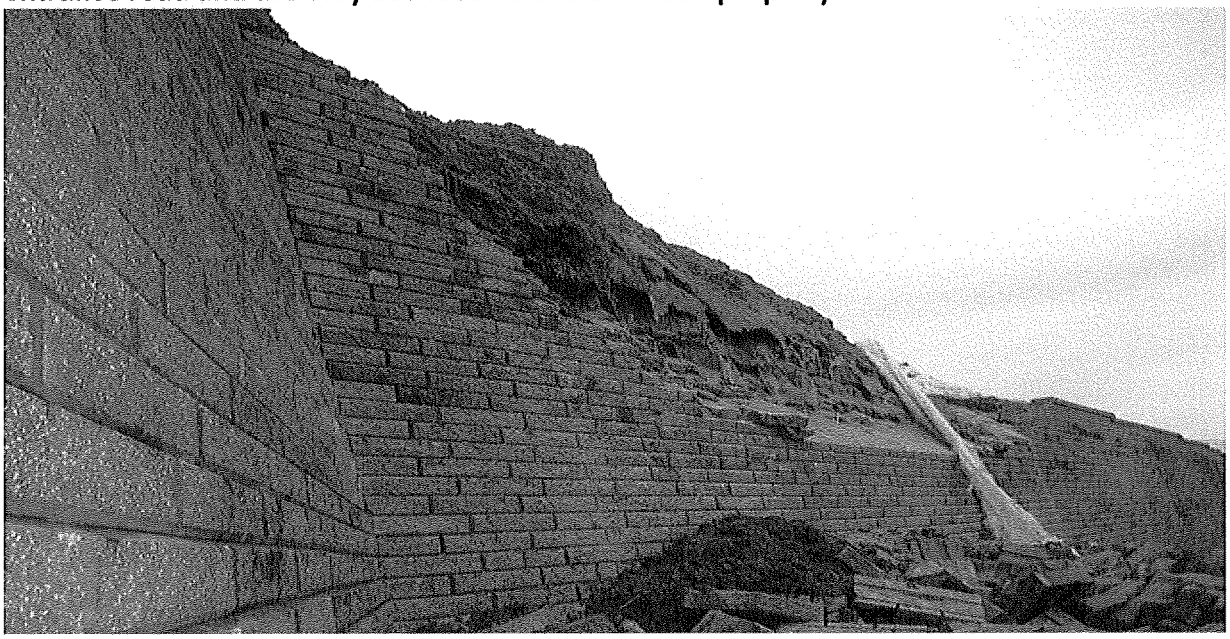
If there ever was a project that doesn't belong on a site, it's this proposed Legoland Amusement Park. It belongs on a flat terrain, not a site like this with very steep gradients throughout. Page 28 of the DEIS describe Legoland as sitting lower than the surrounding areas, thus buffering it from its neighbors like Arcadia Hills. This is completely false, when on Merlin's site map pages it shows that a large part of project is way above in elevation of 100' to 150' to the adjacent Arcadia Hills neighborhood. During Merlin's presentation at many of the board meetings, they stated that the site will have at least a 2000 foot buffer zone from Arcadia Hills, when in fact it's going to be less than 1000 feet.

The proposed 523 acre property is an important watershed for Goshen. It is also known to flood and has contributed to flooding to other areas in Goshen and beyond. These Watersheds are described in page 62 of the DEIS as Areas A & B. During the Sept. 8th, 2011 Town Board meeting, convened a few weeks after Hurricane Irene caused so much damage to

our area, including the Arcadia Hills sewer and water pump stations. It was declared that the majority of the water comes from the high elevations like Goshen Hills into watersheds. When the watersheds over flowed, it flooded out Harriman Drive, continued flooding across Route 17, flooded across 17M, and over the top of Old Chester Road. Most likely those watersheds are the same Watersheds as A&B which includes the Legoland site as described in the DEIS page 62. After construction some 3.4 million sq. ft. of the site will be impervious to water and cause major runoff. Merlin in their EAF submission, page 6 checked off that all Storm Water runoff will not flow to adjacent properties and will remain on the site. But in their DEIS they say overflow from their detention basins will discharge into the Otterkill and other tributaries flowing to adjacent properties. This added volume of storm water will cause worse flooding and damage then what happened during Hurricane Irene and other storms.

In their DEIS they state that Legoland will require 6,000,000 sq. ft. of site disturbance. In Page 52 of the DEIS, it shows a site map and table of the proposed earthwork of an incredible 3.7 million cubic yards of cuts and fills with depths up to 90'. Many structures, including the parking lots will be built on this fill, instead of virgin ground. These cuts & fill totals will leave a deficit of about ½ a million cubic yards of fill material to be imported to the site. Thus requiring 1000s of truckloads of fill running day and night throughout Goshen.

In Page 39 of the DEIS it states that some 20,600 feet or nearly 4 miles of retaining walls are to be built, like below, reaching in heights from 15 feet to 56 feet. These immense walls are an integral part of building this project; basically without them it couldn't be built. So why isn't anything shown in their submissions of any engineering or construction details of these important structures. These walls have been known to collapse, causing property damage and human injury. Why is this crucial information missing? Some of these walls line the main entrance road and are only 100 feet from Glen Arden property line.



Unfortunately this proposed excavation work, if nothing else is complete devastation of a beautiful property and an important environmental area. In no way does this proposed excavation work, "ACCOMADATE TO A REASONABLE EXTENT THE NATURAL CONTOURS OF THE SITE", as required in the new Amendment to the Comprehensive Plan known as proposed Town Law #5. And also to Town Code, Chapter 53, Clearing and Grading.

☐ § 53-4 **Conflict with existing regulations.**

Where this chapter imposes greater restrictions or requirements than are imposed by the provision of any law, ordinance, including Chapter **83**, Subdivision of Land, and Chapter **97**, Zoning, regulation or private agreement, this chapter shall control. Where greater restrictions or requirements are imposed by any law, ordinance, including Chapters **83**, Subdivision of Land, and 97, Zoning, regulation or private agreement than are imposed by this chapter, such greater restrictions or requirements shall control.

A very important aspect of this project is offsite improvements like Harriman Dr. But in the DEIS and Site Plan, nothing is really discussed or shown on what type of improvements are to be made. It supposed to be widened, but what about drainage, curbs and sidewalks. If this road is going to be four lanes, then it probably will need to infringe on other properties, like Glen Arden and BOCES. In Chapter 53 of the Goshen Codes, it states projects need to have in place a Performance Guarantee before the project can begin, but nothing in their DEIS or other submitted documents show anything about this very important requirement. Heritage Estates on Old Chester Road had to put up a $4.08 million bond for their site improvements. Legoland's then should be in the 10s of millions of dollars. If they don't put up any Performance Guarantee, it will be the taxpayers who will be left to foot the bills to complete any infrastructure Merlin was supposed to do if they walk away or possibly go bankrupt.

Houses at Heritage Estates will start going up this fall

Paperwork nearly complete on proposed 77-unit housing development on Old Chester Road

BY GERI COREY

GOSHEN – Construction will start this fall on Heritage Estates, the proposed 77-house subdivision on Old Chester Road.

Town Supervisor Doug Bloomfield made the announcement after speaking with developer Roger Mumford.

Mumford plans to have all his official paperwork completed by the end of September, Bloomfield said.

Several items must still be completed before the town gives its final approval. Site preparation, including infrastructure work and a road into the development, is now underway.

The board agreed to a $4.08 million site improvement performance bond for Phase 1 of the Heritage at Goshen LLC project, the official name for Heritage Estates. (The tax map numbers are 8-1-9.22 and 11-1-08.6.)

The town board requires that developers secure a performance bond so that the project will be completed in the event the applicant stops work on it. The town attorney, Rick Golden assured board members that the West Orange, N.J., insurance company issuing the bond is authorized to do work in New York State.

Golden, and Dennis Lindsey, the town engineer, will monitor the bond, which will be renewed annually. The bond details were established by engineer Sean Hoffman and approved by the Town of Goshen Planning Board. Phase 1 must be a completed project before developers can continue to Phase 2, said Golden.

IN OTHER TOWN NEWS

■ **Turl taxes** – The Honorable Catherine M Bartlett, acting NYS Supreme Court Judge, signed the Al Turl Inc. eminent settlement. "It is done" said the supervisor.

■ **Weight limit** imposed on Durland Road – After a public hearing, the town board approved a proposed local law to establish a five-ton weight limit on Durland Road. "Dump trucks exceed the speed limit and did damage to an already damaged culvert," said Supervisor Doug Bloomfield. "Trucks use the road as a shortcut and cut across the hill because the weight limit says they can." Now, with the adoption of Local Law #7, overweight vehicles will be restricted.

■ **Insurance buy-out** – A proposal to break a medical insurance buy-out plan for town employees, excluding police, of the 2016 new year defeated. "We want to encourage people to take the buy-out, not discourage them," said Councilman George Lyons, explaining his "no" vote. Supervisor Bloomfield voted for the resolution, with Councilmen Ken Newbold, John VanDerMolen, Melissa Gallo and Lyons voting against it.

■ **Energy contract** – Board members unanimously authorized the supervisor to sign a contract covering three years with the town's electricity supplier, Direct Energy. The town currently uses Direct Energy as supplier and has found, after going out for bids, that it's still offers the lowest price. Direct Energy serves town hall, the water/sewer department, the highway department, and the police station.

Related story: "Tax shed cost lawsuit is finally settled", http://wp.me/p2Ge3b-

Work has begun on Old Chester Road in the Town of Goshen, where 77 homes will be built. The new road leading into the development is shown in the foreground (Photo by Geri Corey).

§ 53-12 **Performance guaranty.**

A. After the approval of the application and before the issuance of any permit subject to the approval of the Planning Board, the applicant shall file with the Town Clerk, in an amount of the estimated cost of the project as submitted under § 53-9 of this chapter and verified by the appropriate official, one of the following performance guaranties, which must be approved by the Town Attorney as to form:

(1) A certified check; or

(2) A letter of credit from a bank.

How does 5,500 car parking lots proposed for Legoland, not violate this Goshen Law is beyond reason. Especially when they're going to be built on 40' to 90' feet of fill. These parking lots because of the elevation variation will loom way above Arcadia Hills.

§ 97-48 Off-street parking and loading.

[Amended 2-23-2009 by L.L. No. 1-2009]

A. Off-street parking.

(1) Purpose. The Town finds that large and highly visible parking areas represent one of the most objectionable aspects of commercial development. Such parking lots damage the historic layout and architectural fabric of hamlet areas, harm the natural environment and visual character of the community, interfere with pedestrian safety and accessibility, and reduce the quality of life in developed areas. However, the Town also recognizes that inadequate parking can diminish quality of life by creating traffic congestion, safety hazards, and inconvenience. The Town therefore seeks to balance the need for adequate parking with the need to minimize harm resulting from the provision of parking and to avoid the negative impacts of excessive parking lot construction.

What's very disturbing to many Goshen tax payers is the corporate welfare that Merlin is requesting by trying to obtain a 30 year PILOT from the IDA. Nowhere in any of their submitted documents including the DEIS, is any documentation on what they should be really paying in property taxes without the PILOT. We need to see this. They say it's going to be a $500,000,000 facility. If so, then they should be paying a lot more than $1,400,000 in taxes per year. In reality they are shortchanging Goshen hundreds of millions of dollars over 30 years. The proposed 250 room mega hotel alone should be paying for what they want to pay for the whole 523 acre property, with Legoland on it. This is the ultimate scam, and has made many in the town extremely suspicious that there is a lot more involved than just an approval process. Eventually everything will come out. There will be accountability.

In a normal world, this project would have never gotten this far, but unfortunately Goshen for some reason has let it get to this point. We the citizens will do everything to stop this abomination from destroying our community. Hopefully, after all these months of rankle and discourse, thought and reason will prevail. Eventually, sending Merlin on their way, far from Goshen. This will be our historical legacy, left to generations to come.

Sincerely yours,
William Landa

Clearing Permits and the other items on the agenda tonight, knowingly these serious situations occur? Also Chapter 53 in the Town Code addresses the concerns of excavation and clearing of properties and the protection of the Citizens of Goshen. And also states that Chapter 53 ""imposes greater restrictions or requirements than are imposed by the provisions of any law, ordinance, including Chapter 83, Subdivision of Land, and Chapter 97, Zoning, regulation or private agreement, this chapter shall control.""

Aside all that, the Town Board is here to ammend the Comprehensive Plan which was meant to protect Goshen and it's enviornment. But with this new

Local Law #5, if approved it will give Merlin, a multi billion dollar foreign corporation a green light do what ever it pleases, including illegal spot zoning, just to benefit them. This will also open the flood gates for future development with no regard to the Goshen's laws and citizens.

Town of Goshen Code as per Chapter 53 Clearing and Grading. There are provisions of what proper excavation and permitting procedures are.

53-9 Permit application materials.

A property owner(s) or the property owner's agent(s) may initiate a request for a permit or the modification of a permit by filing with the authorized official two copies of an application. With documentation regarding permit status with the New York State Department of Environmental Conservation prior to the issuance of a permit. Any New York State Department of Environmental Conservation permit required must be in effect prior to the Town's issuing a permit

Town of Goshen Code as per Chapter 53 Clearing and Grading. There are provisions of what proper excavation procedures are.

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53-10 Standards for granting permit.
In granting a permit under this chapter, the standards and considerations taken into account shall include but not be limited to the following:
A.

Excavation, filling, grading, clearing and timber harvesting shall be permitted to be undertaken only in such locations and in such a manner as to minimize the potential of erosion and sediment and the threat to the health, safety and welfare of neighboring property owners and the general public.

B.

Site preparation and construction shall be fitted to the vegetation, topography and other natural features of the site and shall preserve as many of these features as feasible.

C.

The control of erosion and sediment shall be a continuous process undertaken as necessary prior to, during and after site preparation and construction.

D.

The smallest practical area of land shall be exposed by site preparation at any given time.

E.

The exposure of areas by site preparation shall be kept to the shortest practical period of time prior to the construction of structures or improvements or the restoration of the exposed areas to an attractive natural condition.

B.

The Town Planning Board may grant a waiver of such guaranty if it deems the proposed activities to be of minor scope and to be consistent with the provisions of this chapter.

C.

The party or parties filing the performance guaranty shall provide that either upon termination of the permit or the operation, whichever may come first, the project shall be in conformity with both the approved specific requirements of the permit and the provisions of this chapter. In the event of default of such and violation of any other applicable laws, such performance guaranty shall be forfeited to the Town. The Town shall return to the applicant any amount that is not needed to cover the costs of restoration, administration and any other expenses incurred by the Town as a result of the applicant's default. Such performance guaranty shall continue in full force and effect until a certificate of compliance shall have been issued by the authorized official after such consultation with any agencies or individuals as he deems necessary to ensure that all provisions of the chapter and of the permit have been met.

§ 53-14 Relief from decisions.

Any person or persons jointly or severally aggrieved by any decision of the Planning Board under this chapter may apply to the Supreme Court of the State of New York for relief through a proceeding under Article 78 of the Civil Practice Law and Rules of the State of New York. Such proceeding shall be governed by the specific provisions of Article 78, except that the action must be initiated, as therein provided, within 30 days after the filing of the Planning Board's decision in the office of the Town Clerk.

§ 71-1 Legislative findings.

A.

The State of New York, by various legislative enactments, including but not limited to General Municipal Law § 247 and Environmental Conservation Law § 49-0301, has emphatically stated it to be a most important state policy to provide for open space and to conserve, protect and encourage the improvement of agricultural lands, both for production of food and the preservation of such lands as valued natural and ecological resources. The Legislature has determined that the acquisition of open spaces is a valid public purpose and that the expenditure of Town funds to acquire legal interests and rights in such lands is in furtherance of such policy, and is a proper expenditure of public funds for public purposes.

B.

The Town of Goshen is in complete accord with such policy as evidenced in the Town of Goshen Open Space and Farmland Protection Plan adopted July 2003 and incorporated into the Town of Goshen Comprehensive Plan adopted July 2004 which recommends the following action:

(1)

Given current development trends, the Town of Goshen must become proactive in identifying and preserving additional open space meeting one or more of the benefits outlined earlier in this plan.

(2)

It is recommended that the Town pursue options to establish and build a dedicated fund for the acquisition of open space including full fee title, conservation easements, development rights, and options for purchase where appropriate. Term easements may also be utilized where applicable. Such a fund starts with the use of payment of lieu of land dedications through residential subdivision approvals. A fund can also be built from creative use of incentive zoning, municipal bonding, private donations and taxation options.

C.

The Town Board further moved toward a local funding for the acquisition of open spaces, particularly PDR, by placing the bonding proposition on the November 2, 2004, general election ballot. A majority of voters in the Town approved that proposition authorizing the expenditure of $5,000,000 for the acquisition of open spaces including, among other things, development rights.

D.

This chapter is intended to indicate generally, and in some instances particulars, the procedures which will be employed by the Town in its pursuit of its goal to protect and conserve open spaces and agricultural lands.

Was cut from the beginning:::::

"Unfortunately the reality of what Merlin is proposing is in no way "accomadates to a reasonable" extend the natural contours of this site. Actually what's proposed by Merlin is not excavation and site preperation but complete devestation. In a normal world, projects are designed to fit best into the land, not the land to fit the project. That's good engineering

and construction practices that most communities welcome. All this excavation work will destroy the natural contours that were meant to be protected. Legoland in no shape or form belongs on this very steep gradient site, it belongs on a relatively flat site. I think Merlin too realizes that. "

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland in Goshen
Date: January 17, 2017 at 2:44 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: dmjel@aol.com [mailto:dmjel@aol.com]
Sent: Tuesday, January 17, 2017 2:15 PM
To: NHalloran@TownofGoshen.org
Subject: Legoland in Goshen

To Whom It May Concern

While I am not a resident of Goshen NY, I do spend considerable time in the area for business related purposes.

I have been following and reading as much about the potential Legoland proposal, fairly from both the pro and con sides.

So I question why is this moving so fast? Why does it seem the town officials are not dissecting the Legoland DEIS and other proposals.
Amys Kitchen took 2+ years or more and yet this massive proposal is skimming along in months, not years.

I believe it is the duty of all the Town Officials to put forth economic development that would enhance the nature and characteristic town of Goshen,
not divide its residents.

I think it would be better served in non vested parties reviewall documents and research impacts and provide everyone with a neutral view.

Too much at stake here, with too many unanswered questions and very little supporting documentation.

Nothing against Legoland, but in Goshen along Route 17 is so not the right place for many reasons.

Thank you
Diane Lange

January 11, 2017

Town Board:
Douglas Bloomfield
Kenneth Newbold
George Lyons
Melissa Gallo
John Van Der Molen

Planning Board:
Lee Burgus
Kristopher Baker
Phil Dropkin
Giovanni Pirraglia
Dave Gawronski

Re: Merlin Entertainment/Legoland proposal

Attention all Goshen Board members,

What an absolute joke you've made yourselves out to look like!! Goshen town zoning laws strictly forbids an amusement park but Goshen planning board fast tracks it through. Why?! The definition of impropriety, *noun, a failure to observe standards or show due honesty or modesty: improper language behavior or character. Synonyms: Wrongdoing, misconduct, dishonesty, corruption.* Wow, not sure if it can be proved, but to the naked eye and the not so casual observer it sure does seem to be quite fitting for the way the Goshen board is behaving. I've heard Mr. Bergus call it a "recreation center" on numerous occasions? Do you think people are that stupid? Well, amusement parks and circuses aren't allowed in Goshen but this will be a "recreation center." So that makes it ok?!?!!? I'm surprised that can be said with a straight face. Not sure what's worse, Merlin entertainment, a company that has been repeatedly denied access to towns far better equipped to handle them than Goshen, or Goshen board members passing off their latest version of that DEIS as complete. Are you kidding?!?! Complete? The stop side hired their own experts and are finding flaws, omissions, contradictions etc. How could you even consider this latest DEIS complete? Anyone read beyond the cover page? Seriously, a town such as Goshen should never have even been even considered for a project this big. New business, sure…in proportion and adhering to current zoning laws should be considered with careful thought. Not this(Legoland/Merlin entertainment), anything that creates this kind of firestorm in the community doesn't belong. It's divided a typically calm, compassionate, friendly town into two warring sides. The welcome side is hell bent on getting it in and would accept them and their shoddy DEIS as is, regardless of all the obvious drawbacks and major issues it poses. They haven't asked any hard questions, haven't done any research and seem to think all will be rosey in the end. If Merlin says it will be good for Goshen, then of course that *must* be true, right? They wouldn't be looking out for their own best interests ahead of the best interest of the town? It's really sad to watch this all play out, you know who else is watching this play out? Kiryas Joel, bet they're watching really closely because the way I understand it, they were denied entry into Goshen for the exact same reasons LL is being given a free pass(Doug Bloomfield, you know what I'm talking about) that being lack of water and current zoning laws. I'm no lawyer, but it sure sounds pretty discriminatory to deny KJ on the same basis that LL should have been denied, but wasn't. Full disclosure, neither should be welcome in Goshen. Lawsuit on the horizon possibly? Something to think about, hmm? Goshen is a beautiful town as is, some small business proposals/changes could be needed somewhere down the road but not this calamity, it's a terrible idea for a town of that size. Keep the zoning laws as is, protect the water supply, protect the standard of living that ALL of Goshen enjoy in the town, village and neighboring areas(Warwick residents are not happy about this either) and tell Merlin entertainment that Goshen is not a town of mindless rubes that they(and Goshen town and planning boards) seem to think the town of Goshen residents are.

Pat Leahey, Warwick NY

Ethan Allen
HR SERVICES

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 5th, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Tom Lemmey

www.ethanallenhr.com
888.249.7260 info@eaworkforce.com
53 Academy St. Poughkeepsie, NY 12601
845.471.1200 FAX: 845.471.7784

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Support of Legoland
Date: January 17, 2017 at 1:05 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Carly from Limoncello [mailto:carly@limoncelloatorangeinn.com]
Sent: Tuesday, January 17, 2017 1:00 PM
To: nhalloran@townofgoshen.org
Subject: Support of Legoland

To whom it may concern,
We, Limoncello as a business completely support Legoland coming to Goshen. We believe Logoland would bring many new opportunities to Goshen, and we are looking forward to working with them.

Please reach out with any further questions.
Limoncello
(845)294-1880

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Jason Lombardi
63 Orange Street
Port Jervis NY 12771

Halloran

Hello, and good evening. My name is LS , TOG resident for over 29 years which makes me an interesting barometer for a 30 year timeline, like the 30 year PILOT MERLIN is requesting, as well as their many other requests to change our town for them.

When I bought my home in May of 1987 my combined S & P taxes were less than $1200.00 per year. They are now, after nearly 30 years almost 10 times that. If nothing else we have to face the fact that costs increase during a 30 year period. We are doing an injustice to the future of Goshen to allow MERLIN to NOT have to participate in the rising costs that will ultimately occur in running a township like Goshen ~~over a 30 year time period~~. How can they call themselves a good neighbor and then not pay any~~way~~ where near their fair share of taxes?

I also want to address the hundreds of jobs MERLIN claims to be bringing, let's not forget.....SEASONAL jobs!! Who can afford to live in Goshen working a seasonal job?? These jobs will run from the beginning of May through the end of October, this schedule won't work for young people, HS or College as they will be in school. Where will these hundreds of workers come from again for a SEASONAL, low paying hospitality jobs, obviously ~~SEASONAL~~ these jobs wouldn't provide benefits to these workers. How can we think these jobs will keep young people in Goshen?? Really I see vans coming in from Middletown and Newburgh for these jobs. Dare I imply Beautiful historic, charming Goshen might just become the "New Newburgh".

As far as emergency services, I happen to have someone in my family who is a volunteer with the GFD. It makes me so angry to think that as MERLIN claims at its Florida location to only have 100 or so calls for emergency for FD services ~~to~~ at their amusement park per year, ~~that~~ my family member will be imposed on that many more times while MERLIN makes millions. I foresee that Goshen, in the not too distant future, will have to hire both a PAID FD and EMT. MERLIN won't be involved in these costs if we give them their 30 year PILOT, it will fall on the taxpayers.

I want to mention my embarrassment to be a taxpayer in a town that would even consider allowing an amusement park, roller coasters and all, to be built directly next to the place so many local seniors had saved their money to retire to. Just terrible.

DEC 2 7 2016

To finish up, I hope that you will consider the topics I have mentioned and NOT change the current zoning to allow this hideous, B rated amusement park to invade our beautiful town. If we change our zoning for MERLIN.....who only knows what challenges to our zoning will come next.

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

To: Town of Goshen, New York
Planning Board

From: Marcia Mattheus, Village of Goshen, New York resident

Re.: DEIS for Legoland Application

The following are critical issues still to be addressed in the Legoland DEIS. I have attended, and spoken for the record, at all of the board's public hearings on this application. I, again, communicate my very serious concerns regarding a thorough analysis, for the record:

1. The magnitude of this project demands that a complete and independently verified cumulative impact analysis be provided that does not permit the applicant to parse their application into phases. This cumulative impact must include the waterpark/aquarium; hotel; eateries; parking lots; deliveries to the site; maintenance sheds; and the amusement areas. All elements of this project, combined, must be analyzed for their cumulative impacts on: water; Village of Goshen reservoirs' watershed; protection of the Village of Goshen Critical Environmental Area, bordering the Greenhill Reservoir; noise; impacts on property values.

2. The cumulative impacts on traffic are multifold. The entire region will be affected, but the Village of Goshen will be most critically impacted. The impacts on our village streets will be financed by the Village of Goshen residents, not Legoland. Thousands of cars a day, without relief. These are calculable issues that must be addressed. The applicant's plan is a mere band-aid. Combined with Route 17, east and west, (casino, summer camps, and Woodbury Common) we will be at a traffic standstill. This application must be made to mitigate these cumulative traffic impacts effectively.

3. The safe yield of the Village of Goshen is at question. The numbers on record with agencies that approve the Village of Goshen water supply do not verify the Village Board's numbers. I was mayor during the worst drought in 150 years. It is incomprehensible that the village, in an emergency, can afford to provide water outside of the Village of Goshen. The applicant must prove that the village can provide water to all applications within our village, at full build out under our present zoning. Comparisons must be made of the gallons per day at highest demand, historically. Those calculations are available. It would not be responsible to do less.

4. By NYDEC permit, the Crystal Run Wells are not permitted to be run at the same time, in order to protect the aquifer. The applicant "says" they will try for another well at the same site. Another straw in the same aquifer? To begin with, it took years to get an approval from the DEC; that means lawyers

and engineers, and eventually a larger water plant. Who will bare the financial burden of developing new wells? The village of Goshen tax payers.

5. The Village of Goshen Historic District and Architectural Design District are part of the area impacted by thousands of cars a day. GPS MAPS WILL GUIDE BACKED UP TRAFFIC ONTO OUR VILLAGE STREETS. Cumulative impact analysis must be done on the destruction to the character of our historic village. The property values of the village residents, who have saved the core of our community, will be significantly impacted. The

6. An independent (cost and benefit) fiscal analysis must be completed. If this application is approved by the Town of Goshen Planning Board and the Town Board, the citizens become financially liable to provide any and all services to Legoland.

7. It is imperative that no clearing of the property takes place until, and if, this application is completely approved. The impacts on aborted projects that were permitted to be cleared are significant.

8. The character of the community, especially an historic community like Goshen, must be analyzed. SEQRA demands attention to this quality of life issue.

I respectfully submit these issues to be addressed by the applicant in the EIS. It is your board's responsibility to verify all of the information the applicant provides.

Marcia Mattheus

Marcia Mattheus
11 Lincoln Avenue
Goshen, New York

294-7314

January 16, 2017

Town of Goshen Board and Planning Board

41 Webster Ave

Goshen, NY 10914

Care of Neil Halloran

Hi My name is Mary Mirabella and I have lived in the Village of Goshen for 25 years.

1. Law #5 does not have the same expiration section that Law #6 contains, therefore any changes in zoning regarding tourism and recreation business opportunities for Law #5 would become part of the permanent town zoning code once this law is enacted. Sections 1.2 could be applied to properties all over the Town of Goshen and Section 3.1 could impact any lands adjacent to Route 17 in the Town of Goshen not just the specific parcels listed in the DEIS for Legoland. This change could allow all types of tourism business to sprout up all over the Town of Goshen. And if Legoland fails, Law #5 could allow any type of tourist/recreation business to build on the parcels cited in the DEIS. Law #5 could change the entire cultural identity of the Town of Goshen from a rural historic community to just another tourist town.
2. Law #6 has an expiration clause that states if Legoland decides not to build within six months of passage, the zoning for the parcels listed in the DEIS revert to their original zoning. But what if Legoland does build but then abandons the project any time after this six month expiration period. I have been thinking long and hard on what kind of businesses could then be built on the entire 523 acres if Merlin abandons their amusement park idea. Another amusement park, a paintball park, a circus, a miniature golf course, another Castle amusement center? Or perhaps something would be built in our future that we haven't even envisioned as tourism and/or recreation type business ....the alternatives are endless and the consequences unknown and unforeseen with approval and enactment of this law. This law must be carefully reviewed and studied independent of Legoland's site plan. The Legoland DEIS does not cover the possibility that another type of business could take advantage of Law #6 with its unique Commercial Recreational Overlay Zoning which affects the entire acreage not just the Legoland site plan acres.

3. In that same vein...What if Merlin Entertainment falls on hard financial times and decides to sell the undeveloped acreage? Again, the alternative businesses are endless and the consequences unknown and unforeseen with approval and enactment of this law. Law #6 must be reviewed and studied independent of Legoland. A cost benefit analysis and I believe a GEIS should be done to determine what could possibly happen to the undeveloped land. Business's fail and Merlin and the amusement industry are not immune to hard times.
4. Law #6 Section 12 refers to Clearing and Grading commencing upon granting of a permit. It is no longer dependent on a successful completion of the entire SEQRA process and a FEIS. So if Legoland does not successfully get through this entire process, the landscape is still permanently damaged and altered. This would be a catastrophe as destruction of the 140 to 180 acres would be 180 degrees complete opposite result of the current rural zoning that protects the properties in this part of Goshen. The Kikkerfrosch brewery land is a good example of how clear cutting leaves a landscape barren and unable to recover quickly and efficiently. This business just "walked away" without a proper recovery plan for that property. It's only saving grace is that the property is zoned commercial. There are other more appropriate areas properly zoned and already clear cut for the Legoland project. There is no acute need for our community to "clear cut" this property prior to the completion of an exhaustive and comprehensive FEIS.
5. Whether or not Law #5 or Law #6 were written specifically for Legoland or not is outside my expertise. I am not a lawyer and spot zoning is not my specialty. However, the common sense question is if either or both of these laws go into effect and Legoland pulls out, fails or if Merlin itself financially fails...what kind of tourism or recreational business can replace it? Because as these two laws stand, that is the only type of business that would have an interest in purchasing that land and perhaps any land in the Town of Goshen in the future. And that is spot zoning and segmentation. These laws must be studied independent of the Legoland Project and require a separate and unique GEIS. They cannot be passed using a DEIS that studies of only 140 of the total acreage that is being re-zoned.

6. In regards to the DEIS itself, I wish to focus on ENVIRONMENTAL. A subject which has been "lost" and/ or "undervalued" when discussing this project whether over the kitchen table or at public hearings. The report by EcolSciences easily identified both bat species, the Northern Long Eared Bat and the Indiana Bat at this location both as a food resource and a breeding ground. The report failed in its due diligence to identify the presence of the rare and endangered, Bog Turtle and Northern Cricket Frog. The Bog Turtle studies were not done at all and the Northern Cricket Frog studies were rushed and inefficient. All of these species of animal are critical to the Orange County Ecosystem and the Health of Orange County residents. All keep the mosquito population down naturally without the use of pesticides and human intervention. With the rise of mosquito transmitted illnesses both currently in Orange County (Lyme disease, West Nile Virus) and potential future illness (Zika virus), it is imperative we do all we can to identify, preserve and protect these animal species on any and all rural land in our community. More complete studies need to be done this upcoming spring and summer 2017 for the Bog Turtle, the Northern Cricket Frog and the health of Goshen residents.

7. As inefficient as the studies done on the animal life were, the study of plant life on 523 acres of rural landscape was worse. Mere sentences were given to the assessment of the endangered Small Whorled Pogonia and a few more sentences talked about "grandfather" trees. A complete environmental survey of the plant life needs to be completed to determine this impact on humans such as SWPP, flooding, water recharge from the wetlands but also on the balance of the habitat and ecosystem for other animals and bird species.

Thank you for your attention in this critical matter for Goshen residents now and for generations to come. Please do your due diligence taking into account not only the human impact, positive and negative, but consider carefully those beings, animal and plant, with whom we share this community and this planet. They have no voice, they do not attend Public Hearings and they do not write letters but they must be properly considered in order to have a successful FEIS.

Mary Mirabella

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Stop Legoland, Please.
Date: January 10, 2017 at 9:01 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Marlin Maduras [mailto:mmaduras14@gmail.com]
Sent: Sunday, January 08, 2017 9:38 AM
To: nhalloran@townofgoshen.org
Subject: Stop Legoland, Please.

January 9, 2017

To the Decision Makers of Goshen, NY.

Please consider carefully the negative impact a Legoland complex would have on our community and our way of life.

I have lived in Goshen for over 20 years. I have raised my family here. I work in Goshen High School. I love this community and the climate of the town and the surrounding areas.

A complex of the magnitude of Legoland can only change the region in a negative way. Traffic, congestion, environmental impact...no way this is positive except for the pocketbooks of Legoland.

Please do not be fooled by the deceptive narrative spun by the Legoland lawyers and executives. Once this atrocity is foisted upon Goshen, things we have cherished about our community will be irreversibly changed. After the initial construction work offers some short term jobs, a sprinkling of low paying, part time jobs will not be worth the risk and adverse effects.

You have the opportunity to be forward thinking and provide guardianship for the things people of Goshen hold near and dear. A theme park as the emblem of our enchantingly historic and pastoral town is not only incongruous, but downright discordant with the aura of our community.

Please do the right thing and keep Goshen as beautiful and alluring for the future as it is today. Legoland is not in keeping with the charm that is Goshen.

Sincerely,

Marlin Maduras
339 Scotchtown Road
Goshen, NY 10924

845-291-1927

January 16 2017

LegoLand testimony

My Name is Pramilla Malick. I give these comments on behalf of Protect Orange County a county wide organization whose mission is to protect the health and safety of Orange County communities and the natural resources we depend on

LACK OF CUMULATIVE ANALYSIS

NYS SEQR demands a cumulative analysis of all projects in the past present or future whether directly related or not. The DEIS does not include any cumulative analysis which included the CPV valley Power Plant. Moreover in court papers filed with the D.C. Circuit Court CPV asserted that LegoLand needs their power. https://dlbjbjzgnk95t.cloudfront.net/0872000/872465/https-ecf-cadc-uscourts-gov-cmecf-servlet-transportroom-servlet-showdoc-01217883008.pdf

Thus CPV itself is asserting a direct relationship with Legoland. If Legoland is creating a need and market for power that would otherwise not be needed this impact must be addressed by the DEIS.

Moreover pursuant to SEQR cumulative analysis with CPV must be addressed for the following:

Water. CPV is expected to use over a million gallons of water per a day. This needs to be assessed in addition to the water LegoLand will be using. Orange County has been in a drought that is expected to worsen as climate change accelerates.

Air pollution. CPV will emit 2.1 million tons of Green house gases annually. Cumulative analysis must also include air pollution from the average 3500 cars per a day that Legoland will draw. Both CPV, CPV's truck traffic, as well as LegoLand traffic will emitting large amounts of particulate matter and ground level ozone. And Orange County is a non-attainment area for ground level ozone. While the DEIS estimates that particulate matter pollution would not exceed 15 tons per year, first please identify how that figure is derived and also please note that Goshen is in a protected agricultural district and the 25% threshold rule for protected agricultural district as directed in SEQR and Environmental Conservation Law.

Please also determine the impact of air pollution resulting from LegoLand and CPV together on crops and livestock in the region.

Traffic: Traffic analysis must include truck traffic from CPV. CPV is expected to large amounts of truck traffic both in construction phase as well as operation phase. It will take about 80 tanker trucks to fill the near million gallon diesel oil tank at the CPV site. The traffic study must include an analysis of traffic from CPV.

Endangered species habitat. The CPV and related Millennium infrastructure sites have already claimed large numbers of Indiana and Long Eared Bat trees. These species have already been nearly wiped out due to white-nose syndrome and any stress of the maternal colonies can be catastrophic for species survival. Given the significant habitat loss in Wawayanda the board cannot assume that the bat is not present in the Legoland site. Bats will be looking for new areas to forage and roost. Each Bat habitat tree must be carefully considered in the context of the habitat loss that has already occurred.

NO ASESSMENT OF POWER NEEDS AND EMISSIONS IMPACTS

The DEIS does not describe the details of the source of power to serve Legoland. Power is one of the largest expenses for a theme park. Please describe in detail the expected annual power usage for Legoland annually in MW no KWh. The 724,624 KWh described in the DEIS seem small in comparison to other amusement parks. Will any of that power be derived from renewable energy sources? If so, how much? If not what is the public health and climate change impact from that power sources it will depend on. Does NYS currently have enough power to supply to Legoland without CPV and with the closure of IP which was just announced by the Governor two weeks ago.

Are any power line upgrades necessary to transport the power from CPV or any other generation source to LegoLand. If so what are the health and environmental impacts of such power line activities. Please include both construction as well as operation impacts. LegoLand will require a GIS substation onsite. Please describe in detail the parameters of the substation beyond the size. For eg what will be its rated voltage and rated frequency?Will there be electromagnetic impacts from this station? If so this should be addressed in the Health Impact Analysis.

It is not uncommon for rides in amusement parks to require direct diesel, oil, or gas power to operate. Please identify if any rides will require such type of fuel based power, how many. As these will be stationary sources of emissions please identify all chemical compounds and green house gases that will be emitted as a result.

NO ASSESSMENT OF CLIMATE CHANGE IMPACTS

The Climate Change impacts of both the electrical power consumption as well as an onsite generator must be identified. Again if any renewable energy sources will be used please identify exact amount, sources, and percentage of total power usage.

NEED FOR HEALTH IMPACT ASSESSMENT

Legoland is expected to draw 3500 cars per a day at least. Please identify the amount of air pollution that will result and the chemical composition of that pollution, especially the amount and type pf particulate matter. A 2013 study by Harvard School of Public established a link

between particulate matter and autism. Please identify the public health costs of such air pollution to the residents of Goshen. Please include lost work hours and lost wages in that calculation.

In 2012 a famous study documented a near 11% decrease in infant mortality due to decreased traffic congestion because of the implementation of EZ-Pass. This study established a clear connection between traffic congestion and infant mortality. Please determine the expected infant mortality rates due to traffic from Legoland.
http://www.princeton.edu/~jcurrie/publications/Traffic%20Congestion%20and%20Infant%20health%20E-ZPassUpdate2012_4_6%20(2).pdf

Another study from 2012 established the link between traffic air pollution and preeclampsia risk in pregnancy. Please assess the impacts from air pollution of pregnant women, infant, children, the unborn, elderly, and those with existing serious medical conditions.

http://www.environmentalhealthnews.org/ehs/newscience/2012/08/2012-0828-traffic-air-pollution-pregnancy-raises-preeclampsia-risk/

The Board should request a Health Impact Assessment from the NYS Department of Health

NOISE

As stated earlier the World Health Organization has advised that communities exposed to noise levels of 40 decibels or above experience adverse health impacts. Please ensure that the Health Impact Assessment include health outcomes due to noise pollution.

CULTURAL SURVEY

Goshen is an area known for great historical and cultural significance. Ground disturbance has often produced a number of archeological artifacts. This area is particularly relevant because it constituted a prominent trading route for the Munsee Lenape tribe. The Walkill River is one of the few north flowing rivers in the area. The board should consult with the local Lenape tribe and allow them to conduct their own archeological survey of the site.

ECOLOGY

There is no accounting for the number and size of shag bark hickory trees on the project site. Please identify the precise number and size. Please also identify the number of other trees that could provide suitable bat habitat.

STEM Education:

The DEIS asserts:

LEGOLAND New York will offer year round educational opportunities to schoolchildren throughout the region, with programs focused on STEM (Science, Technology, Engineering and Math) education. LEGOLAND New York will also partner with local schools and colleges to train and employ students interested in careers in hospitality, business, mechanical engineering, among other fields.

Please identify the educational programs that LegoLand will sponsor. Please include a detailed description of the programs including the number of children and schools it will serve the number of hours it will entail and the total costs of the program. Please cite scientific evidence that these programs provide educational benefits and please specify what skill sets are taught and how efficacy is measured. Please reference any similar programs available at other Legoland locations.

THRESHOLDS: Please employ the 25% threshold rule for protected agricultural districts pursuant to SEQR.

A report on the economic impacts of tourism, issued by the United Nations Environment Programme, Division of Technology, Industry and Economics, states "local businesses often see their chances to earn income from tourists severely reduced by the creation of 'all inclusive' or all in one destinations. When tourists remain for their entire stay at the same all in one site which provides everything they need and where they will make all their expenditures, not much opportunity is left for local people to profit from tourism." The development of these types of all in one facilities, therefore, results in a smaller multiplier effect on the local economies than the average tourism development. Unfortunately, industry sector analysis does not separate out types of resort accommodation, so the multiplier is exaggerated for this analysis.

In a study by Slee, Farr and Snowden and quoted in an August 2002 briefing to Scottish Parliament, produced for the Enterprise and Lifelong Learning Committee, comparisons were made between impacts on development of "hard" versus "soft" tourism. Hard tourism includes large hotels and large scale amusement parks.. Soft tourism includes farms, forests, small hotels and guest houses. The study concluded that money received by tourists in the hard sector was not retained within the region; tourist spending in the soft sector is more likely to circulate within the local economy, thereby producing a multiplier effect. Small businesses in the "soft" sector are more likely to be embedded in the community. Tourism development which encourages visitors to stay in local hotels, partake in local recreation and frequent local eating and drinking establishments will have a substantial multiplier effect on a region and the I/O models are more accurate in estimating the impact of this type of tourism development.

Adverse Effects The potential for adverse economic impacts is not sufficiently addressed. • Diversification of an economy is desired for long-term economic strength. Introducing a large development that would far exceed the size of any other business in the area would result in a very low level of business diversification in the economy, which is risky. Jost Krippendorf, in The Holiday Makers: Understanding the Impact of Leisure & Travel, emphasizes that "over reliance on any single economic activity is dangerous and in the case of the tourist trade, the risk is even greater." He further states that "under no circumstances should a development relying solely on tourism be allowed. A maximally diversified economic structure must be strived for in tourist destination areas." In the case of Orange County, this implies that forestry, handicrafts, small-scale industry and nontourist services must be promoted as well. • Tourism, if done properly, can have a considerable impact on employment and income in a locality, but Krippendorf emphasizes the reverse side of the coin, seldom mentioned: "jobs in tourism are mostly unattractive, working conditions are hard, the hours are irregular, there is seasonal overload, overtime is more or less compulsory and one is at the mercy of the guest. Earnings are below average. The range of professional and training possibilities is limited. Many jobs are unskilled and considered socially inferior, for example the work behind the scenes such as in the kitchen or cleaning. Tourism-related occupations therefore enjoy very little prestige." • If there is an impact on local businesses resulting from increased demand for their goods and services, prices will rise, and local residents whose incomes do not rise, particularly the unemployed, retirees and others on fixed incomes, may be adversely affected by the price increases. • A large influx of tourists may drastically alter the community and potentially degrade it if crime increases and/or potential business owners invest or potential employees come to the area in the hope of high growth. If the development does not have a strong positive economic impact, then unemployment, poverty levels and failed businesses increase. •

Development on a large scale relative to other local businesses can be detrimental to a community in the longer run if not in the short run. If the development fails, the community gains a failed business, loss of tax revenue, and is forced to take over certain public services that the developer promised to cover. If the development is successful (resulting in strong visitation and spending at the resort and in the community), the successful new business may request tax breaks from the locality, or put pressure on the local communities to take over services such as road maintenance, fire protection, etc. Further, if the development is successful, the cost of living and real estate prices may increase in the surrounding area, driving out lower income residents (some of whom have lived in the area for generations) and changing the economic climate of the region. • The economic benefits of large scale tourism development will go disproportionately to elite groups (the investors) which does not help the local economy.

Secondary Development • This portion of the analysis is not complete. Public expenditures on police, fire and schools and costs of new and maintenance of existing infrastructure to the localities are not addressed. • A proper analysis of secondary development should be more extensive and should estimate the likely impacts over time (perhaps for approximately 10 to 15 years required for development and marketing.) Detailed projections of supply and demand over time, separately for commercial and residential development, and labor force should be estimated. In addition, government revenue and expenditures and property values should be projected for the same time period. Finally, alternative scenarios of secondary development should be estimated, ranging from "worst case" to "best case." In conclusion, the economic analysis presented in the DEIS is not comprehensive and the economic impacts are overly optimistic. Serious adverse effects are ignored, the multipliers are exaggerated, the base line economic data and trends are in question, and the impact model used is inappropriate for the proposed development.

The DEIS does not include a thorough cost/benefit analysis which includes impacts on property values, health care costs, lost wages due to health impacts, jobs and income possibly lost due to forced migration away from Legoland, potential adverse impacts on other local businesses who might lose business as a result of a large financially exhaustive facility such as Legoland.

In summary the the DEIS does not properly evaluate potential costs from the project

My name is Pramilla Malick I am the Chair of Protect Orange County. I thank you for the opportunity to comment. I regret that the Board refused to extend the comment period to allow the public an appropriate amount of time to fully evaluate the DEIS for personal, community, and regional impacts. It is shameful that this is being held just before the holidays. Public participation is the heart of the integrity of the SEQR process. SEQR directs the lead agency to allow for a minimum of 30 days from the date of public release of the DEIS which was not made available on the Town's website until well after the Thanksgiving Holidays. It is a great disservice to the public as well as a violation of your mandate and demonstrates bias in favor of the applicant

A project of this magnitude will have regional impacts, especially in terms of traffic and water affecting many other municipalities. I believe that all of these townships should be listed as interested agencies. For eg. The Town of Warwick will undoubtedly see significant changes in traffic patterns due to visitors from New Jersey. Furthermore these regional impacts coupled with the facts that this is a protected Ag 2 district and contains numerous archeological as well as ecological resources, warrant that the NYSDEC assume lead agency status, or at the very least be co-lead agency to safeguard these critical resources of statewide significance.

Glaringly absent in the DEIS is a cumulative impact analysis of LL along with the CPV Valley Power Plant. Ironically the DEIS identifies 13 other projects but fails to mention the elephant in the OC room, CPV. SEQR requires such an analysis. This absence is troubling given that CPV recently claimed that LL will depend on it for power. All issues must be evaluated through this framework including cumulative impacts on air quality, energy use, traffic, endangered species habitat, wetlands, water resources, cultural and archeological resources, and finally impacts on visual resources. If indeed CPV is needed for Legoland the public must be made aware of this. If LL does not need CPV it must demonstrate that its power needs can be met without CPV and without the powerline updgrades that CPV would implement.

I will present a much more detailed comment. But I request that the NYS Department of Health be made an involved agency. The DEIS asserts that noise levels would be between 46 and 64 Decibels. However, the WHO has identified that decibel levels 40 and above are known to cause human health impacts, including heart disease, neurological deficits, and learning disabilities. This is just one of several public health issues, such as impacts from traffic, this project raises that were NOT identified in the DEIS.

Finally there is no mention of community character in the DEIS pursuant to ECL 8-0105.6 reaffirmed by caselaw. I once again request that the board hold a referendum and allow residents to decide what kind of development they want in their town.

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland Support Letter
Date: January 10, 2017 at 8:48 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Jessica Mandakas [mailto:j_mandakas@yahoo.com]
Sent: Monday, January 09, 2017 4:32 PM
To: NHalloran@townofgoshen.org
Subject: Legoland Support Letter

Hi Neil,

Please view the attached PDF in support of the Legoland Project!

Thank you!!!

Jessica Mandakas

Supportersof LL.pdf

Supporters of LEGOLAND Goshen, NY Facebook Page

This post in support of Legoland, was created to give your eyes a rest and knock out about 80 letters your board might have (😉) received.

On behalf of YOUR many supporters, thank you for doing your job and keeping the interests of your community first!

1.

PINNED POST

Jennifer Karon
January 5 at 4:08pm

Ok everyone, we need EVERY one of the 261 members in this group to respond to this if you WANT LEGOLAND to come to Goshen. Please respond with YES below (don't just hit 'like'). We want to send one big letter to the town board (instead of sending 255 separate letters from each of you) to let them know that there are more supporters than not!!

You, Lynn Allen Clone, Kristina Barnes Sileo and 18 others — 80 Comments

Love · Comment · Share

Kim Ierardi-Young YES YES YES
Like · Reply · 2 · January 5 at 4:12pm

Jess Renee YES!!!!

Like · Reply · 2 · January 5 at 4:16pm

Rose Bassano Oh yes yes n yes
Like · Reply · 2 · January 5 at 4:16pm

Amy Beth YES!
Like · Reply · 2 · January 5 at 4:16pm

Jennifer Karon YES, I mean I know I started the post, but I should say YES, too
Like · Reply · 1 · January 5 at 4:17pm

Mickey Morgano Yes
Like · Reply · 1 · January 5 at 4:18pm

Scott Stark Yes! From the Stark Family in Arcadia Hills!
Like · Reply · 3 · January 5 at 4:22pm · Edited

Andy Dembek YES!!!!!
Like · Reply · 2 · January 5 at 4:21pm

Carol Cullen I support LEGOLAND!
Like · Reply · 3 · January 5 at 4:22pm

Melissa Ann YES
Like · Reply · 3 · January 5 at 4:22pm

Tami Small A thousand times YES!!!
Like · Reply · 2 · January 5 at 4:23pm

2.

Tami Small A thousand times YES!!!
Like · Reply · 2 · January 5 at 4:23pm

Cameron Tidd YES
Like · Reply · 2 · January 5 at 4:24pm

Jessica Linares Yes!!
Like · Reply · 1 · January 5 at 4:25pm

Hans Persoon Yes!!!
Like · Reply · 1 · January 5 at 4:29pm

Debbie Gitner Definitely Yes from the first time I heard Legoland NY wanted to build in Goshen.
Like · Reply · 2 · January 5 at 4:32pm

Maria Parfenoff Yes!!!!
Like · Reply · 2 · January 5 at 4:32pm

Melissa Rubadou Swem YES
Like · Reply · 2 · January 5 at 4:41pm

Henry Gitner Definitely Yes.
Like · Reply · 2 · January 5 at 4:41pm

Paul Burfeind YES!
Like · Reply · 2 · January 5 at 4:46pm

Jami Legrande Connelly Yes
Like · Reply · 3 · January 5 at 4:54pm

Bob Karon YES
Like · Reply · 3 · January 5 at 4:54pm

Holly Benner Pietrobono Definitely YES
Like · Reply · 3 · January 5 at 4:57pm

Kim Marie Jablonski Yes!
Like · Reply · 3 · January 5 at 4:58pm

Nancy Sarubbe Yes.
Like · Reply · 3 · January 5 at 5:01pm

Ann Roche absolutely yes
Like · Reply · 3 · January 5 at 5:03pm

Jennifer El-Rifai YES
Like · Reply · 3 · January 5 at 5:09pm

Kristina Barnes Sileo Yes
Like · Reply · 2 · January 5 at 5:10pm

Darlene Bartley yes for legoland
Like · Reply · 3 · January 5 at 5:13pm

Dawn Gallondorn Lory Yes
Like · Reply · 3 · January 5 at 5:16pm

3.

Dawn Gallondorn Lory Yes
Like · Reply · 3 · January 5 at 5:16pm

Lynn Egan YES
Like · Reply · 3 · January 5 at 5:17pm

John Spivs Yes please.
Like · Reply · 3 · January 5 at 5:18pm

Debbie DeBellis Matyus YES
Like · Reply · 3 · January 5 at 5:24pm

Sandi Salhaney YES!!!!!
Like · Reply · 3 · January 5 at 5:25pm

Diane Horgan Blanton Yes!
Like · Reply · 3 · January 5 at 5:26pm

Marla Barnik Andrews Yes
Like · Reply · 3 · January 5 at 5:27pm

Donna Cornell Yes yes
Like · Reply · 3 · January 5 at 5:28pm

Charlie Schaumburg Yes
Like · Reply · 3 · January 5 at 5:40pm

Erick Gordon Larson YES!!!
Like · Reply · 4 · January 5 at 5:53pm

Bernadette Ellie Greaux Karon YES
Like · Reply · 4 · January 5 at 6:15pm

B.j. Boothe Yes
Like · Reply · 4 · January 5 at 6:17pm

Linda Wajda Yes!
Like · Reply · 4 · January 5 at 6:27pm

Keith Roddey Yes to LEGOLAND! It will transform Goshen!
Like · Reply · 4 · January 5 at 6:49pm

Barry S Klusky Yes
Like · Reply · 3 · January 5 at 7:23pm

Lisa Coscette Herring YES. YES. YES!!!
Like · Reply · 3 · January 5 at 7:24pm

Millie Ferrara Yes
Like · Reply · 3 · January 5 at 7:34pm

Alan Kalleberg YES!
Like · Reply · 3 · January 5 at 7:34pm

Matthew Milnamow Yes
Like · Reply · 3 · January 5 at 7:49pm

4.

Darlene Beck Yes
Like · Reply · 4 · January 5 at 8:31pm

Richard Storms Yes
Like · Reply · 4 · January 5 at 8:53pm

Sharon Stark Yes!! We support LegoLand!!!
Like · Reply · 4 · January 5 at 9:53pm

Dave Prosser Yes!
Like · Reply · 4 · January 5 at 10:28pm

Frank X Zellner Yes
Like · Reply · 4 · January 5 at 11:12pm

Kevin Sullivan Yes
Like · Reply · 4 · January 5 at 11:51pm

Ana Wood Yes!!!!
Like · Reply · 3 · January 6 at 5:03am

Bill Scheuermann Yes
Like · Reply · 4 · January 6 at 5:25am

Shannon Gambuti-Stansfield Yes
Like · Reply · 4 · January 6 at 6:54am

Lynn Allen Cione YES YES YES!!!!
Like · Reply · 4 · January 6 at 7:11am

Tom Leek Yes.
Like · Reply · 4 · January 6 at 7:51am

Phil Royle As a resident of the Village of Goshen, NY

Yes
Unlike · Reply · 11 · January 6 at 8:03am

Lynn Allen Cione I cannot like this enough.
Like · Reply · 2 · January 6 at 8:21am

Write a reply...

5.

James Wood Jr. Yes!
Like · Reply · 2 · January 6 at 8:54am

Gerson Levitas Yes.
Like · Reply · 2 · January 6 at 9:02am

Haydee Furman YES
Like · Reply · 1 · January 6 at 10:15am

Benjamin Peacock Yes!!!
Like · Reply · 1 · January 6 at 11:14am

Yvonne Marinus Yes!
Like · Reply · 1 · January 6 at 11:45am

Lynn Allen Cione This is awesome!!
Like · Reply · 3 · January 6 at 11:46am

Susan Bahren Yes....I'm from Chester and I truly believe this will be good
Like · Reply · 2 · January 6 at 11:57am

Sandi Salhaney I'm from Cape Cod and I can't wait to visit. Legoland in FL is great!!!
Like · Reply · 3 · January 6 at 12:08pm

Christine Little YES!
Like · Reply · 2 · January 6 at 12:27pm

Annette Musicaro Lilly Yes!
Like · Reply · 2 · January 6 at 1:04pm

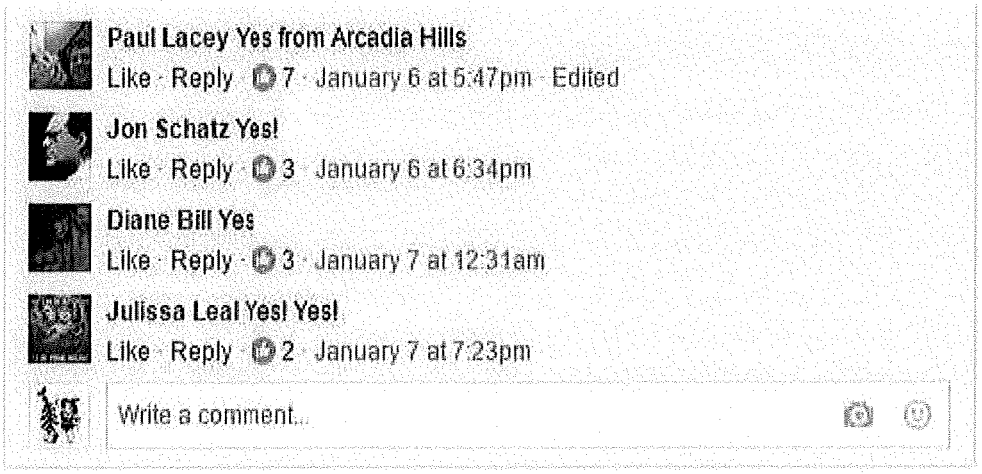
Frank LeFort Obviously, if they say no you know they are trolls and need to be removed from the group. The group is "supporters of Legoland". So every vote should be yes.
Like · Reply · 4 · January 6 at 3:04pm

> **Jennifer Karon** Well, we just wanted to get a true consensus so that we can send it to the town board, that way if 259 of us don't send individual letters, they can see that yes, we are in support. Plus they are getting a lot of letters of negativity from the opposing group so I would think they would rather read one letter than 259 lol
> Like · Reply · 1 · January 6 at 6:17pm
>
> **Frank LeFort** Makes sense. Therefore, yes.
> Like · Reply · 1 · January 6 at 11:38pm
>
> Write a reply...

Gregory Robert Yes!!!
Like · Reply · 3 · January 6 at 4:08pm

Paul Lacey Yes from Arcadia Hills
Like · Reply · 7 · January 6 at 5:47pm · Edited

6.


Paul Lacey Yes from Arcadia Hills
Like · Reply · 7 · January 6 at 6:47pm · Edited
Jon Schatz Yes!
Like · Reply · 3 · January 6 at 6:34pm
Diane Bill Yes
Like · Reply · 3 · January 7 at 12:31am
Julissa Leal Yes! Yes!
Like · Reply · 2 · January 7 at 7:23pm
Write a comment...

MANSFIELD COMMERCIAL REAL ESTATE

January 4, 2017

RECEIVED
JAN 4 2017
By

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, NY 10924

Re: LEGOLAND New York

Dear Members of the Goshen Town and Planning Boards:

As a business owner in the Village of Goshen, and as a resident of the Town of Goshen (on Conklingtown Road), the proposed LEGOLAND New York project is of great interest to me. Initially I was adamantly against the project, but over the last several months, I have come around to supporting it.

My initial concerns about the project related to the potential impact on the value of my home; I was afraid it would adversely affect it. My home is about one-half mile "as the crow flies" from the power lines which will border the planned development. Where I live is now a very peaceful, rural, natural environment and I was against anything that might change that.

In November, I spent time with a high school friend who formerly lived in Carlsbad, CA. She confirmed that there is little-to-no noise outside of the park. She said the biggest impact was the proliferation of hotels and traffic. Regarding traffic, I would like to see a flyway over Route 17, feeding traffic directly into the park.

I have been active in commercial real estate for all of the 27 years that I have lived on Conklingtown Road. And I firmly believe that home values are positively affected when jobs are being created in an area. Will my pristine home environment change? Perhaps, but few people are accustomed to what I have now. Even with LEGOLAND New York nearby, I believe it will still be a wonderful place to live. The 350+ acres of undeveloped land will help to ensure that. And the tax ratables from the project will help to keep my property taxes lower, which is a most welcome bonus.

In addition, the tourism benefits are of tremendous value. Orange County is the jewel of the Hudson Valley and sharing it is inevitable. LEGOLAND New York is a family park, geared to younger children. Attracting families to the area is good for the region.

The Planning Board must demand that LEGOLAND New York address all issues of concern during the project's environmental impact review. Furthermore, if problems arise after opening of the park, Merlin must resolve them immediately. Their success depends on it. They are a first-class organization with the financial capacity to make sure it is everything that their visitors and Orange County residents expect.

I support LEGOLAND New York.

Sincerely,

MANSFIELD COMMERCIAL REAL ESTATE

Elisabeth Mansfield
President

218 Greenwich Avenue, Goshen, NY 10924

Phone: (845) 294-1000 Fax: (845) 294-1070 www.MansfieldCommercial.com Email: info@MansfieldCommercial.com

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland
Date: December 19, 2016 at 11:49 AM
To: 'Kelly Naughton knaughton@bmglawyers.com, Sean T. Hoffman SHoffman@H2M.com, lbergusciviIengineer@gmail.com
Cc: Kathleen Krutki kkrutki@townofgoshen.org

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: john marchant [mailto:johnspivs@outlook.com]
Sent: Saturday, December 17, 2016 8:03 PM
To: nhalloran@townofgoshen.org; dbllomfield@townofgoshen.org
Subject: Legoland

I would like to register my absolute approval for the Legoland park, the company managing it and the designs submitted, save for one slight concern as below.

I think the benefits it will bring to the immediate and surrounding area are enormous, not just for direct employment, but for secondary employment and the potential for further investment that a facility like this will attract to the town and region in general.

The objections against it I have heard thus far amount to no more than childish tantrums, but for the very few that live in the immediate vicinity of the park, whom I have a certain amount of empathy for. The income being derived by the town from the park should be sufficient to address any problems that may or may not occur once the park is up and running, so any such trite objections are rendered, in my view, null and void.

I would like to point your attention to the access to the park from the highways which I believe are not strictly adequate. There does not appear to be much consideration of traffic coming from Albany, New Paltz, Newburgh, Monticello, Scranton, Danbury and Connecticut/Pennsylvania etc, all of which will use i84 and come eastwards down RT17, and presumably will follow the same route upon their return. Furthermore, with the planned expansion of Stewart Airport, there will be an increased volume of traffic from this quarter once the proposed internal and international flights are established.

I therefore do not believe the existing off ramp coming eastwards towards Chester is properly designed as there doesn't appear to be any measure to address the congestion at the lights on South Street and Chester Avenue, and again the left hand turn onto Harriman Drive, and the cross over from the westbound off ramp. Additionally, but to a lesser extent, traffic leaving the

park to go westward on RT17, will have to negotiate traffic leaving RT17 from the east on the same ramp, thereby casing congestion on RT 17 heading west.

Presumably, the main contractor will be instructed to limit construction and material traffic to RT 17, as I see no need to anger residents with heavy vehicles arriving to site through town, although this is very much a side issue.

By no means do my concerns reflect any objection to the project whatsoever, which I believe must go ahead, regardless of the above comments which I would like to think are taken into consideration.

It would appear to be generally felt by all that I have spoken to, that RT17 needs to be upgraded to three lanes from Woodbury Common to Monticello and I would wholeheartedly agree with this, but I understand, this item is not necessarily prevalent to this agenda.

Best wishes with the project and lets hope all the lose ends can be tied up as soon as possible. Thank you for the time and great effort you as a board have put into this much needed project.

Regards

John Marchant
16 Glen Drive
Goshen
NY 10924

BERNARD MARSON ARCHITECT FAIA
60 RIVERSIDE BOULEVARD 2401 NEW YORK NY 10069 TEL 212-580-8113 bermarson@gmail.com

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

January 4, 2017

Lee Bergus
Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

Re: Legoland Proposal

Dear Sir::

I am writing you this letter because I am strongly opposed to the site of the Legoland project in our town of Goshen, New York. It truly scares me that the current chosen location proposal, located off of Harriman Drive, is even considered a viable option.

I know that I am one of the many individuals who are genuinely concerned, upset, and terrified that the proposed project is still being entertained by our town board. There have been many town meetings regarding this issue and after hearing the various concerns of the residents, it is imperative that you, as our entrusted town board of Goshen, NY withdraw your consideration of the Legoland project.

The plan to build a mega park in a middle-class residential neighborhood that is surrounded by many family homes, a well-used bike path, and a major highway (that is already often congested) would be completely detrimental to our town. We also have secondary roads where children play and people jog along regularly. The safety of the people using these roads will be compromised if Legoland's setting is on the proposed site. My family and I ride our bikes and run along these roads frequently, and this amusement park location would be putting our safety at risk. As a resident of Lower Reservoir Road, we cycle and jog along Arcadia Road, Conklington, and South Street on a regular basis. The safety of my family and other families who are residents of

Goshen should come first. Our highways and roads are not designed nor built to withstand the millions of visitors that will be visiting the park each year.

Can you imagine what our secondary roads will look like if Legoland is in our charming town of Goshen? Have you ever heard of Waze, the popular navigation app? Traffic-beating apps like this will redirect thousands upon thousands of drivers onto our currently quiet roads. The thought of the volume of cars that will be barreling down our streets while my family and I are cycling or on a jog makes me sick to my stomach. I need you all to understand that we will never be able to enjoy the country and the lifestyle we have now as we know it to be if you are going to sell out our town. You will stripping Goshen of its quiet country charm and altering the lifestyle of all who live here. It is one of the main reasons we love our town of Goshen, NY.

The pollution that this park would generate is another major issue. Currently, there is nothing like taking in a deep breath of air in Goshen, NY. I work in Manhattan during the week and when I pull up to my driveway and get out of my car after a long day, it feels wonderful to draw in a deep breath of fresh air here in Goshen. I am incredibly concerned how Legoland would affect air pollution. Increased levels of fossil fuels have been proven to increase the likelihood of contributing to cardiovascular and lung diseases. This silent killer has not been properly addressed by the DEIS. Infrastructure improvements of massive proportions would need to be made to our town to accommodate the park. The sound pollution from the rides and crowds will be heard throughout our neighborhood. This amusement park would especially hurt those whose homes are located down the street or near the main entrance of the proposed site. The DEIS also does not properly address the limited water supply, the environmental destruction on the proposed land as well as the surrounding environment, and many other issues. This plan has been moved ahead way too quickly without major issues in the DEIS being addressed by the board and that is extremely upsetting. To put it simply: it is too much too big happening too quickly.

In addition, this proposed amusement park would strongly devalue the home properties within its vicinity. There have been claims that it will lower our property taxes but considering Merlin Entertainment wants a 30-year tax exemption, they may not have to pay property taxes on the park. Potential sales tax revenues may generate money for the county but the county has released very few details on their plan to put back money into our pockets or communities. Unfortunately, I have very little faith that the money generated from this project will go towards the town of Goshen. In the grand scheme of things, $1.3 million per year is nothing and quite frankly, it is an insult. If Legoland does not generate revenue for Merlin Entertainment, and is forced to close, we will be stuck with an abandoned amusement park in our backyards. This is why we have been protected by our zoning laws for all of these years. They were designed to make sure that something like this never occurred in our town because it is just the completely wrong place for something like Legoland to be built. The master plan is not some archaic outdated document. It was extensively reviewed and updated in 2009. Almost everything about this Commercial Development Violates a zoning law or contradicts the Comprehensive Master Plan.

Legoland is not suited for the spot Merlin is proposing for so many obvious reasons. All 523 acres of the proposed site fall with in an environmentally important and unique area labeled as a priority area in Goshen's own "Open Space and Farmland Preservation Plan." The trees in that location serve so many purposes from acting as a sound barrier, to shading our critical watershed, to erosion protection, to fostering a healthy bat habitat. If the zoning is changed, new laws will be passed and the town has the potential to look like its ugly neighbor, Middletown. We will see a rise in problems created by damaging the environment.

It is impossible to deny that this project will negatively affect my family and every other family that resides close by the proposed project site. It feels that you as the decision makers are fast-tracking this project that has been rejected by other neighboring areas town boards and that you are making decisions with your best interests in mind instead of the towns. For the past year, the steps the board has made towards making this project happen

has left me feeling very betrayed. Have you noticed that many of the "Pro Legoland" speakers at the town meetings have been union and business people that live **outside** of the town of Goshen? That perspective just doesn't hold water compared to the actual residents whose lives will be negatively impacted forever by this proposed project. We are the people who actually elected you to represent our best interests. Other towns were smart enough to reject this idea and we should reject it as well.

While we should all continue our efforts to bring new projects to our town in order to provide quality of life and help ease rising costs associated with living in Orange County, it should never come at the cost of creating hardship or stress for our residents and divide our community. This proposed project is creating a harsh divide in the community, as it is very obvious from the town meetings how upset many citizens of Goshen are at the idea of this proposed project. You have had our support in the past as we have asked you to look out for our concerns. We strongly urge you to pass on this project, as it is a completely inappropriate site.

Sincerely,

CHILD CARE COUNCIL OF ORANGE COUNTY, INC.

CONSUMER EDUCATION and REFERRAL SERVICE; A RESOURCE TO PRESENT AND PROSPECTIVE CHILD CARE PROGRAMS

Member of NYS Child Care Resource Network - Uniting for Quality

CHILD CARE COUNCIL OF ORANGE COUNTY, INC. New York

Website:
www.childcarecounciloc.org
Email:
info@childcarecounciloc.org

40 Matthews Street
Suite 103
Goshen, NY 10924

Phone: (845) 294-4012
Toll free: (844)461-4689
Fax: (845) 294-4045

NATIONALLY ACCREDITED

Member of:

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

January 3, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Linda Martini

Linda Martini
Executive Director

As a Child Care Resource and Referral Agency, the Council is a funded partner of OCFS NY State; and national activities, as a leader in local initiatives to bring about accessible, affordable, quality Child Care and Early Learning Services.

Cooley

brand new

RECEIVED

JAN 13 2017

TOWN OF GOSHEN
TOWN CLERK

January 3, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members,

Approving the proposed LEGOLAND New York project is critical to our area. The tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community are tremendous.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshen residents and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Please Remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

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I am confident Merlin Entertainments will address all issues you have in its environmental impact review and believe Merlin and LEGOLAND New York are committed to being transparent in this process, will be an outstanding member of the Goshen community and do whatever it takes to support the quality of life in Goshen.

This opportunity needs to be taken advantage of while it remains available to us!

PLEASE VOTE YES and approve this project!

Respectfully,

Russ Martinson
Partner,
Brand Consultant

+ Printing & Design
+ Promotional Products
+ Specialty Printing
+ Branded Apparel

Albany Office
421 New Karner Road
Albany, NY 12205
518.690.7110

Hudson Valley Office
8 Wagner Drive
Rock Tavern, NY 12575
845.208.8646

Rochester Office
806 Linden Avenue
Suite 500
Rochester, NY 14625
585.385.1880

Syracuse Office
6700 Kirkville Road
East Syracuse, NY 13057
315.432.1029

Utica Office
587 Main Street
#3 Mill, Suite 203
New York Mills, NY 13417
315.732.3725

Cooleybrand.com

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland Public Hearing
Date: January 10, 2017 at 9:00 AM
To: Krutki Kathleen kkrutki@townofgoshen.org, Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Susan McCosker [mailto:suze318@hotmail.com]
Sent: Monday, January 09, 2017 11:39 AM
To: nhalloran@townofgoshen.org
Subject: Legoland Public Hearing

January 9, 2017

Dear Mr. Halloran:

My name is Susan McCosker and I am a lifelong resident of Orange County. I grew up in Warwick, graduated from Burke Catholic in Goshen, and now reside in Monroe. We have a lot of pressing issues in Monroe which is the only reason I haven't been able to attend the Legoland Public Hearing meetings. I have to say I am both surprised and distressed at how this project is being pushed onto the public. I have a 6 year old and a 2 year old. While Legoland might be fun, it is much more important that my children still have open space in the outdoors to play in. We have actually considered moving to Goshen but once we heard about Legoland, we decided we would never move to Goshen. Projects that bring that sort of traffic and noise really do lower the housing values.

I live next to the Smith Farm project on Gilbert Street in Monroe. Over 10 acres of trees were clear cut before all of the final approvals were given. This caused the land to denude, the road to flood, and then O & R lake to become contaminated. It has caused major damage in the village. I fear for what will happen to Goshen if you allow something like this. As you can imagine living in Monroe, we also knows what happens when you play with zoning. There is no way that Goshen will not be sued down the road if change the zoning. The village of Kiryas Joel is suing Chester and Blooming Grove over the interest they have in the Camp Laguardia property. While that seems absurd and ridiculous it is reality. The village of KJ has no shortage of time, money, or attorneys. These are things to consider.

I cannot believe the changing landscape of Orange County. I cannot believe this is where I grew up and was hoping to raise my children. This is not going to bring the jobs or revenue to Goshen

that Merlin will have you believe. Please do not change the zoning. Thank you for your time.

Sincerely,

Susan McCosker

[redacted]

Memo

RECEIVED
DEC 29 2016
TOWN OF GOSHEN
TOWN CLERK

To: Douglas Bloomfield, Supervisor Town of Goshen

From: Mary Ann McDonough, Concerned Orange County Citizen

CC: Lee Bergus, Chairman Town of Goshen Planning Board

Date: 12/26/2016

Re: Written Comments on the Double Public Hearing, 12/15 & 12/19 2016

I am a 25 year plus member of a local Orange County Village Zoning Board of Appeals. Because of my experience on the ZBA and my familiarity with what happens on the Village Board and the Planning Board, I have to question why Merlin purchased the Town of Goshen land in question, has invested money in a Legoland storefront, held open houses, held parties, tours and even completed a very rudimentary DEIS, when they knew the land they wanted to develop was NOT zoned for amusement parks? In fact, the land is zoned Residential. So not only would a zone change be required but a local law would also have to be changed, that currently prohibits amusement parks in the Town of Goshen. Most companies/individuals would have made sure the purchase they were making allowed for amusement parks before the sale was finalized.

I have seen quite the opposite when it comes to individuals/companies, who want to purchase buildings and/or land. I have seen potential sales fall through because the potential buyer did not want to risk any investment for a project, where the building/land was not consistently zoned, for the intended purpose of the buyer. The fact that Legoland has proceeded with all deliberate speed; the fact that the Town of Goshen Boards have quickly pushed this project through and NY State has contributed 7 plus million dollars causes me great pause. I have concerns that Legoland, NY State and the Town of Goshen know something the rest of us are about to learn. Maybe these Public Hearings & Comment Periods are just a municipality going through the required motions, as set forth in NY State Municipal Law. It certainly appears the decision to change the zoning and a local law has been made well before this matter was brought before the Public. Otherwise, please Legloland & the Town of Goshen, explain to me why a company that is very interested in making money, would take such a huge financial risk? Without the zone change and the change in local law, Legoland has just spent a lot of money needlessly. I await your reply.

Mary Ann McDonough

Mary Ann McDonough

Concerned Citizen of Orange County

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland: bad for the region
Date: January 17, 2017 at 2:44 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: john.mickelson@yahoo.com [mailto:john.mickelson@yahoo.com]
Sent: Tuesday, January 17, 2017 1:34 PM
To: nhalloran@townofgoshen.org
Subject: Legoland: bad for the region

Hi Neal,

My short $0.02 on the proposed Legoland fiasco:

While I realize the strong temptation that such an activity center may hold for the Town, I'm disappointed at the lack of perspective and insight on the impact it'd have both on the beautiful Town of Goshen as well as for the rest of us living in the Orange County region.

I've seen little acknowledgement by the Town Board of the impact and real damage that the extra 2-3 million cars a year will have on the already compromised air quality, the accompanying noise on the peace and rural character, and ultimately the quality of life across the region, *not* just to the Town. Add to that the cars, traffic and air quality insults added by the upcoming Sullivan casino and it will make travel on Rt. 17, which is already a regular a parking lot on a daily and weekly basic (6 a.m., 4-7 pm., weekends, Sunday afternoons) even less effective as a real traffic corridor.

Add to that the

- obvious impact on local ground and storm water systems, (adjacent to a drinking water reservoir)
- the limits and stresses that the project would challenge the Towns water and waste water systems
- the insults to significant biodiversity features of Otter Creek and its watershed

- diminishment of open and forest lands to the town and County
- loss of property values to the local landowners
- embarrassing give-away in tax incentives to this multi-billion dollar foreign corporation

and it seems clear that the project would be an overwhelming net negative to the Town and the region.

I dearly hope that the Town has the vision and conscience to suggest Merlin find a more suitable location.

Sincerely,

John Mickelson

John Mickelson
Geospatial and Ecological Services
501 Stage Rd.
Monroe, NY 10950-3217
(845) 893-4110
john.mickelson@yahoo.com

C. Miele
January 16, 2017

Douglas Bloomfield, Supervisor
Town of Goshen Board
Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 101924

January 16, 2017

When it enacted SEQR, the New York State Legislature stated that its intent was:
"...to declare a state policy which will encourage productive and enjoyable harmony between man and his environment; **to promote efforts which will prevent or eliminate damage to the environment** and **enhance human and community resources**; and **to enrich the understanding of the ecological systems, natural, human and community resources** important to the people of the state."

HARD LOOK
One requirement of the State Environmental Quality Review SEQR is for the Lead Agency to take a hard look at the project.

1. Mid-way through the presentations in December, it became crystal clear that the Planning Board was going to rubber stamp the Merlin proposal. It appears that you consider that your task is to make this proposal fit and to actually pressure DOT to fix the problems.

2. The Town Boards have permitted Merlin to control most of the public hearings by giving an infomercial on their project at the start of each meeting. By denying the opposition their right to voice their opposition in a similar setting, their preferential treatment of the applicant is contrary to their ethics as Board members.

3. **"An important aspect of SEQR is its public participation component. "** At the hearings the citizens were limited to ONE MINUTE comments before the board. We were told that additional comments could be placed in writing and they would be read. However, there is no evidence that they were ever read. In the instance of the petitions submitted by the Concerned Citizens with some 1500 plus signatures, the Supervisor told us "they were placed in file cabinets somewhere in the office".

4. The most egregious of these actions was after at least 20 requests the board refusing to tell us how many minutes we had to comment on the DEIS in December until the very night of the meeting basically making it certain that we would have no ability to formulate our presentations. They were afraid to take a HARD LOOK at the opposing

point of view. When the board was confronted about this we were told that it would take too long to listen to everything that everybody had to say.

5. Conclusion: Apparently a Hard Look was not the intention.

ZONING CHANGE

SEQRA Handbook states (section 14, p183) "in contrast, if the zoning change is proposed by a project sponsor, in conjunction with a proposal, **the impacts of both the rezoning and the specific development must be considered** in determining environmental impacts."

1. The proposed zoning change is defined by SEQRA as a Type I action and as such requires special attention.

2. We challenge the decision of the town board to change the zoning in such an arbitrary and capricious manner. The original plan for this area was formulated with the coalition of citizens from many different aspects of our community and was given plenty of thought and discussion before being formulated.

3. From the publication "Zoning and the Comprehensive Plan" James A Coon local Government Technical Series and Town Law 272-a
   Page 1:"**a comprehensive plan that is kept current is necessary before a local government can lawfully adopt or amend zoning.**

4. We maintain that this is not merely a zoning change but a major revision to the Comprehensive Plan of the Town of Goshen. A Project sponsor may propose a zoning change but we question their ability and right to rewrite the Comprehensive Plan of the Town of Goshen.

5. We request that a committee of citizens and professional planners be formed to consult on any major revision to the Comprehensive Plan before Local Laws 5 & 6 are adopted.
   Section 4.3 of the Comprehensive Plan of the Town of Goshen: Maintaining the Plan:
   "Frequent review of the Plan to make sure that it meets any new conditions arising subsequent to its adoption is one of the most important elements of the planning process. The Plan must reflect current Town planning goals and policies if it is to be respected and regularly used. A reexamination of the Plan should continue to be undertaken at least once every three (3) years.
   Future amendments to the Plan can be accomplished .....through a comprehensive revision process, such as occurred for the preparation of this updated Comprehensive Plan."

6. It is painfully obvious that the board should not be trusted with this serious obligation. Based on their questions, lack of involvement and overall confusion during meetings it appears that some of the Planning Board members have not read the DEIS relying instead on a small handful of outside experts to interpret what they are reading. This is not something that should be fast tracked. The discrepancies between the text and the maps, the wide variance in numbers presented throughout the document should be sufficient to require that the entire document be rejected.

7. Later on the plan states that they must accommodate to a REASONABLE EXTENT the NATURAL CONTOURS of the land and the protection of the wetland area.
   A 59 ft high retaining wall 4 miles long and tens of thousands of truckloads of fill could not possibly meet even those spot zoning goals.

8. The exact location which is being considered for an amusement park (not permitted in Goshen) or commercial tourist overlay district, was, in April, deemed to be of such a sensitive nature that very careful planning was necessary. This is before Merlin Entertainments came in and took control. Please refer to the Moodna Creek Fact Sheets, p 11. "Otter Kill/Black Meadow Creek and Tribs"

9. The description of a Commercial Tourism Overlay District provided in proposed local law 6 clearly describes the essential elements of an amusement park.

10. Legoland is a member of the International Association of Amusement Parks and Attractions. They are listed in Mapquest, Trip Advisor, and AAA as an Amusement Park. Apparently Legoland is comfortable with that designation but Goshen is not because Amusement Parks are PROHIBITED in the town of Goshen.

11. The NY State Assessor Manual of property type classification and ownership has codes for property types. "Theme Park" is not listed but under Recreation and Entertainment is code #532 Amusement Parks.

12. The town board has fast tracked a project that will change the landscapes of the town of Goshen and impact the citizens of the entire region.

SEGMENTATION

1. Image is everything, especially to a mega corporation that has sought to control every aspect of this project to date:
   P 55 SEQR Handbook: "By excluding subsequent phases or associated project components from the environmental review, the project may appear more acceptable to the reviewing agencies and the public." That statement should be a signal to you to

be wary of the entire project.
P184 "Project sponsors may be unwilling or financially unable to provide detailed information about a project until the zoning question is resolved. However, this does not justify a segmented review."

2. Merlin has presented both by their actions and by the stated business model that in order to succeed, the amusement park industry (there is that word again!) innovation and expansion is necessary to maintain attendance.

3. Do you believe that Merlin is going to stop their development at the Goshen site at Phase II? We have evidence to the contrary in taped conversations before the Chamber of Commerce and in private conversations. They did not need to purchase 523 acres to build this park, they have every intention of adding to the site in the future just like they have done in Windsor, Carlsbad and Florida. Expansion is part of their business model.

4. It is incumbent on Merlin to extend SEQR to all 523 acres and describe the impacts of any additional building, attractions, rides, restaurants etc. with additional runoff, sewage, pollution, destruction of habitats etc. This will be a conceptual analysis based on their building activities in other parks and plans proposed that have not yet been built in those parks. This is not a "nice to have" but information REQUIRED by SEQR.

5. In addition, the Town of Goshen must do their own GEIS to highlight the additional impacts of such buildout including the availability of resources: ems, fire, roads, pollution control, energy, traffic water etc.

6. Suitable mitigation would be to place a deed restriction or covenant on the remaining acreage to try and keep the ruination of the Moodna Creek and sensitive environmental areas to the 140 acres. This does not imply that they can even begin to meet the requirements of SEQR on the 140 acres as our experts have indicated.

CRITICAL ENVIRONMENTAL AREAS

1. What are "Critical Environmental Areas"? http://www.dec.ny.gov/permits/45500.html

   Defined in SEQR as:

"Critical Environmental Areas" (CEAs) are areas in the state which have been designated by a local or state agency to recognize a specific geographical area with one or more of the following characteristics:

A feature that is a **benefit** or **threat** to human health;
An exceptional or **unique natural setting**;
Exceptional or unique social, historic, archaeological, recreational or educational values;
or
An inherent ecological, geological or hydrological sensitivity to change that may be

adversely affected by any physical disturbance.

2. Who may designate a CEA?

Local or state agencies may designate a CEA under subdivision 6 NYCRR 617.14(g) of the SEQR regulations. Local agencies may designate specific geographic areas within their boundaries as CEAs. State agencies may also designate specific geographic areas which they own, manage or regulate, as CEAs.

3. CEAs require more diligence and more stringent mitigation measures according to SEQR.

MITIGATION

1. It is our premise that the ability to mitigate does not equate to the advisability of approving a project.

2. The DEIS in question fails to provide even the most basic of mitigation and impacts such as water, pollution, climate crisis, land slope cannot be mitigated.

3. In the DEC Publication "Freshwater Wetlands Regulation Guidelines on Compensatory Mitigation" To meet the standards in 6 NYCRR 663 and receive a freshwater wetland permit, an applicant must:

    a. first demonstrate that impacts to the wetland cannot be avoided entirely AND
    b. then demonstrate that unavoidable losses or impacts on the functions or benefits of the wetland have been minimized

AND

    c. finally, fully compensate for (replace) any remaining loss of wetland acreage and function unless it can be shown that the losses are inconsequential or that, on balance, economic or social need for the project outweighs the losses.

    Does the meager $1,500,000 per year outweigh the complete destruction of endangered species, placing the entire region at risk for water shortages, creating unmitigated health risks from pollution, pesticides, particulates?

4. It goes on to say. "The degree of balancing required is commensurate with the classification of the affected wetland and the severity of the remaining impacts. The higher the class or **the greater the impact, the greater the burden** of proving over-riding need so as to avoid having to fully compensate for unavoidable impacts." We again refer you to the Moodna Creek Waterbody Information from the DEC attached to this document.

5. We suspect that the Planning Board members have not familiarized themselves with the various publications mentioned so far in this review and it is incumbent upon them to do so.

6. Traffic mitigation: the DEIS has a laundry list of woulda coulda shoulda, none of which Merlin is willing to pay for. P 27 DEIS.

7. The Flyover currently being touted and campaigned will assure that no customers would venture into Goshen placing the Village in the same situation as Winter Haven Florida where no benefit to existing businesses will ever be realized. Oddly enough this is the only repercussion noted in the DEIS. No further investigation of the traffic departing Legoland directly onto Route 17 or other potential impacts were included.

8. P 93 DEIS. The Project Sponsor has requested that New York State and Orange Couty fund the cost of these improvements (to Route 17). Keep in mind that taxpayers have already "paid" for the generous advance money given to Merlin $7.4 million funded by our taxpayer's money. To even consider for one second that the taxpayers or the DEC should pay even $1 toward a flyover to benefit a multi-billion dollar corporation wishing to erect a part time amusement park is outrageous.

9. Local politicians state that they are happy with the project if it includes a flyover and yet they have gone on record as stating that they do not feel qualified to comment on the technical aspects of the DEIS. Accept their statements as mere "political" comments.

10. Additionally outrageous is that Supervisor Bloomfield expects the DEC to fast track a flyover in advance of projects that have been waiting years, or in some cases, decades for funding and a start date. We hope that taxpayers in the entire state express their outrage over this ridiculous expenditure for a part time amusement park belonging to a company that demands a 30 year pilot and will create low income jobs out of sync with the demographic of the town.

11. No mitigation:

    a. Permanent disturbance of existing soils
    b. Soil erosion
    c. Blasting
    d. Pesticides
    e. Airborn particulates and pollution

f. Changes to topography.
g. No wetland disturbance mitigation because it is under 0.1 acre. Our experts dispute that calculation
h. P 83 DEIS Traffic generation is an unavoidable adverse environmental impact
i. p 99 on noise: mitigation measures SHOULD be implemented without saying what they will be.
j. No helipad approval has been requested from the FAA. No data on helicopter evacuations on current Legoland properties was included
k. The will have an on site EMT which will not mitigate the additional strain on our local hospital. No data on hospital and emergency room visits was given in the DEIS.
l. No mitigation for the Village of Chester School District because it is not in the 140 acres being developed at this time. Further evidence of segmentation.
m. No mitigation of lighting or night sky illumination and no cited studies of impacts to wildlife and the bird and bat population.
n. No significant adverse impacts to archeological resources will result from the project p148. This cannot possibly be determined at this point and all other developments in that area, including Lone Oak, indicate otherwise.
o. Idling buses, construction vehicles, will be held to under 5 minutes. This has not been enforced in their other parks.
p. Traffic unless Goshen pays
q. Added police force plus related costs
r. Swat teams availability and cost
s. Wear & tear on roads from added traffic
t. Excessive water use – oh Wait! They promise to send out the hotel laundry!
u. Destruction of endangered species habitat (they only looked for a few minutes)
v. Future development mitigation not discussed because DEIS is Segmented
w. Accident frequency mitigation plan
x. More than 50% of the site disturbance will be impervious surface
y. Impacts to endangered and "special concern" species.
z. Impacts to agriculture and health brought on by clear cutting.

COMPARABLES

A. Windsor England
   1. electricity usage p 16 DEIS. 724624 kWh per month with a peak of 1,003,755 kWh Air conditioning in the UK is minimal if it exists. And refrigeration is not what it is here in the US – even their beer is warm. Florida is 1,092,809 kWh per month but they have a water park. This is mentioned five or more times in the DEIS.
   2. water demand with peak usage of 255,394 gpd
   3. Wastewater volume 90,461.90 GPD with a peak of 130,689 gpd

B. Florida

1. Food & beverage deliveries 6am to noon. They state they expect the same for Goshen
2. Retail deliveries noon to 4pm
3. Public Transport Fee for employees. Note: They have existing bus service. Goshen does not.
4. 4,180 parking spaces.
5. Fireworks of 150dBA
6. Noise levels for Halloween Celebration 100-106dBA at nearest property lines
7. 79 tons of waste per month
8. police stats given in the DEIS are different from the police stats we were given by the Winter Haven Police Department (attached)
9. 84 fire department calls (10 false alarms)
10. 2-3 solid waste pickups per week

C. Carlsbad
1. Hourly traffic volume
2. 5,182 parking spaces
3. 79 tons of waste per month
4. sends their laundry out

Note on traffic volume stats presented – they were averaged: 5000 cars over 10 hours is 500 cars per hour but 75% of their arrivals are between 10-12. That amounts to 3750 cars in 2 hours or 1875 cars per hour, rendering the proposed 3000 foot long stacking lane insufficient.

IN CONCLUSION

- The DEIS in its entirely fails to satisfy the requirements of SEQR and as such must be rejected.

- What little data that is presented in the DEIS is out of date and no longer relevant or inconsistent from map to text.

- The DEIS only addressed phase 1 and phase 2 of development of 140 acres.

- For the DEIS we are asked to accept an unsubstantiated statement from the village of Goshen that there is enough water. This is an arbitrary decision and most likely wishful thinking.

- The DEIS fails to address the cumulative effect of all the projects approved in the region. The impact alone of the DOT construction of the Harriman interchange due to commence this spring at a cost of $150 million will put this area into chaos for years. Add to that the construction of Amy's Kitchen and the enormous Montregin Casino a serious discussion of which are absent from the DEIS.

- How many millions will it cost to do a widening of Route 17, create a flyover and do the needed road improvements? It's not in the DEIS because Merlin has no intention of paying for it.

- The DEIS fails to take into account that there are very limited natural resources in this region.

- The DEIS fails to justify the use of millions of gallons of water per year for an amusement park that is not paying any taxes for more than 30 years.

- The DEIS fails to take into account that any additional development in the area will most likely be denied because a tax-negative amusement park has severely strained the infrastructure of the area.

- The Hard Look required is impossible because the real statistics needed to determine feasibility are categorized by Merlin as proprietary information. If you are serving up a net profit of $23 million per year, you are entitled to ALL pertinent information.

- Merlin was quoted as saying that they wanted Legoland to build cheap and fast. The quality of work evidenced in there the EIS should be a huge red flag to you that their mode of doing business is cheap and fast.

- The payments offered to the town is laughable for a corporation that stands to make the entire payment for the whole year in only a few days of operation.

- Switching the emphasis back to the town, it is unconscionable that members of both boards are touting the tax positive benefits of Merlins project when even the most rudimentary calculations prove otherwise. The fact that the town officials are stating that we will have wonderful jobs and incredible wealth without doing an independent **cost benefit analysis** is irresponsible.

- The actions of the Planning Board Chairman Burgess and Town Supervisor Bloomfield in replacing two members of the Planning Board prior to a critical vote for reasons determined by Merlin and not themselves as they claim, are a clear indication of something clearly amiss. When questioned the board was unable to provide any reason why member Andrews was removed after 18 years of outstanding service.

- The hostile attitude on the planning board toward anyone who dissented from a pro-Legoland stance was obvious when one member felt it compelled to note that his dissension was most likely his swan song on the board. The photo of Mr. Burges' expression during his speech says volumes.

- This nonsense of Goshen needing an amusement park to become a tourist destination is exactly that: nonsense. If you put through this amusement park you will totally ruin the very things that make Goshen special. It is truly tragic that you do not have an understanding of what you are offering New York State and have INVITED Merlin to come in and destroy this forever.

- Your decision to push this project through would prove be, in our opinion, financially, environmentally and economically a disaster.

- There are companies out there with good people willing to pay their fair share, willing to work with the community, willing to be good neighbors, willing to protect the environment and willing to meet the needs of the citizens of the area.

- We urge the members of the town boards to reject this DEIS, avoid aligning yourselves with this project which clearly does not fit on the property under consideration with a corporation that appears to be taking over the town, creating discord, animosity and controversy.

Respectfully Submitted
Christine Miele
Resident of Orange County, New York
Member of CC4HV

Appendices:
1.Police Call Outs from Town of Winter Haven Oct 2015-Oct 2016
2. Document on Threatened Status of Otter Kill and Black Meadow Creek

C. Miele
January 16, 2017

LEGOLAND CALL OUTS
10/27/2015-10/27/2016
1 LEGOLAND WAY WINTER HAVEN, FL

T	Traffic Stop	38
S39P	Petit Theft	6
S14	Information	39
S15	Special Detail	58
S29	Battery	4
S38L	Abandoned/Lost/Found	9
S12	Traffic Complaint	5
S13P	Suspicious Person/Vech/Inc	9
S85	Fraud	8
S13V	Suspicious Vechicle	3
S31	Narcotics Violation	1
S66	Trespassing	3
S4,S3P	Vechicle Crash/Prop.Damage	21
S39G	Grand Theft	9
S22	Disturbance	7
S10	Stolen Vechicle	4
1017	Conducting Investigation	14
S55	Dangerous Shooting	1
S81	Property Damage	2
S21	Burglary	1
S74	Disable Vechicle	2
S1	Drunk Driver	2
S51	Criminal Mischief	2
S45	Fight	1
S90	Hangups	287
PA	Fire/EMT Rescue Calls	97
S37	Perimeter Check	9
	misc.other	49
	Total Calls 10/15-10/16	689

Otter Kill/Black Meadow Creek and tribs (1303-0025) Threatened

Waterbody Location Information

Revised: 04/16/2008

Water Index No: H- 89-20
Drain Basin: Lower Hudson River
Hydro Unit Code:
Str Class: C*
Waterbody Type: River
Reg/County: 3/Orange Co. (36)
Waterbody Size: 99.1 Miles
Quad Map: MAYBROOK (P-24-1)
Seg Description: entire stream and tribs

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted	Severity	Problem Documentation
Habitat/Hydrolgy	Threatened	Known

Type of Pollutant(s)
Known: - - -
Suspected: WATER LEVEL/FLOW, THERMAL CHANGES
Possible: Silt/Sediment

Source(s) of Pollutant(s)
Known: - - -
Suspected: CONSTRUCTION, HABITAT MODIFICATION
Possible: - - -

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))
Verification Status: 4 (Source Identified, Strategy Needed)
Lead Agency/Office: ext/WQCC
Resolution Potential: Medium
TMDL/303d Status: n/a

Further Details

Overview
Hydrologic/habitat uses in Otter Kill/Black Meadow Creek are known to experience threats due to impacts to habitat from increasing development.

Water Quality Sampling
Biological (macroinvertebrate) assessments of Black Meadow Creek were conducted at various sites by the Orange County Water Authority in 2004 and 2005. The results of this sampling indicated slightly to moderately impacted water quality conditions. However the more significant (moderate) impacts were likely influenced by low stream gradient and poor sampling habitat. Initial result suggested septic inputs were contributing to impacts, but these indication were likely to have been significantly influenced by impoundment conditions in the wetlands. (DEC/DOW, BWAM/SBU, March 2008)

Habitat Issues
The Metropolitan Conservation Alliance of the Wildlife Conservation Society issued a Biodiversity Plan for the Southern Wallkill area, including this watershed. The plan identified Otter Creek as a biodiversity hub that is host to significant biodiversity. The plan noted that portions of the habitat system are at risk from dense residential development. The watershed also includes Purgatory Swamp, a diverse wetland system that provides important wildlife habitat for state-listed declining and rare amphibians, reptiles and birds. Protection measures in this watershed

would yield significant conservation benefits. (MCA/WCS, 2005)

Segment Description
This segment includes the entire stream and all tribs. The waters of the stream are Class C. Tribs to this reach/segment, including Black Meadow Creek (above trib. 20 of Otter Kill is named Black Meadow Creek), are primarily Class C; with small portions of tribs designated Class A.

To The Town of Goshen Planning Board
To the Town of Goshen Board

RECEIVED
JAN 5 2017
By

January 2, 2017

What time do they really open?

In the DEIS there are several versions of the Hours of Operation for the park.
The Theme Park (p3) is

10AM – 8PM June – August

10 AM – 6PM April – May and September – October (described as shoulder season)

P 24 adds:

7 days a week

but also states:

10 AM – 8 PM **on weekends during the "non-peak season"**. April-May and September-October.

Food Service (p24)
Would not be open outside of park hours. However they state for both Florida and Windsor that food establishments are left open (according to their own reports, up to 1.5 additional hours) after closing time to accommodate visitors dining needs.

DELIVERIES:
p 24 "**Deliveries would be during normal park business hours** and would be from local vendors and commercial currier service such as United Parcel Service or Federal Express. Deliveries are typically by appointment so as to stagger truck arrivals."
But not always – also on p 24
"At LEGOLAND Florida, food and beverage deliveries are scheduled between 6:00AM and noon while retail deliveries are scheduled from noon to 4:00PM**. A similar system would be created for the Proposed Site**."
So it could be 6AM start time for deliveries.

EMPLOYEES:
P24
Employees would be expected to be onsite approximately 2 hours prior to park opening and maintenance and cleaning staff would be expected on remain on site approximately 1.5 to 2 hours after park closing. The park will be closed from November through March. The hotel, offices and aquarium will be opened year round but with reduced staff and significantly reduced numbers of visitors.
P 88 states **Generally all staff arrive to the site about 1.5 hours prior to park opening and leave about 2 hours after the closing time**. There are some mid shifts and people who come and go all day but most staff start coming in after 8:00 AM. That departure schedule is reiterated on p 114.

So that gives us:
8:00 AM – 10:00 PM for employees. Or is it 6:00 AM to 10:00 PM?

And then there is the Fireworks on p101
Fireworks could be used at the site for special holiday celebrations such as the Fourth of July or Halloween. Typical fireworks displays at the park last approximately 20 minutes and would only occur on weekends.
"Fireworks would only be used by certified professionals and would take place on we**ekends at approximately 8pm**."

8PM fireworks would work for Halloween but not for the 4th of July. Darkness for the 4th of July begins after 9PM and most fireworks take place in our area starting at 9:30 PM.
https://www.timeanddate.com/sun/usa/new-york

To summarize, the park is operational from 6AM to 10 PM and later when there are fireworks. We assume that since the hotel is open year round, there will be staff on hand for 24 hours. Their arrivals and departures are not covered in the DEIS.

Christine Miele
CC4HV

READ AT 12/19/16 open meeting

Unlike many of the people you listened to last week, I read the DEIS and many of the appendices. And what I read was a very deficient and inadequate document. I then compared it to Lone Oak and other DEIS documents.

The Merlin document has hundreds of errors, lots of missing data, missing charts, truncated sentences, factual errors. Outrageous claims are made without any supporting documents.

It is disturbing that there is very little current data in the Merlin document. Much of the information presented is more than 5 years old and thus unusable.

The town of Goshen only gets one chance to get this right if you go ahead with fast tracking you are working against yourselves.

I understand that Goshen is anxious to bring this corporation into town. But this project is in the wrong place and **this site in particular is definitely the wrong place**. Furthermore, the plan itself accentuates the physical limitations of the site with both Boces and Glen Arden bearing the major burden of negative impact for emergency services and the nearby residences bearing the burden of noise, pollution, visual disturbance and runoff. The DEIS does not address these impacts. they are trying to **FIT** their plan on a site that really doesn't work for them. These basic flaws are so obvious to me, and yet this was released for public comment as a complete document.

DEC 2 1 2016

In reading the other Environmental impact statements I am struck as to the vastly different ways applicants are treated by these boards and so often it is the loyal taxpaying citizen who gets the roughest treatment. It is like you are starstruck by Merlin. You are not looking past the bright colors and gobs of money. Look at the real issues – look at their promises to Windsor England. Traffic and power are **their** big issues. The issues were there before they built and they are still there today. There are no raves from the surrounding community on their presence. Actually there are raves, but not the ones Merlin wants to hear.

Did you even talk to the businesses they claim experienced a boom because of their presence? We did in **our** investigation and spoke to a number of business owners in Winter Haven not a single one mentioned the millions of dollars that Merlin talks about in their DEIS.

You owe it to the people of this area to do due diligence and pushing this project through without lots of careful thought will have a very bad outcome for all of us. If you are so intent on inflicting a part time amusement park on us, at the very least do your job – get a SEQRA on ALL the property – not only the 140 acres they are developing now. Put a conservation easement on the wetlands, put

restrictions on future development on their site and see if they stick around. There is not a single high level ratable next to an amusement park in this country.

Now for the comprehensive plan

When I read this plan I thought – this is a good document. It allows the people who live in and invest in this town a good blueprint for the future. It was well thought out and presented. So now, without all the careful input and research and community involvement that went into this plan, a big corporation comes along, a lot of money is thrown their way by the governor who had Blackstone whispering in his ear and you try and make this project fit. Well it doesn't fit. There are a lot of projects that would be good for Goshen but it seems like the creativity and forethought needed to bring them here came to a screeching halt when Merlin came knocking.

Do not alter the comprehensive plan in this way – do your diligence, look at the total 544 acres, look at the impact of the wildlife and endangered species you will kill, the plants you will destroy, the ecosystem that you will ruin, the wells that will run dry, the cancer and heart disease you will introduce to this community. You can even destroy the entire agriculture industry in the area. Listen to the

Concerned Citizens – they are engineers, doctors, chemists, hydrologists, environmental specialists, law enforcement, firemen, businessmen, they are trying to protect you from rushing into an environmental disaster. They are part of your natural resources and yet you are instructed to not talk to us.

The environment didnt change in the past 6 months but it sure can change in the next six months

Christine Miele

CC4HV

RECEIVED
JAN 5 2017
By

To the Town of Goshen Planning Board and
The Town of Goshen Board

Regarding: Cost benefit and impacts of a mega corporation.

You were given an excellent analysis of the impact of various types of jobs by our member from WillsWay Equestrian Center. While I am unable to provide a detailed cost-benefit analysis and the one firm I know that can provide an unbiased report is tremendously backlogged, there are considerations that I am very familiar with as having been a small business owner for 25 years. My business had very close relationships with both the various Chamber of Commerce and Tourism Bureaus for many destinations world-wide.

While your local Chamber of Commerce is promoting Legoland as the key to financial stability for decades, the exact opposite is what will likely happen. There are so many factors that should be making you nervous and yet some feel Legoland is a gift from heaven. That mindset seemingly prevented some members from taking a HARD LOOK at the project at hand. The hard look needed extends to the farms, the surrounding communities, future development in the region and the negative aspects you are introducing to a lovely but environmentally sensitive site. The hard look requires you to go beyond the myriad of people who think they will get lucrative Merlin contracts without doing any investigation into the operating practices of this mega-corporation. Goshen is far more suitable for a tech company, corporate headquarters or modern industry than a part-time amusement park.

What follows is an excerpt from a study of the real economic impacts of bringing a company like Merlin into a small town. The study was prepared by Kelly Edmiston, a senior economist at the Federal Reserve Bank of Kansas City. The bold type and underline is mine.

Submitted by: Christine Miele, CC4HV

https://www.kansascityfed.org/PUBLICAT/ECONREV/PDF/2q07edmi.pdf

I. ISSUES WITH TRADITIONAL ECONOMIC DEVELOPMENT POLICIES

On the surface, one might think that a large firm would spur local economic growth by yielding significant gains in employment and personal income. The direct effect—the jobs and income generated directly by the firm—would certainly suggest this to be the case. In reality, however, it is often the effects on other firms in the area—the *indirect* effects—that carry the greatest weight in the net economic impact. **Experience suggests that because of these typically large indirect effects and the costs of incentives and competition, <u>economic development strategies aimed at attracting large firms are unlikely to be successful or are likely to succeed only at great cost.</u>**

A recent study of new-firm locations and expansions in Georgia suggests that, on net, the location of a new large (300+ employees) firm often retards the growth of the existing

enterprises or discourages the establishment of enterprises that would otherwise have located there (Edmiston). Specifically, the location of a new plant with 1,000 workers, on average, adds a net of only 285 workers over a five-year period. That is, the average firm would add 1,000 workers in its own plant but would also drive away 715 other jobs that would have been generated (or retained) if the new large firm had chosen not to locate there. Another recent study suggests that the net employment impact of large-firm locations may actually be closer to zero (Fox and Murray).

Much has been made of the indirect effects, or spillovers, of new large firms. The positive spillovers include links with suppliers, increased consumer spending, the transfer of knowledge from one firm to another, and the sharing of pools of workers. But **negative spillovers are important** as well. They include constraints on the supply of labor and other inputs, upward pressure on wages and rents, congestion of infrastructure, and (if fiscal incentives are provided to the locating firm) **budget pressures from increased spending without commensurate increases in public revenues. Even perceptions of these negative effects can drive away firms, whether or not they actually materialize. The evidence suggests that the negative effects dominate with many large-firm locations (Edmiston; Fox and Murray).**

Expansions of existing firms, however, tend to have multiplicative positive employment impacts. On average, a plant expansion adding 1,000 employees is expected to generate a net employment impact of 2,000. This result supports the notion that internal business generation and growth has potentially better prospects as a strategy than firm recruitment.

The **costs per job** of incentive packages are generally measured in terms of gross new jobs at the new firm. The dollars of incentives are divided by the number of jobs. During the recruitment stage, these costs are often substantially underestimated. For example, the cost per job created for an enterprise creating 1,000 new jobs and offered $20 million in incentives is $20,000. But if the net job impact is only 285, the true cost per job created soars to $70,175.

In many cases, states or local communities could arguably receive greater returns by investing the same resources in creating a more conducive business environment for existing firms—both large and small. Thus, recruiting large firms is often costly, in both direct expenditures and the lost opportunities for other forms of economic development.

Recruitment of large firms is also costly because it may engender a competitive economic development landscape. For example, decisions by local governments to use tax abatements to lure firms are highly dependent on the decisions of their neighbors (Edmiston and Turnbull). The likelihood that a county uses tax abatements to lure firms increases 41 percentage points if its neighbors use them. In other words, a county that has a 20 percent probability of using tax abatements when none of its neighbors use them would have a 61 percent probability when all of its neighbors use them. The presence of a border with a neighboring state may also encourage the use of tax abatements.

This type of competition can be very costly. **Recruiting a firm will generate costs for infrastructure, such as roads, sewers, and public services**. If a community gets into a bidding war with another community, fewer resources will be available for absorbing these costs, and neither community gains an advantage by aggressive recruiting. If, for example, one community offers tax incentives to win the new firm, it will face increased costs but no property taxes to offset them. **The recruitment of firms can therefore be a losing proposition for all involved.**

Perhaps most important, from the perspective of society at large, **aggressive courting of large firms can distort rational behavior, causing a waste of economic resources**. For example, one region may offer a lower cost option for a newly locating enterprise because of a larger supply of labor, cheaper costs of transport to market, or other natural advantages. If another region is able to capture the firm away from its optimal location by offering lucrative financial incentives, resources will be expended needlessly. For example, shipping the final product over longer distances will be more expensive. While welfare in the winning region may improve (but not necessarily), welfare for the larger community encompassing the region will suffer: Fewer resources would be available for production than would be the case if the firm chose its economically optimal location.

While large firms offer better jobs on average and contribute significantly to job creation and innovation, research and experience suggest that attempts to recruit large enterprises to a specific community are unlikely to be successful (because of competition from competing communities). And they are not likely to be cost-effective even if they are successful. More generally, an economic development strategy that focuses on a particular business or industry is very risky because sorting prospective winners and losers is difficult at best.

Where do these facts leave economic development strategy? As noted earlier**, net employment impacts from firm expansions tend to be much greater than those associated with new-firm locations. This suggests that concentrating on organic growth, or the growth of existing or "home-grown" businesses, is likely to be a much more successful strategy than the recruitment of new firms.**

Chris Mish
CC 4 HL

Eric
Miller
12/16/16

As I reviewed the DEIS document I took note of the table of contents. When I looked at the entire project and some of the items listed (Water, Traffic, Community Services, Noise, Air Quality, etc) it all adds up to a SIGNIFICANT negative impact to the area. More water will be needed, Air quality will greatly suffer, noise will be increased, and local services will be greatly taxed. In my opinion the scope of this project is not appropriate for our area.

Let's realistically think about some of the figures and apply them to what we know. Goshen has roughly 20K residents. The amusement park estimates 1.5 to 2.5M visitors will invade the Goshen area per year. Daily traffic generation of roughly 5K vehicles entering and exiting, with the peak of 1.5K vehicle per hour. That is 25 additional cars per minute in the 17 corridor to Goshen. What will happen on a weekend or weekday when I or you want to bring my family to eat at a restaurant in Goshen or Chester or Middletown and only 5% of the people attending the park eat on their way home? Nightmare. The scope of this project not appropriate for this area.

What about the estimates on water and sewer? As an example, let's quickly touch on water estimates for the amusement park. Reviewing the Village of Goshen and Engineering reports, Appendix E, it states a Peak Month average estimate of 270,000 gallons of water used by Legoland vs. current usage by Village residents, other at 774,000 gallons. This is a significant increase of at least 26% immediately. Add in additional room for growth at an estimated normal increase of 180K and all of it totals 1.224M. Current allowance is up to 1.3M gallons daily. So basically the addition of the amusement park will bring our capacity to 94% per the village report with normal expansion. Taking something to almost capacity has severe consequences and leaves no room for error. Not a good method of planning. Let's logically take this a few steps further. Our water system will quickly become obsolete and need to be replaced or upgraded. Who will pay for this? Obviously not Legoland since they have a sweet 30 year tax incentive and they do not want to pay for much of the infrastructure improvements. New York state will pay for it which means our taxes will increase which equates to us paying for it. Switching gears to sewer quickly, I recently saw an article in the Times Herald Record 9/23/16 stating Goshen could be used to divert sewer from SE OC. The consultants advised if this happened Goshen would need to expand our treatment plant. Again back to my point of overburdening systems, proper planning, and controlled costs to local taxpayers.

Additionally, members of the town board have recently rejected high density housing projects for multiple reasons and I quote: "Goshen is a town with historic

charm and beauty, and the increase in traffic that this development would bring is a deterrent to the ambience of Goshen's beauty and charm. There's not an overabundance of water. Others on the board commented that large projects as this high density housing would place tremendous strain on Goshen's water supply. Additionally, a lack of good roads in the area would mean extensive work." So, if 383 proposed permanent residences are rejected, how would it logically be possible to allow an amusement park with an estimate of 12K visitors per DAY to proceed? The scope of this project is too large.

As a reminder to the planning board members who are public officials and supposedly represent THEIR constituents and follow THEIR charter, I quote their charter: The Planning Board oversees subdivision, site plan and permit approvals throughout the Town in an effort **to ensure that development in one area will not adversely impact surrounding areas.**

Goshen spent a tremendous amount of time and money over the years to solidify our Open Space. This is a prime reason folks live in this area. Allowing a massive amusement park such as Legoland will ***drastically*** change the landscape of Goshen and the surrounding area as well as the culture. How could it not with 2.5M visitors per year coming to the area? The increased traffic, infrastructure, pollution, people, emergency services, garbage, severe drain on water, and high increase in sewer capacity will adversely effect Goshen both financially and in **beauty and charm.** Our quality of life will forever be changed as the negatives far outweigh the positives for this project. It directly violates our Master Plan of protecting Goshen and zoning/prior precedents should not be changed to accommodate this project for the aforementioned reasons.

I do not live in Goshen to have a glorified amusement park in my backyard. That is not why we live here. Our community can stand on it's own without Legoland. The scope of the project is too large for the area and should not be approved. I sincerely hope the Planning and Town boards see this as you live here too.

Thank you for your time and consideration.

Eric Miller

**Open April through October 10- 6/8, 7 months
**Per day visitor calculation based on 2.5M per year, 2.5/7 = 357K/mon; 357k/30 days = ~12K per day

Legoland – Again, No Thank You

I attended the most recent public scoping meeting regarding the Legoland proposal. There were multiple environmental, infrastructure, zoning and safety concerns brought to the boards attention requiring resolution. After hearing and seeing many of the Legoland "facts" I'm still not sold on this project being a good idea for Goshen, let along Orange County. The scope of this project is not aligned with the region.

As a reminder to the public, let me state the Goshen Planning Boards Charter directly from the website - The Planning Board oversees subdivision, site plan and permit approvals throughout the Town in an effort **to ensure that development in one area will not adversely impact surrounding areas.** The Planning Board also serves in an advisory capacity to the Town Board on specific issues, such as **the Comprehensive Plan, zoning regulations and any other land use matters** where the Town Board seeks the opinion of its lay experts.

Goshen spent a tremendous amount of time and money over the years to solidify our Open Space. This is the reason folks live in this area. Allowing a massive amusement park such as Legoland will ***drastically*** change the landscape of Goshen and the surrounding area as well as the culture. How could it not with 2M visitors per year coming to the area? The increased traffic, infrastructure, pollution, people, emergencies, garbage, water requirements, and crime will adversely effect Goshen's **beauty and charm.** Our quality of life will forever be changed. This project directly violates our Master Plan of protecting Goshen and is reason enough for rejection.

Additional questions and items to further research:

>>How much tax money may we give up if Legoland gets a 30 year PILOT and is it a fair deal? The Chronicle reported taxes from Legoland NY will account for $1.4M per year. Let's do some math, ~$80/person ticket price for people over 3 yrs of age * 2M/yr = $160M and they only pay $1.4M per year? That is only 0.9% of their projected annual revenue. Not sure about everyone else but my percentage in tax is well in excess of this amount. I realize there are other expenses for them but we as taxpayers, families, etc have expenses as well and we pay much more than only 0.9%. This is not a good deal for Goshen and the surrounding communities. The scope of this project is not appropriate.

*Assume 2.5M visitors and majority are 3 and over
*Ticket prices taken from Legoland FL and the lower amount was used with tax included
*$80*2,000.000 = $160M
*1.4M/160M= 0.00875; = ~0.9%

>>What will the valuation of our property look like a year after Legoland is open? I've done research and have seen pros/cons. I for one do not want to take a chance and have the Goshen property devalued. We've already went through an ordeal like this. Since Legoland is getting all of these incentives/breaks and seems willing to work with the community, are they willing to guarantee a percent *increase* in my home valuation a few years from now? Let's get this in writing before moving forward.

12/14/16

Hello,

My name is Matthew Milnamow. I live at 16 Parkway in Goshen – about one mile from the proposed Legoland project. I am writing this letter to the Planning Board and Town Board to voice my support for the proposed Legoland project. I was born at Arden Hill Hospital in Goshen. I went to John S. Burke Catholic High School in Goshen. My grandmother lived at Glen Arden for about 20 years. I've worked for LAN Associates in the Village of Goshen for 12 years. So, I know the area pretty well.

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We all want what's best for Goshen, but some of us do not share the same vision. Legoland does not appeal to everyone but don't let opponents of this project cloud your judgment. Neighbors of the property are pissed and they have every right to be upset – in my opinion, they are the only true opposition to the project. But first, let's be honest, no one reviewed our master plan or read our zoning ordinance before purchasing a home in Goshen. Most opponents of Legoland had never attended a planning or town board meeting before this project. I believe that remaining of the constituent opponents to Legoland are career protesters, pontificating over their vision of our future. Give them a cause and they'll be there to protest. They are only interested in "preserving" Goshen and "protecting" Goshen from change. The problem is that we need to change.

A zoning ordinance and master plan should evolve to meet the interests of the community. This opportunity is too significant to consider just in the context of Goshen alone, and you need to consider the utilitarianism of this project. Utilitarianism is an ethical doctrine of the greatest good based on the value of usefulness. Utilitarianism is applied when a master plan and zoning ordinance are drafted. The zoning ordinance and planning process are adaptable to allow for consideration of an unexpected opportunity which may offer the greatest good.

Orange County and the Hudson Valley are routinely named as one of the top 10 most expensive places to live in America. Although Goshen has a long and storied farming and equine history, Goshen is not a rural community. Goshen is the County seat. Goshen will not be able to thrive if we continue to focus on preserving and conserving land without the balance of economic development. 50% of Goshen's tax base does not generate tax revenue. Think about that for a minute... Government-owned properties, not-for-profits and religious institutions provide tax exemptions to 50% of the property in the Village of Goshen, leaving the taxed entities with a disproportionate burden. We need economic growth to generate tax revenue. We need ratables to sustain this community and offset the tax imbalance. I

believe the construction of Legoland New York will be a catalyst for investment into the Town of Goshen. I believe the construction of Legoland New York will create new business opportunities and commercial development that will increase tax revenue and minimize future tax increases. Regardless of the potential economic benefits of this development, I believe the Town Board should hire an expert to prepare a cost benefit analysis before making a decision. If the results of the cost benefit analysis do not add up, the Town should continue to negotiate hard with Merlin and the IDA for a better deal.

The proposed development project (Legoland, NY) is located along a future federal interstate with direct access to a major highway. Goshen and Orange County have an abundance of open space and farmland that is not located along a federal interstate. This property is not an environmentally sensitive area. This property is sandwiched between a residential sub-division and a health care facility. This property is ripe for development and there is no doubt that other developers will show interest in this property if the Legoland project does not move forward. This is not spot zoning. The current master plan lends itself to a natural expansion of an existing commercially developed zone that includes a healthcare facility and former hospital, currently being used as an educational facility. For those "environmentalists" looking to preserve the rural property and character of Goshen, I believe the Town Board should consider requesting a donation from the applicant to preserve open space identified by the Orange County Land Trust as environmentally sensitive or endangered.

To improve the viability of commercial development, the property should be rezoned regardless of Legoland's proposal. Developing the property as a single-family, residential subdivision, which is currently permitted by the zoning ordinance, will have a far more adverse impact on our community (and environment). A developer could build more than 250 homes on that property without a variance or special permit. The water & sewer usage of a 250+ home residential subdivision would be substantial. The development of a residential subdivision on this property will require significant infrastructure upgrades and increase municipal expenses for emergency services. The development of a residential subdivision on this property would be a significant burden on the school district. The development of a residential subdivision on this property would add more children (students) to the school district and require the school district to increase their budget to offset the increased costs of transportation, programs, teachers and perhaps, even more instructional space. Legoland has offered to provide substantial revenue to the school district without adding a single student.

Goshen is located 55 miles from NYC and this proximity is ideal for those who want to live in the "country" and work in the "City". Residents willingly commute four hours a day to and from work to sustain their lifestyle need. Four hours a day. Why do people endure the commuting lifestyle? It's called a paradox – NYC offers the best employment opportunities with the most lucrative pay, and as you move further away from NYC, the cost of living is more affordable. The NYC commuter sacrifices their quality of life and endures this lifestyle to achieve financial security & prosperity. Most people can't afford to live <u>and</u> work in Goshen, so they commute to a location that will afford the lifestyle they want - this a lifestyle decision. It's also why Goshen has traditionally been known as a "suitcase" community. I have heard many people indicate they oppose this project because it will create traffic and they willingly chose a lifestyle that contributes to traffic congestion. Traffic is already a problem. Commuting to NYC

creates traffic. I understand and acknowledge that traffic is a concern, but the applicant does not have the authority to alter the highway and improve the existing traffic problem. I think the Planning Board and Town Board should work collaboratively with the NYS DOT to ensure that traffic flow from the project site to the NYS Thruway is improved as a condition to approving the project.

I believe that Legoland will provide Orange County with have access to a world-class, educational theme park that our children will enjoy and the project will create opportunities for career advancement in the hospitality, tourism and recreation markets. The ripple effect of this project will multiply economic development around the site that will also provide new job opportunities. The types of jobs and careers that people are willing to commute to NYC for...The types of opportunities that allow residents to work and live in the same community.

I believe that Merlin Entertainment is a financially sound business with a proven track record of success and this is truly a once-in-a-lifetime opportunity. Legoland will provide Orange County with a great theme park that enriches the community by educational outreach and fundraising events. Merlin has offered to pay for the water and sewerage infrastructure required to support the project. The proposed water infrastructure upgrades would benefit the entire Village of Goshen. Allowing Merlin to interconnect with our sewerage infrastructure should result in eliminating the sewerage surplus tax created to pay for the new sewer treatment plant (that was oversized to make large ratable projects like Legoland feasible).

Presuming the applicant's hydrologist can demonstrate that drilling a supplemental water source will not endanger the abundance of water required for this municipality, I do not have any specific comments regarding the DEIS. I believe the Town Board and Planning Board have made a considerable effort to review the project and facilitate public interaction. Although some residents may be hurt by this decision, I believe that review of this project through this strict & transparent process will successfully mitigate most of the public's concerns. I wish you the best of luck while you consider what's best for Goshen. If approved or not, I will still live here and I will know that you have made a difficult and thoughtful decision based upon your belief that approval or denial of this project provides the greatest good for Goshen, and the region.

Sincerely,

Matthew Milnamow, AIA, LEED® AP BD+C
16 Parkway
Goshen, New York 10924

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland
Date: January 10, 2017 at 9:03 AM
To: Krutki Kathleen kkrutki@townofgoshen.org, Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Matthew Milnamow [mailto:matthew.milnamow@lan-nj.com]
Sent: Friday, January 06, 2017 7:50 AM
To: NHalloran@townofGoshen.org
Subject: RE: Legoland

Hi Neal,

I noticed a typo in my last Legoland support letter. Can you please replace it with the following and confirm receipt?

Happy New Year.

Regards,
Matthew Milnamow, AIA, LEED® AP BD+C
Associate

LAN ASSOCIATES

From: Matthew Milnamow
Sent: Tuesday, January 03, 2017 8:37 AM
To: NHalloran@townofGoshen.org
Subject: Legoland

Hi Neal,

Please accept this letter regarding the review of the Legoland application. Let me know if you any questions.

Sincerely,
Matthew Milnamow, AIA, LEED® AP BD+C
Associate

LAN ASSOCIATES
Engineering Planning Architecture Surveying
A. 252 Main Street, Goshen, NY 10924
P. 845.615.0350
E. matthew.milnamow@lan-nj.com
W. www.lan-nj.com

//Facebook //Twitter //Linkedin //Google+

12/14/16

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Sincerely,

Matthew Milnamow, AIA, LEED® AP BD+C
16 Parkway
Goshen, New York 10924

MINUTA|ARCHITECTURE
554 Temple Hill Road,New Windsor, New York 12553 P: 845.565.0055 F: 845.565.6622 E: info@minutaarchitecture.com

January 6, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, NY 10924

RECEIVED
JAN 11 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and ecomonic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables in Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untiold economic multipliers.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees and 500 seasonal employees. All these people will be spending money in the Goshen community.

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know LEGOLAND New York's intial investment prior to opening day will be $350 million with its investment reaching $500 milion in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York wil be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully Submitted,

Joseph J. Minuta, R. A. AIA NCARB, CACB
Member
Principal Registered Architect
New York State Code Certified

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: NO TO LEGOLAND
Date: January 17, 2017 at 8:38 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Eric Muhlrad [mailto:E.Muhlrad@remee.com]
Sent: Monday, January 16, 2017 2:44 PM
To: Nhalloran@townofgoshen.org
Subject: NO TO LEGOLAND

I am writing to you in an effort to voice my opinion against Legoland.
I cannot see how any board member could justify a positive reason to change and flat out ignore all of the issues this project presents.
I will start with the easiest objection and move on from there.

1) To my knowledge, the zoning law clearly states that no amusement parks shall be allowed. If this changed to Merlin's benefit without a vote, I hope Goshen realizes the precedent it is setting and understands that any new business will expect similar changes to our zoning requirements. Is the board ready to make irreversible zoning changes?
2) Has anyone on the board lived in Goshen? If they did, they must be aware of the issues Goshen has with water shortages. How in the world can Merlin or the Town Board ignore one of the biggest issues Goshen has been facing for years now. All this park will do is further stress our already depleted water supply.
3) Clear cutting the land is outrageous. Has anyone asked for and received an impact study to see what the effects this would have on the environment and the surrounding areas? This is required by everyone else so I would assume Merlin has addressed this.
4) The board is ignoring an already horrible traffic problem. There is no way Merlin can dispute that this will only get worse.
5) Guests who travel to Legoland will not be spending money in the town nor village. This project will not benefit Goshen business one bit and that should be the focus given the hardships they have faced since the county building closed.
6) Where are the Legoland employees going to live? I have to assume that the majority of the employees hired will be hourly wage employees. To my knowledge, these employees will not be earning enough to afford the housing currently available in Orange County.

I am all for businesses to be given leniency in an effort to create more growth but this is the completely wrong project to accomplish this.
It breaks so many laws and zoning rules. Why set these up if you are just going to ignore them?

Are we ready for the precedents that this will set?
Please vote NO!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!

Regards
Eric Muhlrad

CONFIDENTIALITY NOTICE: This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contains information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying, or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately and delete the original message.

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Kevin Mushett

845-399-2852

The Legoland DEIS started out with a claim by Legoland to provide at least a thousand foot buffer zone with Arcadia Hills. That was cut to nine hundred feet ending at the parking lot with a sixty to ninety foot retaining wall, part of the 3.875 miles of retaining wall. Further changes now include an emergency access road in that buffer. Said road can be up to sixty feet wide and fifty feet from the bordering properties of Arcadia Hills, Elant & Glen Arden. That road would require significant grading, adding to the 33,000 truck loads of fill already planned,be blacktopped and maintained year round. It would traverse wetlands and cross the Otterkill Creek. None of this is included in the DEIS. The sale of Town properties is not fully addressed. Another property has been added to the list of must have for development, Tax map Section 11- Block 1- Lot 60. This lot is not included in the DEIS and like most of the other Town parcels it is designated as Water Supply 822. Water supply land for the accumulation, storage, transmission or distribution of water for purposes other than flood control or production of electricity. Several of these lots also contain wells, pumps and piping for the Arcadia Hills water district. Previous Town Boards deemed it necessary to acquire these properties keeping them protected from develoipment. There is always a price to pay for man's folly unfortunately this one will be paid by the residents of Glen Arden, Elant and Arcadia Hills. They will be told to endure 2 to 5 years of construction, releasing all kinds of pollutants, to be followed by a lifetime of living with an amusement park within sight and sound of their homes. The pollution will continue from five thousand cars, pesticides and herbicides.Their property value will be marketably reduced. This will affect their ability to move, afford health care or leave a legacy. Their quality of life will be diminished. Their security

and privacy theretened. This is not just a " not in my back yard " issue as it will affect anyone who breathes the air, drives a car, or cares about the welfare of their neighbor.

Nick Gallo

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Tom Nardi
17 Bellwood Dr.
New City NY 10956

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JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 11, 2017

Douglas Bloomfield, Supervisor
Neal Halloran, Building Inspector
Goshen Town Hall
41 Webster Ave
Goshen, NY 10924

COPY

Dear Doug and Neal,

I am writing to express my concerns surrounding Legoland. It is not in the best interest of the community. While I live Rockland County, I have friends in Goshen who I frequently visit and this is going to negatively impact their quality of life, property value and taxes.

This is a horrible idea for Goshen. It is going to reduce the water supply and natural resources; the burden for infrastructure improvements will fall on the tax payers; and the increased traffic and construction will impact local business and property owners. These are some of the many issues I am concerned about. It seems they are not adequately being addressed as this project is being fast-tracked for approval. Goshen is a quaint town, which is unable to handle the burden of having an amusement park.

I ask that you please consider your constituents and stop Legoland.

Regards,

Tom Nardi

Tom Nardi

NEBRASKY
Plumbing, Heating & Cooling

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fax: 845-782-1835
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ACCREDITED CONTRACTOR

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JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Janurary 3, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity! PLEASE VOTE YES and approve this project!

Respectfully,

Paul Nebrasky President

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Support of LEGO LAND !
Date: January 3, 2017 at 9:53 AM
To: Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Elizabeth Nemeth [mailto:liznemethyourrealtor@gmail.com]
Sent: Monday, January 02, 2017 8:31 PM
To: lberguscivilengineer@gmail.com; dbloomfield@townofgoshen.org; nhalloran@townofgoshen.org
Subject: Support of LEGO LAND !

-- Dear Honorable Town Supervisor, members of the Town of Goshen Council. Town of Goshen Planning Board Chairmen and Planning board members,

I am writing this letter in support of Lego Land, New York. Projects such as this are known to have great economic development impacts for the hosting community. I believe that Goshen will benefit from Lego Land because it will bring in families with children under 12 , loving parents and grand parents and school teachers and students who want to provide educational opportunities to their family and students in a fun and interesting environment and this type of business will boost clean economic development.

Some of the positive impacts will be construction jobs, tax revenues in excess of a million dollars each year to the school district without adding children to the district, the town and county will get increased tax revenues each year and employment opportunities will increase for High Tech jobs, skilled and entry level jobs now and in the future.

Goshen will become a destination place for short term guest and young families. Our town will become robust with restaurants and shops. pre existing businesses will thrive. The demographic that this park will bring will be family friendly who will seek food establishments, farmers markets; boutiques, personal care and car services . Lego Land New York will help our town to change in wholesome, family friendly way.

Regarding water and traffic, I am confident that the town planning board, engineers and consultants will, through the SEQR process, protect the environment and will seek ways to mitigate any negative impacts. The Environmental Impact statements address water, sewer and traffic. The environment impact statements point to the wells on the Lego Land property and these wells are likely high producing and could supplement the current municipal water supply; The development plans seem to address traffic to the greatest extent practicable. Additionally, although not part of the scope of this project, with Lego Land's payment of tax revenues to the county and state perhaps improvements can be granted to Route 17 / 86 and ancillary roads. Perhaps the increase of state revenues from this business and other that will follow will spur the economy and grants could be given to improve the interstate with additional lanes. Perhaps the increase in population, even if transient, will spur a good super market to be built in Goshen.

The possibilities are endless.
I support the zone change for LegoLand and I support its approval for development.

SILVER AWARD 2015

Elizabeth Nemeth GRI,SFR,SRES,CRES
Licensed Real Estate Salesperson
BETTER HOMES AND GARDENS RAND REALTY
liznemethyourrealtor@gmail.com
Cell: 845-820-3731
Certified Military Network and Relocation.
Liz Nemeth is on Facebook,Linkedin and twitter.
http://nemethel.housingtrendsenewsletter.com

STEVEN M. NEUHAUS
COUNTY EXECUTIVE

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 17, 2017

Members of the Planning Board
Town of Goshen
VIA HAND DELIVERY TO TOWN HALL

Dear Town of Goshen Planning Board Members:

Without question, the proposed LEGOLAND project is a unique opportunity for Orange County. I fully recognize that any project of this magnitude breeds controversy and sometimes more than that. The challenging job each of you has undertaken as public servants is appreciated by the majority of your community; although that may not seem evident to you at all times.

It is my sincere hope that many LEGOLAND visitors come explore Goshen and the surrounding areas and businesses while they are here. To have even a fraction of LEGOLAND's anticipated guests visit our local businesses, etc., would have a tremendous positive impact on the economy. That said, the concern I have heard loud and clear and the one that I believe only you hold the "power" to have LEGOLAND address is: traffic in and out of the site. To get to and from work, I drive Route 17M each day between Chester and Goshen. It is quite evident to me that a "flyover" is necessary to avoid cluttering our local roads. It makes the most sense to get cars off Route 17, into the site and back onto Route 17.

Route 17 is often backed up with traffic on the weekends, particularly in the summer. This traffic will only increase when the Casino opens in 2018. Locals do know to avoid Route 17 during those busy times; however, we do count on being able to use the side roads, including South Street in Goshen.

I respectfully encourage you, as part of any planning approval, to mandate that LEGOLAND commit to a flyover to ensure reasonable steps are taken to mitigate traffic impacts to Goshen. I am committed, as County Executive, to working with you and New York State to encourage LEGOLAND to build such a flyover. I am confident that with your mandate of a flyover, we stand the best chance to address this incredibly important traffic issue.

Thank you once again for the great work each of you do. Serving on your local Planning Board is often a "thankless" job but know that your efforts are much appreciated.

Sincerely,

Steven M. Neuhaus
County Executive

40 MATTHEWS STREET GOSHEN, NEW YORK 10924 TEL: 845-291-2700 FAX: 845-291-2724

ORANGE COUNTY
CITIZENS FOUNDATION

ADVOCATING FOR THE GREATER PUBLIC GOOD

Nancy Proyect
President

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Richard McGoey

Janette McKay

Joseph McPheter

Gaynor Rosenstein

Hon. Michael Sweeton

Ross Winglovitz

Robert Woods

December 19, 2016

To: Town of Goshen Board Members, Town of Goshen Planning Board Members

From: Orange County Citizens Foundation Board of Trustees

Re: Legoland-NY Public Hearing Comments

Thank you for the opportunity to comment on this project.

The Orange County Citizens Foundation is a 45-year old public policy and advocacy organization that advocates on behalf of Orange County residents to ensure the greater public good. We take a long view of economic growth, infrastructure management, land use, education, cultural affairs, healthcare and planning. After visiting Legoland-FL, listening to elected officials, residents, and local businesses, and conducting an in-depth discussion on the merits and challenges this project poses, the Foundation Board of Trustees passed a resolution at its November 16, 2016 meeting endorsing the Legoland-NY project. Our endorsement is subject to a thorough SEQRA process.

This type of development is good for our economy: wages are in keeping with the rest of the county's and employees receive good benefits. Workers will come from our region and Legoland encourages its employees to participate in the community. Many of the people our Executive Director, Nancy Proyect, met with at Legoland-FL had been with Merlin Entertainments for years, and with Legoland-FL since it opened. Ms. Proyect spoke to a young woman who had participated in a Junior Acheivement program with Legoland and another who had worked with Legoland to hold a charity event for the local humane society. There are youth educational programs and college-level training programs and internships available. As the service industry is one of Orange County's fastest growing sectors, programs like this will be helpful to our younger population. Legoland has already opened discussions with our community college, BOCES, and community centers in the region.

This type of development is good for Orange County. We are not taking an existing company from another location. This is new business – the jobs created are actually created, rather than being taken from someone else's community. The sales tax increase will be a benefit to all of Orange County's municipalities, helping all of us deal with the NYS tax cap in a

positive way – instead of cutting services, our municipal governments might actually be able to add some.

Legoland's target audience of 2 to 12 year olds and their parents – a demographic that we actually want in our communities. Like so many other visitors, they might visit Orange County and fall in love with it. In a county where our population of 25-45 year olds continues to drop, this would be a good outcome.

As they do in Florida, Legoland has committed to using local food sources as much as possible; noise will be minimal; lighting can be controlled so it is minimally visible from the main road; bus shuttle service will be available to and from local hotels. There are no toxins or idling trucks, like many industrial projects can bring.

The downtown community and commercial areas around the park have benefited significantly from Legoland-FL. New, local business has begun in Winter Haven including locally owned restaurants and a boutique hotel. An economic impact study conducted by the University of Central Florida on the impact Legoland-FL has had on the Winter Haven community shows tremendous improvement in the **local** economy.

Traffic will certainly increase in the corridor but the impact Legoland will have on Route 17 is not a reason to stop responsible tourism development. Rather, it is one more reason to improve our roadways to manage our growth better. This has been a prime goal of the Citizens Foundation over its 45 years. We've advocated for improvements along Route 17, on the Tappan Zee Bridge, along the Port Jervis train line and much more. We will continue to advocate for improvements along this corridor and believe that Legoland will provide another impetus for NYS to improve Route 17. In contrast, if we allow this project to go someplace else, funding for better transportation infrastructure will go there as well.

The Citizens Foundation does not have the expertise to determine what would be best for the community re: PILOT options. As you know, the Orange County IDA has hired KPMG to conduct an independent economic analysis. It's important to note, however, that Legoland will be paying taxes and fees to the County, school district, and Town of Goshen. PILOTs are effective and commonly used economic development tools that are often misunderstood.

Legoland is clearly a commercial theme park. However, there is an educational component to the Lego product that the company has capitalized upon and that could benefit Orange County (and Hudson Valley) students. Each Legoland park has a state-of-the-art education center where children are encouraged to learn about robotics and engineering. School groups visit the park regularly for a fee similar to other local attractions/educational facilities. The offerings and instruction are professional, hi-tech and very engaging for students. Additionally, a number of schools and community centers are already using Lego products for their own classes. Legoland park instructors will work with local teachers to train them on those products to better serve area students. The Newburgh Enlarged School District has a high school program that is a prime example of this type of Lego robotic coding program.

For these reasons, we support this project and we encourage you to do your due diligence and then approve this project for the improved quality of life it will bring to your community and the vast majority of Orange County's residents.

www.orangeny.com

ORANGE COUNTY
CHAMBER OF COMMERCE

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Thunder 102
WDLC/WYNY/WALL Radio
WSUL/WVOS FM
WTBQ Radio

January 17, 2017

Chairman Lee Bergus
Town of Goshen Planning Board
41 Webster Avenue
Goshen NY 10924

Dear Chairman Bergus,

Please note that at the September 15, 2016 Board meeting of the Orange County Chamber of Commerce the Board of Directors passed the following resolution in support of the LEGOLAND NY project proposed for the Town of Goshen:

"The Orange County Chamber of Commerce hereby gives full support to the Legoland NY project proposed to be located in the Town of Goshen as it would offer the greatest economic benefit to our entire region bringing millions of dollars in economic growth and hundreds of jobs."

We strongly urge you to support this project for the benefit of Goshen and the surrounding region. Thank you for your hard work and consideration of this vitally important project.

Sincerely,

Lynn Allen Cione

Lynn Allen Cione
President/CEO

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

30 Scott's Corners Drive, Suite 101, Montgomery, NY 12549 (845) 457-9700 Fax: (845) 457-8799

Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

David E. Church, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

County Reply – Mandatory Review of Local Planning Action as per NYS General Municipal Law §239-l, m, &n

Local Referring Board: Town of Goshen Planning Board
Applicant: Merlin Entertainment Group US Holdings, Inc.
Project Name: Legoland New York
Proposed Action: Final DEIS
Reason for County Review: Within 500' of New York State Route 17/86 and municipal boundary

Referral ID #: GOT22-16M
Tax Map #: 11-1-45, 46, 49.2, 58
15-1-59

Comments: The Orange County Department of Planning has reviewed the draft environmental impact statement (DEIS) for Legoland under the State Environmental Quality Review Act (SEQRA) as the County Planning Agency responsible for bringing pertinent inter-community and countywide planning and zoning considerations to the attention of the municipality having jurisdiction; in this case the Town of Goshen. The following comments are advisory and intended to improve the quality of proposed development and documentation in support of this proposal. They may be addressed in the Legoland FEIS and/or as part of the SEQRA Findings Statement.

1. DEIS Section III. B. 1. Topography: The proposed site will require a considerable amount of cut and fill given there are variations in elevation within the 140 acre areas to be developed. Table III-1: On Site Slopes should include an additional column that indicates the percentage of land Legoland is disturbing within each of the three slope categories. Rather than flatten and evenly grade the entire 140 acres, architects and engineers should aim to incorporate some variations in terrain into the overall design of Legoland or better document why this could not happen.

2. DEIS Section III. C. 2. Surface Water Resources: Orange County, along with the Town of Goshen and others is an active partner in the Moodna Creek Municipal Watershed Council. Future plans must include a buffer protecting the Otter Creek, a NYSDEC class C stream and a tributary to the Moodna Creek flowing to the Hudson River. Additionally clarity should be provided in the DEIS for crossing the Otterkill and associated wetlands regarding the emergency access road, with best options for minimizing or mitigating impacts.

3. DEIS Section III. D. Vegetation and Wildlife: Figure III-8: Significant Trees Within the Area of Disturbance indicates almost four dozen trees ranging between 36 through 79 inches DBH will be removed. Several of these trees appear to be outside the disturbance perimeter. Several mature or specimen trees exist on site, and consideration should be given to design including these landmark trees similar to what was done by the project sponsor in Cypress Gardens, Florida. Natural shade provided by trees would comfort Legoland patrons and would add to the overall aesthetics of the park.

4. DEIS Section III. E. Ground Water and Water Supply: The third well offered by the sponsor to drill is close to two existing municipal wells and could be more fully defined. Overall, the likely utilization

of pesticides, herbicides and deicing chemicals within the Legoland complex and their potential impact to the nearby wetlands, municipal wells and the Otter Kill should be further documented in the FEIS.

5. DEIS Section III. G. Stormwater Management

- While the applicant is submitting a stormwater pollution prevention plan (SWPPP), every effort should be made to include low impact development (aka green infrastructure) design to reduce stormwater runoff for the 77.41 acres of impervious area being created. This would include, but is not limited to, rain water recycling, rain gardens, planting native groundcover, preserving existing vegetative buffers, using pervious pavement or pavers, and designing the park's buildings around the site's natural terrain.

- One simple, inexpensive and aesthetically pleasing method of low impact development is to install a bio-retention system along the perimeter of all roadways and parking areas and their medians. The use of engineered soils and appropriate trees and vegetation will help remove pollutants from stormwater runoff attributable to newly constructed impervious surfaces.

- NYS Department of Transportation's letter dated December 15, 2016 expressed concern that the Old Chester Road culvert is severely undersized, which can influence water elevations at NYSDOT culverts under Routes 17 and 17M. Thus, it is imperative that as much stormwater as possible be retained on the site.

- The OC Department of Planning regularly refers or coordinates, for advice, development referrals to certain project partners. The Legoland DEIS and site plans were referred to the Orange County Soil and Water Conservation District Agency for their review. Their remarks are attached as an appendix to this review.

6. DEIS Section III. H. Traffic:

- The proposed improvements to Harriman Drive will necessitate the demolition of curbs, signs, drainage basins, and landscaping walls at BOCES and Glen Arden. Moreover, the topography just east of the Exit 125 intersection will require the construction of large retaining walls on BOCES property and possibly Route 17/86. The DEIS should address these impacts. Page 93 of the DEIS states that "the project sponsor will make every effort to encourage the use of public transportation to the project site to reduce automobile trips." – an action this Department strongly supports. As traffic congestion mitigation, the applicant is proposing private shuttles between their Yonkers Discovery Center, a Manhattan location (Madam Tussauds Wax Museum), Woodbury Commons Premium Outlets, and area Metro-North train stations.

- *Bicycle/Pedestrian Connections:* The proposed transportation improvements on the South Street bridge could have an impact on pedestrian amenities, since sidewalks may be lost in favor of expanding vehicle lanes. Page 91 projects Legoland employees will bike to work, yet no bike lane – or any pedestrian improvement - is identified on maps submitted to this office. This office recommends that a multiuse lane from the Heritage Trail to the project site and along the

Legoland entrance road be constructed. This will serve employees biking and walking to work, as well as overnight guests looking to explore the Heritage Trail and the Village.

7. DEIS Section III. J. Utilities and Solid Waste Disposal:

   - *Energy:* Page 104 states that "energy use is an unavoidable adverse environmental impact." Using energy is necessary to operate the park; however, the applicant can offset this effect by generating energy in numerous ways such as solar, wind, geothermal, hydropower and by maximizing energy efficiency. The Department encourages and supports the maximum use of energy efficient and renewable energy components as part of this project. Building Integrated Photovoltaics (BIPV) can be incorporated into the many buildings, and possibly to light pedestrian walkways. Merlin Entertainment should be encouraged to discuss solar power and canopied parking with solar providers similar to their park in Florida.

   - *Solid Waste:* Waste reduction strategies, such as but not limited to recycling, composting, using non-disposable food ware, such as real and/or compostable utensils, plates, cups, trays and bags, should be implemented. Another means to reduce the tons of solid waste would be to serve exclusively on biodegradable products destined for composting.

8. DEIS Section III.L. Community Services: While trained and certified safety and healthcare professionals will be employed as part of the project, outside emergency services will still be necessary. The following comments are offered from and in coordination the OC Emergency Services Department:

   - A meeting between Goshen area Police, Fire, EMS, 911 officials and representatives of Legoland was held at the Orange County ESC building on January 9, 2017. As a result of that meeting the following comments are offered:

   - An analysis of the 911 calls for service at the two other American Legoland parks in California and Florida indicate that existing 911 capabilities and emergency services will be able to handle any additional work load that would result from the operation of a Legoland park in the Town of Goshen.

   - Merlin Entertainment has extensive experience operating entertainment venues throughout the world and did present the emergency service community with a sample emergency action plan from one of their other parks. The plan is well thought out and organized and can be fine-tuned to suit local needs, if the park comes on line.

   - Emergency services personnel have not been provided with a finalized traffic improvement plan for the area surrounding the site and, as such, cannot comment on the adequacy of any proposed plan. However, the Emergency Services community would like to see improved roadway access to the Legoland site from Arcadia Road. This roadway would allow secondary emergency access to the park in the event that the primary emergency entrance off Harriman Drive is blocked.

9. DEIS Section III. N. Visual Resources: While the applicant states the natural topography of the site will hide the project from view on Route 17, elevation drawings could be provided that show the

public new heights of the altered landscape with proposed buildings. Overall, the images in the visual impact analysis are less than useful without markers indicating the exact height and location of the proposed project, specifically the tallest buildings and or roller coasters, on the highest points of land. A visual simulation and comparison of current conditions with newly elevated ground, proposed buildings and parking structure from different vantage points, in particular NYS Route 17, would be more useful in determining visual impact than what was provided in the DEIS.

10. DEIS Section III. Q. Agriculture: As a supporter of OC agriculture, Legoland could commit to buying produce from local farmers. This would supplement the proposed small garden that the applicant "may keep onsite for use in the hotel restaurant as is currently done at Legoland Florida Resort" as stated on page 150. County leadership is prepared to facilitate market opportunities for the project to buy local.

11. DEIS Section III. R. Air Quality: Page 152 of the DEIS states: "Based on the type of use and the total anticipated generated traffic, the Proposed Project's annual emissions of PM2.5 are estimated to be well below the 15-ton-per- year threshold under NYSDEC's PM2.5 policy guidance." However, there is no indication of the level of air pollution estimated from Legoland. OC is currently in nonattainment for fine particulate matter (PM2.5) and will likely be reclassified in nonattainment for ozone in coming years due to expected more stringent USEPA air quality standards being instituted to protect public health. The Air Quality section of the FEIS should provide more detailed air quality analysis concerning PM2.5 and ozone precursor pollutants, especially during the summer months when ozone is the highest and traffic, to and from Legoland and along NYS Route 17, is the greatest. This Department has staff that can assist the sponsor with such analysis and review if helpful.

12. DEIS Section III. S. Construction: The fourth paragraph on page 156 states: 196,187 cubic yards of fill (approximately 294,280 tons) need to be brought to the site. A more detailed breakdown of the movement of such construction vehicles bringing fill to the site, their place of origin, times of operation, etc. could be documented in the FEIS.

13. Sustainability: In 2013, Orange County chaired the Mid-Hudson Regional Sustainability Plan, a 7-county effort to plan for future sustainable development in order to minimize the effects of climate change. For this reason, sustainability elements such as: water saving faucets, toilets, showerheads and appliances, renewable energy, using Forest Stewardship Council (FSC) wood products, orienting buildings for solar passive gain, green or light colored roofs, incorporating low-impact development technologies, repurposing rain water, recharging ground water, providing bicycle/pedestrian amenities, reducing solid waste, purchasing products made of recycled materials and/or from local sources, and efficient lighting technologies could be utilized wherever possible. Again, this would complement the education and leadership elements of the proposal. Another means of achieving national sustainability recognition is participation in recognized certification programs. LEED including LEED-ND standards are an option. Also, SITES is used by architects to align land development and management with innovative sustainable design.

14. DEIS Traffic Study Appendix: Table of Contents: Overall, and consistent with earlier NYSDOT comments, the traffic impact study appendix is difficult to follow and navigate through without a comprehensive table of contents identifying the page numbers where various tables, figures and traffic volume maps are located. For example, while the traffic impact appendices are identified in

the table of contents by letter (A, B, C etc.), they are not labeled with a letter within the body of the document. Page numbers where the various appendices are located in the 6,000+ page document are also not indicated in the table of contents.

15. DEIS Traffic Study Appendix: Table No. SGT-4 Summary of Traffic Generation Estimates for Other Major Regional Facilities: A comparison of trips generated by Legoland Carlsbad, California and the Galleria at Crystal Run, Woodbury Common and Palisades shopping Malls is made in the Legoland DEIS to show that the number of trips that will be generated by Legoland is much less. However, such a comparison could be confusing given that the trips for the other regional shopping malls are based upon ITE trip generation rate estimates, and thus much higher than actual counts for these facilities, while the trips for Legoland Carlsbad, California are based upon actual traffic counts.

16. DEIS Traffic Study Appendix: Table SGT-3 Trip Generation Summary: Different timeframes are footnoted with a 2 and 3 without any explanation of what the footnotes mean. Nowhere in the traffic impact analysis is the peak hour of the various timeframes defined. As such, it is unclear whether the peak hour is the peak hour of the trip generator, Legoland, or the peak hour of the adjacent, area-wide road network.

17. DEIS Traffic Study Appendix: New Interchange (Flyover) for Legoland Traffic: The environmental impact attributable to the construction of a new NYS Route 17 interchange to accommodate traffic to and from Legoland should be analyzed as part of this FEIS and SEQRA. This infrastructure option has received a high level of public interest and could be better described.

18. Traffic Impact Contingency Plans: Contingency plans should be formulated in the event that the number of trips and the distribution of traffic to determine level of service and traffic impact is actually much higher than that assumed in the DEIS. For example, the traffic impact analysis indicates that 66% of the traffic patronizing Legoland will be coming from the east via NYS Route 17. In meetings, Legoland consultants have indicated various percentages and that traffic to Legoland could conceivably be as high as 85% from the east via NYS Route 17 westbound. The variation in traffic distribution directly affects traffic impact and the mitigating measures planned to alleviate such impact. Variation in assumed traffic patterns needs to be addressed.

19. Science of the Soul Events: The traffic impact of Legoland in combination with periodic, proposed weekend Science of the Soul retreat events to the west of this proposal which will bring thousands of visitors and added traffic to Goshen should be analyzed. Traffic impact mitigation measures for such special events and circumstances should be formulated and coordinated with first responders and emergency management agencies.

20. DEIS Traffic Study Appendix Accident Analysis: The accident analysis should identify whether the accident rate along NYS Route 17 is attributable to substandard highway design such as inadequate acceleration and deceleration lanes, roadway curvature standards and/or inadequate weaving distances through Goshen.

21. Traffic Impact: Orange County Travel Demand Model Analysis: This Department offers here data from our Travel Demand Model Analysis that may be useful. An analysis of traffic generated by Legoland was conducted using the OC Travel Demand Model for the average weekday PM peak

hour when traffic on area roadways is the highest. This model is used for transportation/air quality conformity purposes to determine whether transportation projects in Orange County Transportation Councils (OCTC's) Transportation Improvement Program (TIP) comply with USEPA and NYSDEC air quality regulations. It is also used for traffic impact corridor studies such as the Orange County portion of the NYS Route 17 Transportation Corridor Study.

The results of the analysis are presented in the table below. Most traffic leaving Legoland during an average weekday PM peak hour travels eastbound on NYS Route 17 to I87 (southbound), Palisades/Rockland County and Bear Mountain Bridge. There is also significant traffic volume traveling westbound on Route 17 to I84 eastbound and the Newburgh Beacon Bridge. This traffic volume is not accounted for in the DEIS traffic impact analysis. There is also significant traffic volume from Legoland using South St. to access NYS Rte. 207 northbound, as well as diverted linked trips into the Village of Goshen by Legoland patrons desiring services. These trips are not accounted for in the traffic impact analysis.

2017 Legoland Origin and Destination Analysis: OC Travel Demand Model: PM Peak Hour (Area-wide Road Network)

Legoland Origin Trips 1148 & Destination Trips 114 = 1262 (DEIS Traffic Impact Appendix)

	Trips	
Trips in the Vicinity of Legoland	**Origins**	**Destinations**
Route 17 EB	574	38
Route 17 WB	429	62
South St N	113	2
South St S	26	2
Harriman Dr (W of Exit 125)	574	76
South St Bridge	549	74
I84 EB	297	2
I84 WB	19	2
NYS Thruway South of Woodbury Toll	359	39
NYS Thruway North of Woodbury Toll	0	0
Trips to/from External Areas Outside of OC	**Origins**	**Destinations**
I84 Newburgh Beacon Bridge	240	14
Bear Mountain Bridge	58	1
Palisades/Rockland county Border	96	22
NYS Thruway South Rockland Border	359	39
NYS Rte. 17 Rockland County Border	27	6
NYS Route 210/ New Jersey	9	0
NYS Route 94 New Jersey Border	21	0
I-84 Pennsylvania Border	0	0

Trips to/from External Areas Outside of OC (continued)	Origins	Destinations
Route 17 Sullivan County Border	96	12
NYS Rte. 52 Ulster County Border	27	1
CR 14 Albany Post Rd Ulster County	10	0
NYS Route 208 Ulster County Border	9	0
NYS Route 300 Ulster County Border	17	0
NYS Thruway Ulster County Border	51	2
NYS Route 32 Ulster County Border	26	0
NYS Rte. 9W Ulster County Border	48	2
	Origins	**Destinations**
Total Trips to/from External Areas Outside of OC	1093	99
OC Internal Area Trips	55	15

We look forward to receiving and reviewing the FEIS and more detailed SEQRA information when it becomes available.

Date: January 17, 2017

David Church, AICP
Commissioner of Planning

Orange County Soil & Water Conservation District

ORANGE COUNTY SOIL & WATER CONSERVATION DISTRICT

225 Dolson Avenue, Suite 103, Middletown, NY 10940
PHONE: (845) 343-1873
kevin.sumner@ocsoil.org

To: Orange County Department of Planning
From: Kevin Sumner, Conservation District Manager, CPESC, CPSWQ
Re: Legoland NY
Date: 1/4/2017

Thank you for the opportunity to provide comment on the above referenced project. These comments are based primarily on review of site plans prepared by Lanc and Tully Engineering and last revised November 3, 2016. Please note that my review was focused on the post development storm water management (SWM) aspects of the proposal, in particular on the water quality/water resource management aspects. I defer to the Town's engineering consultants for review of the storm water quantity calculations and related considerations of the proposal. I consider my water quality/water resource management comments to be supplemental to the review of the Town's engineering consultants and others and hope that, taken in conjunction with these other reviews, are found to be useful in ensuring that the Project fully addresses environmental protection concerns. Although this office typically reviews construction phase erosion and sediment control concerns, I did not review these aspects of the proposal. Given time constraints, it seemed more important to focus on the permanent SWM measures that are more likely to influence the layout and design of the overall proposal. I assume there will be future opportunities to provide additional comment on both the permanent SWM aspects of the proposal and the construction phase erosion and sediment control plan after the initial round of public comment and revisions by the applicant. As time allows, we would be pleased to continue to be involved in the review process.

1. Emphasis on Underground Stormwater Treatment Facilities - In my opinion, a stronger emphasis on bioretention (BR), or other more visible/easily maintainable, storm water quality practices should be considered. Such measures would be more easily inspected and more likely to be maintained. This has the potential to decrease the water resource impacts from the project into the future.
2. The use of multiple bioretentions distributed around the site is encouraging, and in the spirit of current runoff reduction/green infrastructure principles. As noted in #1, I would encourage even more use of this concept.
3. Many of the BR practices are located on fairly steeply sloping areas. Since this practice requires the creation of broad, shallow ponding areas, this will in some cases require considerable grading and a dam/berm on the downslope side of the practice. I suggest that the applicant be asked to show more clearly the height of berms/dams and the limits of disturbance/grading that will be required to create each BR practice as shown on the Site Plan.
4. I suggest that the applicant be asked why the underdrains in the BR's are located at the bottom of the drainage layer rather than at the top. Locating the underdrain above the bottom of the

BOARD OF DIRECTORS

Gary Keeton
394 Guymard Turnpike
Middletown, NY 10940

Paul Ruszkiewicz
15 Matthews Street
Goshen, NY 10924

Paula DeBlock
133 Whitford Road
Westtown, NY 10998

John Wright
329 Kings Hwy.
Warwick, NY 10990

drainage layer creates the potential for more infiltration, which in terms of water resource protection is generally considered favorable over collection of drainage and discharge to surface conveyances.

5. I suggest that the applicant be asked to consider design modifications to the BR's that more fully follow the 'off-line' concept. As presented, it appears that once the BR is filled, additional runoff will continue to enter the BR, with overflow to a riser structure. This arrangement has the potential to displace the '1st flush' from the BR, compromising the pollutant treatment function of the practice. This concern is heightened where the the overflow structure is located at the opposite side of the practice from the inlet. A 'splitter' or other arrangement at the practice inlet that would re-route runoff beyond the first flush around the practice could be considered.
6. It appears that many of the BR's outlet via pipes to the surface near the practice location. Since these flows do not appear to reach any quantity control measures, is this approach taken into consideration in the overall pre-post-development runoff study for the site? Will erosion be a concern at the pipe outlets? Will a level spreader or similar dissipation measure be used?
7. There is a detail drawing for a 'Road Edge and Gravel Diaphragm' with a note indicating it will be used where 'sheet flow to bioretention' is proposed. Since the conditions at the numerous proposed BR's vary greatly, I suggest that greater attention be given to how runoff will be conveyed to each BR. In some cases, the provided detail may not be appropriate. For example, several of the BR drainage areas appear to show road runoff traversing a steep constructed slope before reaching the BR. I did not see any detail for or explanation of how the runoff will be conveyed to the BR without potentially causing erosion on these steep constructed slopes. I also suggest more attention be given to pre-treatment of runoff reaching the BR's. I surmise that the Gravel Diaphragm serves this function however, as noted, this practice may not be feasible for all of the proposed BR's. I suggest that some sort of vegetated pre-treatment (PT) be considered for the BR's, where feasible. In my opinion, a vegetated PT measure offers better mitigation of both sediment load and other potential storm water pollutants than the Gravel Diaphragm, and easier maintenance. This particular aspect is largely designer discretion. However, if the use of the Gravel Diaphragm is retained, I still suggest more detail be provided on which BR's will use this pre-treatment option and how it will be tailored to the conditions at each BR, and what PT measure will be used if/where the Gravel Diaphragm is not used. For both the Gravel Diaphragm and any other PT measure that may be employed, O&M notes should be provided.
8. I thought the BR planting soil specs could have been presented more clearly. There are charts that, in my opinion, present the planting soil parameters and requirements more clearly, as well as providing other minimum planting soil requirements such as pH and nutrient value. I suggest the designers examine the planting soil notes as provided and consider a more clear presentation.
9. The comments about the position/design of the BR underdrains and planting soil should be considered in regards to the dry swale design as well.

Thank You- for your public service

My name is James O'Donnell and I am the Orange County Legislator-Elect for this District.

I will limit my remarks tonight to public safety and emergency response time.

As public servants our Number 1 priority is Public Safety.

LegoLand needs to have their own Flyover NOW! Not 2 or 3 or 4 years after they open.

In fact LegoLand should not be approved to go forward unless the Flyover is open on DAY 1!

Emergency Response Plans – Crisis Management Plans all start with "Worst Case Scenario"

They end when everything possible, everything within reason, has been done and planned for to save lives, limit the damage, and restore public confidence.

Our job as public servants is to listen to the experts, analyze data, and make informed decisions.

Emergency response time matters – Seconds matter!

BOCES has concerns, Elant has concerns, Glen Arden has concerns, Goshen School District has concerns, the Orange County Planning Department has concerns.

All Legitimate Concerns.

But here is what we all should be concerned about – That you/we cannot find one person within the three disciplines of Emergency Response – Police, Fire, Ambulance – the Professionals, that can stand before you and make a case to Wait, Delay, or Not even have a Flyover. Quite the opposite. A Flyover will save lives! A flyover is a MUST!

To not have one also exposes our taxpayers to unnecessary liability in the form of negligence.

As government officials we have an obligation to protect those who can't protect themselves, to speak out for those who can't speak out for themselves. In this case – we are the voice and protector of our most valuable asset – our children – our future!

If this project is approved – the Flyover MUST be open on Day One!

Let me leave you with this. If Arden Hill Hospital was still open today – would you even consider LegoLand without a Flyover on Day One. Are the family and friends we have at BOCES, Elant, Glen Arden, and the surrounding neighborhood any less deserving of our protection and due diligence than Arden Hill Hospital patients and employee's would have been. I submit to you tonight that they are deserving of our protection.

Again, if this project is approved – the Flyover MUST be open on Day One!

Thank You

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

Holly O'Hern
2 Summit View Drive
Goshen, New York 10924

Planning Board of Goshen
41 Webster Avenue
Goshen, New York 10924

January 9, 2017

Re: Legoland DEIS

Dear Planning Board Members,

I am a resident of the Town of Goshen and I am opposed to allowing Legoland to build an amusement park in Goshen. The 2009 Master Plan and existing zoning law prohibits amusement parks in Goshen. The Master Plan in 2009 sought and fought to preserve the character, rural quality of Goshen. I am urging the Town Board of Goshen to vote no to changing our Master Plan and zoning law.

In looking at the DEIS for the Legoland project I have the following questions and or comments:

- The DEIS the fails to address the water impact Legoland would have on the already existing aquifers. It speaks to re-drilling a well into a new and improved aquifer, can that be found or would they be re-drilling into an already over utilized existing aquifer?
- The DEIS failed to address the negative impact to surrounding home owners by a certified appraiser. One such example is Martha Bogart home located on Reservoir Road, her home is near Boces. Her home is currently on the historical registrar.
- DEIS failes to address the impact on the quality of life on local residents prior to, during and post construction of Legoland.
  - -particular matter, air pollution
  - -traffic congestion
  - -blasting, noise pollution
- DEIS fails to address the negative impact on Goshen's water supply during a drought. Water tests were performed during a non-drought season.
- The DEIS fails to address traffic pattern and the negative impact on local residents during 9am to 1 pm while amusement park is running. What other traffic alternatives have been sought to provide relief to local residents? Has Legoland offered to create a cut into Rte. 17 to create their own private entrance to their park versus impacting negatively the infrastructure of our local roadways?
- The DEIS fails to estimate the time it would take an ambulance to get into Glen Arden or Elant during peak park times? How long it would take for the Boces buses to enter and exit Boces during peak park hours and how it would impact traffic congestion. Does the DEIS address additional roadways being created by Legoland to provide a back separate entrance road for Glen Arden, Elant or Boces residents/employees or ambulances allowing them to enter or exit in a timely fashion?
- The DEIS fails to address the impact on Otter Creek which feeds the Goshen Reservoir. i.e: construction debris, chemicals on site, automobile exhaust-oil, heavy machinery, etc.

- The DEIS fails to address in full traffic congestion, increased overcrowding which would negatively impact crime rates and vandalism, increase roadway depreciation due to the increase demand and the increase demand on local parks.
- The DEIS fails to address how Legoland can minimize its negative impact on the rural quality and character of Goshen. No longer will be known as the home of the trotter rich in history and quaintness but now known for an amusement park.
- The DEIS fails to address the traffic impact of the new Casino in Monticello being built and the additional roadway use and traffic patterns in conjunction with the additional traffic generated with Legoland.
- The DEIS fails to address the negative impact from the debris, waste generated on site and transported off site to local residents and roadways. Additionally the added sewage and impact to our sewage treatment plant.
- The DEIS fails to have a certified appraiser look at the negative impact to all residents who live off of Reservoir road and state how much their property values would be lowered if Legoland is approved.

As a resident of the Town of Goshen, I am opposed to the overturning of the 2009 Master Plan and zoning law that prohibits amusement parks. In 2009, residents sought and fought hard to preserve the quaint historical rural nature of Goshen, green space and farm land. If our Town board changes our Master Plan and zoning code solely to allow Legoland to build, it will forever change the rural character of Goshen. Legoland does not and will not fit into the rural character of Goshen.

I also would caution our Town board; once you change the Master Plan and zoning law just for Legoland, be prepared for lawsuits from those smaller entities which you turned away prior to this. Also for those who come behind Legoland if approved, looking for high density housing and land; once you change the Master Plan you have open the door to whatever and whomever comes a knocking.

As a resident who lives off Reservoir Road and Rte. 17A, I wonder how with the existing traffic pattern for Legoland (1200 cars per hour between the hours of 9 am and 1 pm) how I will get to and from work via Rte. 17? How will an ambulance get through to Glen Arden, Elant or Boces? How long will it take for residents to go visit their loved ones at Glen Arden or Elant? It sounds like a traffic nightmare and there is no back route in.

It is my believe that with the deal NYS is giving Legoland; that being $4.1 million in grant monies and eliminating property tax for them for 30 years that they should put up the money to create their own exit off of Rte. 17- just for Legoland. When you go to Disney Land or Universal it's a four lane highway, efficiency is the name of the game. In Goshen we do not have the infrastructure to support such a build out which would be needed to handle 20,000 visitors a day or 2 million a year. It makes me shutter to imagine the negative impacts which will be seen as 20,000 visitors all drive their cars onto one tiny Exit ramp and through 6 lights to get to Legoland.

Relators have stated that property values will decrease by at least 20 to 25%. I would imagine those homes near Boces such as Martha Bogart historical home which is located on the historical registrar will suffer a major decrease in property value. Who would choose to live near this traffic nightmare that we will be creating? Certainly not I, and I would expect not you.

Please do not sell out your residents who live here for the sake of progress. If we wanted to live near a city or Disney/Legoland we would have. We choose to live in Goshen where life is slower, with

cohesive neighborhoods, farmlands, we are rich in history, quaintness, minimum traffic, low crime rates, etc. We do not need or want Legoland, it is not the right fit for the rural character of Goshen.

Thank you for your consideration in this important matter before you. Please vote no.

Sincerely,

Holly O'Hern

Holly O'Hern

Holly O'Hern
2 Summit View Drive
Goshen, New York 10924

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

Town Board of Goshen
41 Webster Avenue
Goshen, New York 10924

January 9, 2017

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Thank you for your consideration in this important matter before you. Please vote no.

Sincerely,

Holly O'Hern

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

Holly O'Hern
2 Summit View Drive
Goshen, New York 10924

Zoning Board of Goshen
41 Webster Avenue
Goshen, New York 10924

January 9, 2017

Dear Zoning Board Members,

As a resident of the Town of Goshen, I am opposed to the overturning of the 2009 Master Plan and zoning law that prohibits amusement parks. In 2009, residents sought and fought hard to preserve the quaint historical rural nature of Goshen, green space and farm land. If your board changes our Master Plan and zoning code solely to allow Legoland to build, you will forever change the rural character of Goshen. Legoland does not and will not fit into the rural character of Goshen.

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Thank you for your consideration in this important matter before you. Please vote no.

Sincerely,

Holly O'Hern

ENGINEERS LABOR-EMPLOYER COOPERATIVE
The Labor-Management Fund of Operating Engineers Local 825
65 SPRINGFIELD AVENUE, 2ND FLOOR, SPRINGFIELD, NJ 07081
973-630-1010 • FAX 973-630-1013

Building On Common Ground

MARK LONGO
DIRECTOR
973-630-1012

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 825

ASSOCIATED CONSTRUCTION CONTRACTORS OF NEW JERSEY

CONSTRUCTION INDUSTRY COUNCIL OF WESTCHESTER & HUDSON VALLEY

THE CONSTRUCTION CONTRACTORS LABOR EMPLOYERS OF NEW JERSEY

December 7, 2016

Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

Name of Project: LEGOLAND New York
Location: Off Harriman Drive, extending east to Arcadia Road and south to Conklingtown Road
SEQR Status: Type 1
Lead Agency: Town of Goshen Planning Board

On behalf of Engineers Labor-Employer Cooperative (ELEC 825), I want to express our support for this project. ELEC 825 is the labor management fund for the Operating Engineers Local 825. We represent over 6,800 union members and together with our signatory contractors, we work to secure building projects, create jobs, maintain a credentialed workforce, promote economic development, and stimulate construction. Our territory includes five counties in New York State including Orange County and New Jersey. Twelve of our members are residents of the Town of Goshen and over 250 members reside in Orange County.

This project is a perfect example of the type of construction project that is important to our organization and members.

LEGOLAND is not solely about construction jobs. Our members don't just work here. We live here and raise our families here, too. Our members are active outdoorsmen and women who are committed to preserving the environment for future generations and to suggest that we are driven only by consideration for jobs at the expense of public safety or the environment is in itself a gross oversimplification.

Furthermore, Goshen and the region need to continue to look at ways to diversify its economic base. We know the benefits that facilities like LEGOLAND bring. This project will help the Town and the County in the long run to remain economically competitive and a great place to live by providing family and community oriented amenities while increasing economic opportunities and assisting with infrastructure development.

We strongly support this project and believe in its numerous benefits, including, but not limited to, the jobs created for our members and contractors who would work on this project. Local 825 members are exceptionally skilled in operating heavy equipment used in demolition, building infrastructure and transporting construction materials with cranes, and this project would provide many jobs during its construction phase.

Our workforce is highly trained and safety is always our top priority. Located in Middletown, NY, our training center has been ranked among the best places in the country for training and continuing education in the use of heavy equipment. As we continue our commitment to our members and New York, we are building an even better state of the art training facility and offices in Wawayanda.

Our diverse construction portfolio in New York includes roadway and bridge construction, pipelines, housing, manufacturing and warehousing, casinos, and emergency service facilities in all types of surroundings including environmentally sensitive areas.

ELEC 825 strongly supports this proposed project. We believe that opposition to the project is based on fear and uncertainty, rather than facts. We respectfully ask the board to approve this project.

Thank you very much,

Daniel Ortega
Community Affairs
Engineers Labor-Employer Cooperative

Cc.: Douglas Bloomfield, Supervisor
Cc.: Town of Goshen Building Department

PINE BUSH
AREA CHAMBER of COMMERCE

1/9/2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Danielle Pappalardo

Danielle Pappalardo President Pine Bush Area Chamber of Commerce
and
Executive Board of Directors

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 13, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

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We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

DR. ELSA D. PASCUAL
3302 ROUTE 207
GOSHEN, NY 10924

5 VERS LANE
GOSHEN, NY 10924

Mr. and Mrs. Rolland B. Peacock, III
2 Yankee Maid Lane
Goshen, New York 10924

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 6, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

As 34 plus year residents of the Town of Goshen we are sending this letter in support of the LEGOLAND New York project.

While the economic benefits to the Town, Village and County will be tremendous, I also want to point out that the Master Plan for Town must be considered to be a dynamic document. I have worked in one of the most regulated industries for over 43 years as a Banker. Our Lending Policies are approved and adjusted as the times have changed. As Community Bankers, we modify the Policies to meet the regulators requirements as well as the changing economic environment to do what is right the Bank, the Customers and the Community. I feel very strongly that you consider these factors with changing the zoning for this project.

Approving the proposed LEGOLAND New York project is critical because of the tremendous economic development impacts it will offer Goshen and the greater Orange County community.

Please remember:

The Goshen Central School District will receive **$38.4 million of $52.6 million** in PILOT payments over the course of 30 years.

In the first year of operation, **$1.022 million** in the first year would go to the Goshen Central School District, **$210,000** would go to the Town of Goshen and **$168,000** would go to Orange County. These amounts will increase each year over the PILOT's 30 year term.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. **The Town of Goshen will receive 65 cents for each visitor up to 2 million visits and 20 cents for each ticket thereafter – with no cap!**

This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the park's success! Think of all the worthy community projects that will finally become a reality with these funds!

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

And, LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

As an avid outdoorsman, I believe Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Thank you for giving us the opportunity to write in favor of LEGOLAND New York.

Sincerely,

Rolland B. Peacock, III

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland
Date: January 17, 2017 at 8:36 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: ttupa74 [mailto:ttupa74@aol.com]
Sent: Monday, January 16, 2017 9:38 PM
To: nhalloran@townofgoshen.org
Subject: Legoland

Douglas Bloomfield
Town of Goshen , Town Board

Dear Board Members,

When I first heard about the possibility of " The biggest Legoland in the world" having its sites set on Goshen , my first reaction was tears. A little dramatic but I will tell you why from the bottom of my heart...the first time I stepped foot in Goshen was for a speeding ticket. I thought to myself , what a cute hustling bustling little town? At the time the government center was up and running full steam. It made me feel nostalgic and reminded me of my childhood. A lot has happened since that ticket, a courtship, a marriage, two beautiful children and the purchase of a home in hambletonian park. We have fallen in love with this town and the good that goes on here. There is a community here like I've seen nowhere else. I am from dutchess county and I never felt that warmth and closeness that I feel here. I will add that all that business over in Poughkeepsie does not help their taxes. My old house tripled in taxes since 05 and it is right by the Galleria. I have gone back and forth understanding some of the pro points. And I very much understand that New York wants this..orange county wants this..but at what cost to GOSHEN?? I feel like we are being a doormat. We have water improvements that need to happen , school improvements , things that can happen with out selling out to this company that will suck us dry in the long run. It will forever change this area and I don't believe for the betterment of this community. This is the last commutable area close to the city. The people here work hard. My husband can't get home as it is on Friday nights due to traffic and forget about having a summer BBQ with family. I agree orange county needs changes !! But not something of this magnitude! ! If you change the zoning for this project it will be fair game. Is it worth it ?? If the park does well, companies will eat up the surrounding land to make a profit off lego land.Say goodbye to what makes this area so beautiful.. If it doesn't do well , that will be bad ..very bad. Lower ticket sales and then we will

get undesirable consumers. This park is too big to put here !! Please. Let's think of smarter ways to pump up Goshen! !! WE don't need to sell out to big corporations!! It's seasonal!! The tax breaks they are asking for are laughable !! they will deplete our Natural resources that are already sparce!!! And most of all , it's dividing our amazing town!! Lastly, there is very good reason other towns denied this... we are not "lucky" they chose us. Let's not be so desperate.

Sincerely,
The Pedrosa Family

Tara Pedrosa
22 Yankee maid lane
Goshen NY ♡

Sent from my Verizon, Samsung Galaxy smartphone

Scott F. Perry
221 Conklingtown Road
Goshen, NY 10924

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

January 4th, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, NY 10924

Dear Goshen Town Board and Planning Board members:

I reside at 221 Conklingtown Road, and will be among the closest neighbors to the proposed LEGOLAND NY project. While I was very interested in how the project would fit into our community, I was happy to hear about the "Park within a Park" concept, and the generous borders that are incorporated into the plan. I trust that you will do your due diligence and insure that concept prevails.

I am firmly in support of this project. While I realize there will be challenges, the economic boost to our community far outweighs any concerns I have. I am hopeful that this project will be the springboard to instill some much needed economic vitality in our Town and Village.

Please continue to work through the process, and make this project a reality. LEGOLAND is an opportunity that will not come again, please approve the project!

Thank you,

Scott F. Perry
Goshen Resident and Business Owner

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

Atlas Security Services Inc.
2002 Rt 17M Suite 6
Goshen, NY 10924

01/02/2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

As a Village of Goshen business employing approximately 150 persons, with owners who are Town residents, we feel that approving the proposed LEGOLAND project is vital to insuring our community's economic viability. We believe the benefits that the project will offer Goshen, far outweigh any potential negative impacts. Goshen is a terrific Town, but we have been sorely lacking in the area, of business attraction. It is our hope that this project will breath some life, into the economy of the Town and Village.

Please continue to work with the applicant, to address any issues in the environmental review and bring this project to fruition.

Sincerely,

Scott F. Perry, Vice President
Atlas Security Services Inc.

From: **Kelly Naughton** knaughton@bmglawyers.com
Subject: Fwd: DEIS
Date: January 18, 2017 at 3:21 PM
To: Kelly Naughton knaughton@bmglawyers.com

Begin forwarded message:

From: Neal Halloran <nhalloran@townofgoshen.org>
Subject: FW: DEIS
Date: January 18, 2017 at 12:22:18 PM EST
To: 'Kelly Naughton' <knaughton@bmglawyers.com>, 'Kathleen Krutki' <kkrutki@townofgoshen.org>

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Alec Phillips [mailto:alec@alecphillips.com]
Sent: Tuesday, January 17, 2017 5:46 PM
To: NHalloran@townofGoshen.org
Subject: DEIS

Hello Neil.

Town growth is good but not when it is out of proportion. You know something is not right when you have to force it this much.

- Not all bodies of water are mentioned in the DEIS.

- 900ft retaining wall?

- How many truck loads of dirt?

- The lights will continue long after 8:30 closing for cleanup crews etc..
  How many are pointed straight up?

Alec Phillips

From: **Kelly Naughton** knaughton@bmglawyers.com
Subject: Fwd: Correction - 90ft retaining wall.
Date: January 19, 2017 at 11:28 AM
To: Kelly Naughton knaughton@bmglawyers.com

Begin forwarded message:

From: Neal Halloran <nhalloran@townofgoshen.org>
Subject: FW: Correction - 90ft retaining wall.
Date: January 18, 2017 at 12:24:26 PM EST
To: 'Kelly Naughton' <knaughton@bmglawyers.com>, 'Kathleen Krutki' <kkrutki@townofgoshen.org>

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Alec Phillips [mailto:alec@alecphillips.com]
Sent: Tuesday, January 17, 2017 5:51 PM
To: NHalloran@townofGoshen.org
Subject: Correction - 90ft retaining wall.

Some things are just not right Neil.

Alec Phillips

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Robert H. Poltenovage
52 Lake Station Rd.
Warwick, NY 10990
tel. no. 845-694-916

1/12/17

To: Goshen Town Board & Planning Board:

I am writing this letter in reference to the Draft Environmental Impact Statement for the proposed Legoland amusement park.

I have many concerns about this kind of a project for our area. Let me start off with a concern for a major problem that I am all too familiar with. I have had to be rushed by ambulance to the Emergency Room of Orange Regional Medical Center three (3) times in the last year and a half. At those times I was lucky there was no major traffic. I got there each time in about 15 to 20 minutes. I am afraid that since Orange Regional Medical Center is where most people in our area would go if and when they have a medical emergency, being stuck in amusement park traffic could be fetal at worst and extremely dangerous at best. Even the way things are now, there are so many times when traffic is stopped dead for miles. Fridays and Saturdays when

people from the city are going to or coming back from upstate. Soon they will be going to or coming back from the new casino. After the Amy's Kitchen project is completed there will be another 680 people that will be getting on to RT. 17 daily. And lets not forget all of the area residents that commute daily to work in the city. How could anyone not see what a disaster this project will be for our area roads. What good is there in having a giant, modern, state of the art medical center in our area if in an emergency we or our loved ones cannot be brought there in time to save their lives or ours.

Some years ago, the Town of Chester said they needed to build a bypass around the hamlet of Sugar Loaf because if on a weekend there was a fair such as "Erie Sloan Day", an emergency vehicle such as an ambulance or fire truck could not get thru and people's lives could be put in danger. Soon after, the Sugar Loaf bipass was built.

We cannot build a bypass around RT. 17!, and even if we could it would also be as conjested

as Rt. 17. Those in Rockland County were smart enough to see this when Legoland tried to build there and I hope those who represent us see that we also have the same concerns.

Goshen has a Master Plan that should not be changed. It was written for good reasons. Decisions over the years on what and where to build have been made with it in mind. The land in that area is zoned residential. Those who bought houses there will lose a lot of their homes value if the zoning is changed. And if this was not enough, we also have current laws that prohibit an amusement park!

To avoid all the traffic and congestion, a lot of my neighbors and friends will do most of our shopping in Warwick. There are plenty of good restaurant's so we don't need to go to Chester or Goshen. Warwick has a car wash, banks, dry cleaners, gas stations and auto repair shops, churches, etc. We will avoid Goshen like the plague.

Goshen is a beautiful, bucolic, historic, special town. Not many places like it left. Lets not take "Paradise" and put up a parking lot!

People are getting married later today. In many cases having no children because both need to work to pay the bills. Schools are closing, family's are so small amusement parks are a expensive luxury. The 1970's are gone folks! This could become another Camp La Guardia

Lets realize what really counts. Part time amusement parks jobs are not the answer. We can do much better. Lets aim higher

If you want to do something for our children, protect Goshen from poor planning One day when our children and grandchildren get married and start a family I hope they consider Goshen and not pass it over on their way to a less congested piece of America.

Sincerely
Robert G. Pottenovage

1-10-2017

RECEIVED
JAN 11 2017
TOWN OF GOSHEN
TOWN CLERK

To the Goshen Town Board

Legoland in Goshen would have a NEGATIVE impact on my quality of life.

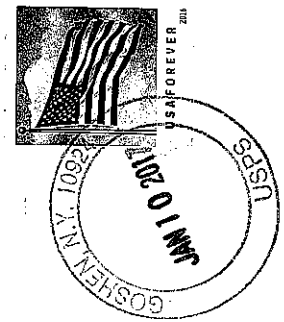
please

No ZONE CHANGE
from residential to commercial

No LAW CHANGE
pertaining to amusement parks

Thank you
Linda Poshadel

MRS. LINDA POSHADEL
3 TIMBERLY DRIVE
GOSHEN, N.Y. 10924-2325



the Goshen Town Board
P.O. Box 217
Goshen, N.Y. 10924

Mrs. Linda Poshadel
3 Timberly Drive
Goshen, NY 10924

The Preservation Collective, Inc.

PO Box 721
Chester NY 10918
www.thepreservationcollective.com

January 17, 2017

Douglas Bloomfield, Supervisor
Lee Bergus, Chairman
Town of Goshen
Planning Board & Town Board
41 Webster Avenue
Goshen NY 10924

Dear Sirs:

This letter is being submitted to you for the public comment period on the Merlin Entertainment Legoland commercial recreation facility proposal in Goshen.

Our non-profit organization supports the public interest in seeing the protection of the scenic, historic and cultural landscapes from the negative impacts of new development. We have heard from members of the community who want to safeguard the historic and agricultural character of Goshen as well as raise concerns about other environmental impacts that the Legoland proposal will have on water, sewer, traffic to name a few.

With our brief review of the DEIS, several sections appear to be missing complete analysis, therefore calling into question if the document was actually adequate for public review at this time. For instance, the DEIS states more information is forthcoming from offsite well exploration to supplement Village supply as well as cultural study ongoing, blasting protocols undefined in addition to lack of information on emergency services regarding mutual aid impacts, which are still under review. One particular section demonstrating the inadequacy of the DEIS for public review is with the visual impact analysis which did not meet the scope outline requirements as per SEQR which we will address in more detail in the body of our letter.

We understand that it the intention of SEQR 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. It was the intention of the Legislature that the protection and enhancement of the environment, human and community resources should be given appropriate weight with social and economic considerations in determining public policy, and that those factors be considered together in reaching decisions on proposed activities". (reference SEQR 617.1) Furthermore, "The EIS should contain enough detail on size, location and elements of the proposal to allow a reader to understand the proposed action, the associated impacts, and to determine the effectiveness of any proposed alternatives or mitigation". Keep in mind, "Growth-inducing effects of an action may not be perceived as environmental issues, and may even be seen by project supporters as economic or social benefits. However, induced growth may be the prime source or cause of secondary environmental impacts.", which need to be thoroughly evaluated. (reference SEQR Handbook).

The following comments are for your consideration in regards to the combined public hearing for Introductory Local Law No 5 and 6, Site Plan, Subdivision, Special Permit, Clearing and Grading Permit, the Sale of Town Parcels to the Project Sponsor and review of the DEIS.

Local Laws

No. 5: The law states that the commercial tourism/recreation uses are allowed if "such uses incorporate sufficient buffers and other mitigations" including it will be "designed to accommodate to a reasonable extent the natural contours of the land and the protection of the wetland area". However, the corresponding Local Law No 6 does not provide the Planning Board with guidance on what would be "sufficient".

As a result, the regulations in Local Law No 6. need to set the criteria for general site plan layout for such a use being allowed and not the other way around. In fact the DEIS (on page 28) states "the buffers to adjoining occupied land will be provided through the use of mandatory setbacks that would prevent those areas from being utilized for park development…" and "These setbacks would be incorporated into the proposed Commercial Recreation overlay district and would be enforceable by the Town of Goshen." Therefore, it is imperative that the amount of land to be preserved around this type of use (note -whether the adjoining property is currently "occupied" or not) should be protected with specified buffers and conservation measures to protect the land in perpetuity defined by Town law.

Please take note that the DEIS states (on page 27) "The land will not be subject to any deed restriction or conservation easement as no such restrictions are required." However, the code has not yet been adopted relating to the new overlay district for this use and the Town of Goshen has measures in place for when the property is developed under existing zoning on the property, therefore we suggest similar regulations be incorporated into the new CR zone under consideration. For example:

- HR District: "at least 30% of the site area must be protected as undeveloped open space preserved with a conservation easement."
- RU District "at least 50% of the total acreage will be preserved by conservation easement".

Note, with the Town of Goshen's Conservation Density Development, "A perpetual conservation easement is placed on the land to be subdivided, to maintain its natural and scenic qualities, to restrict building to those locations deemed by the Planning Board not to be environmentally or visually sensitive and to ensure that the land will not be subdivided…"

We also suggest adding the specific definition of the Open Space from Chapter 71 into the Zoning and Subdivision chapters of Town Code clarifying that open space in this context is not manicured lawns.

No. 6: The setbacks and other area requirements of section G(4) seem to allow the Planning Board to approve anything it wants to, either higher or lower. It would be better if it said that "*The following minimum dimensional requirements shall apply, unless the Planning Board approves stricter requirements:*"

Section G(7) seems to give the Planning Board the discretion to require better buffers, but it is very vague. The Town Zoning Code includes some specific buffer requirements. Why aren't these being cross-referenced and incorporated?

We have concerns about the new maximum height being proposed is at 100 feet when the standard building height in Town code is 35 feet with a maximum 45 feet in specific districts. We hope you reconsider the height allowance in order to insure that any new structure would have to prove (by way of a variance) to exceed height restrictions and fit in with the community character and goals of the Town's Comprehensive Plan and surrounding zoning districts.

It is unclear whether Section G(12) allows the issuance of a clearing and grading permit before the special permit review and site plan reviews are complete. It should be made clear with language such as "*this permit may only be issued after the Planning Board has adopted findings on the environmental impacts and completes site plan review and special use review*."

We recommend rewording Section 4 because it puts pressure to vote for approval of a project in relation to when the new overlay district goes into effect as presently stated "if the Town Planning Board does not approve a special permit and site plan for a Commercial Recreation Facility within 6 months of the effective date of the local law, if so approved, the Commercial Recreation Facility is thereafter abandoned."

Due to the magnitude of the new CR use which is not currently allowed in the Town, additional planning and updating of current regulations might be required. For example: the ratio of tree plantings to parking space allotments, ridge overlay protection, height of retaining walls, parking decks, blasting protocols, noise criteria and permit application for fireworks to name a few.

Site Plan

We hope that all Planning Board members have had the opportunity to conduct site visits of the property and surrounding area to get a better perspective of the impacts of the project proposed.

The majority of the site plan with the DEIS has vague descriptions of what's proposed in the space of "ride" or "attraction". Some plans have specific labels of "Playscape" and "Interactive Fountain", however, how does the reader know what is proposed and what potential impact it could have visually or on water usage and/or noise generation? At what point will more information on the structures proposed in this theme park (color, height, etc) be provided for review and comment?

There are designated areas proposed off the service road to access several attractions/buildings – will there be more details on if any parking and service vehicles will be located in these areas that will not impede emergency access throughout the theme park?

Is there a color rendering of the administrative and accessory buildings? Shouldn't there be more details on building architectural features e.g. blending in loading dock as per Town Code? Shouldn't there be more landscaping for screening around the administrative building, trash facility and corresponding service road in that area of the site plan? Regarding Harriman Drive, how much of the existing vegetation will remain as a screening buffer, or removed and how much added?

Has a certified arborist, hired by the Lead Agency, reviewed the landscaping plan since the DEIS contends that supplemental plantings will soften the appearance of parking areas and proposed structures as well as help with stormwater impacts? It would be imperative that an expert review the tree plantings selected and planting protocols to insure effectiveness to mitigate impacts year round. Is there a planting guarantee to replace dead or dying trees located on the site plan?

When reviewing the paving plan, are there sidewalks/porous pavers proposed for pedestrians to navigate from the staff parking lot to the inner park and guests staying in the hotel walking to access the park; there actually doesn't appear to be a pedestrian connection depicted, which would be useful to review particularly if any alternate paths to plan for safety when the aquarium is under construction?

We suspect changes in the site plan once Involved Agencies weigh in on the impacts and proposed mitigation. If significant changes occur to the site plan as a result of the EIS review, can we expect an additional hearing(s) prior to the granting of permits since the mitigation of one impact could cause other changes and associated impacts not considered in the EIS?

The DEIS states (on page 29) "New rides and attractions would only be constructed within areas on the site plan which are identified as part of the theme park on the approved site plans." This implies that changes are likely to occur over time. If rides are removed and/or new rides added in their footprint or reconstruction or additional floors to be added to existing buildings, will the applicant still need to return for site plan approval to assess any impacts such as height, noise, water usage, etc. of the new modifications?

We would recommend that the final site plan include language that gives the Planning Board authority to address certain impacts after project completion that we have seen used in other municipalities for example: "*Planning Board's acceptance of the lighting design shown hereon is premised on the representation of the applicant that the lighting will not cause a glare or other deleterious effect on adjoining properties and/or roadway traffic. Should any such conditions result from the installation, in the sole opinion of the authorized representatives of the Town, the applicant agrees to modify and/or replace fixtures to cause the correction of the condition, to the satisfaction of the Town representatives"*. A similar notation could be added to modify landscaping plans that prove inadequate to screen or reduce visual or noise impacts.

In regards to the Subdivision and Sale of Town Parcels, perhaps the Town should require the parcels for sale have deed restrictions from any future development as condition of sale as within their right to insure that the land is protected as intended. We also have concerns for the entire project area being merged into one lot to be included in the new CR zone when there is contradictory and vague wording in the DEIS regarding the remaining land (on page 27); "The majority of the Project Site, or 444.54 acres will remain undeveloped open space and, or manicured lawn" but then it says "Any additional development on the site will require compliance with SEQRA and site plan approvals from the Planning Board." Therefore, without a conservation easement insuring the protection of land in perpetuity, the applicant can obtain future development permits on the remaining land, thus segmenting the review and no guarantees that there will be natural undisturbed buffers or linkages between natural resources as studied in the EIS.

The following comments on the DEIS are intended to provide you with information to assist in your assessment of the impacts of the proposed Legoland New York project. After briefly reviewing the Draft EIS (dated Nov 17), here is a summary of our comments and questions by specific sections:

DEIS

II. Public need and benefit –

- The DEIS says Legoland will offer year round educational opportunities to schoolchildren throughout the region, with programs focused on STEM education. Is there a dedicated building or space labeled on the site plan for this program to be accessible at the site since this educational aspect is discussed as a benefit of the project?
- At informational meetings it was mentioned that Legoland would offer space to Orange County Tourism at the theme park but we did not see this discussed in the DEIS. Is Legoland planning to incorporate and promote the culture and history of Goshen and surrounding area into their theme park e.g. promotional material kiosks, Lego display models, or replicate architecture features of buildings or any off-site improvements such as contributions to historic restoration projects?
- An added benefit of the project could be to require the remaining undeveloped lands to be permanently protected as open space via a conservation easement. Even if there is no town law specifically requiring a conservation easement in this type of situation, that does not mean it cannot be done.

A. Geology and Soils -

- The DEIS states "All blasting performed at the site would be designed and conducted such that surrounding features would not be impacted by the associated shock waves." Has it been identified where blasting might occur on site (color code on map) and measurement provided of how close to the nearest residence and infrastructure at Arcadia Hills and at Glen Arden community?
- Wouldn't the blasting protocol be included in the DEIS?
- The DEIS states that there is approximate 2 miles of retaining walls with portions as high as 56 feet - does the Town Code of Goshen have a maximum in height allowance for retaining walls as a safety concern due to the risk that it could collapse.

B. Topography –

- The DEIS states "Retaining walls are to be precast concrete with a decorative exterior" but no photo depiction is provided and can you indicate where to locate details in full set of site plans as referenced?
- Figure III-4 provided for topography is difficult to understand given only elevation map. A colored map depicting the existing slopes categories (10%, 15%, 25%) should be included to assist the readers in understanding the existing site conditions.
- Generally, it is best to avoid construction on slopes that exceed 15% in sensitive watersheds. How many acres, of the 74 acres, are between 15%-25% slopes?

C. Surface Waters -

- Was a complete functional analysis prepared regarding subsurface water to insure the design is not diverting hydrology to or from the wetlands?
- Is there an analysis of the flow patterns on site and wetland functions?
- Are there "wetlands of unusual local importance" on site or in close proximity?
- Is the Reservoir hydraulically connected to the water supply to Arcadia Hills?
- Is there a discussion of any downstream systems and facilities to be impacted by any changes in drainage patterns?
- The DEIS states (on page 111) " The proposed project incorporates riparian buffers of **at least 100 feet around <u>all</u> onsite wetlands**"[emphasis added], however, there does not appear to be such a buffer around the wetlands by the proposed hotel. Is there a color map depicting these protected buffers?
- The DEIS states that "Retaining walls reduce the overall amount of necessary disturbance and allows preservation of the wetland areas and other sensitive areas on the site" however, are construction of walls proposed in close proximity to Federal wetlands by the proposed hotel and how does that effect the function of that wetland e.g. existing forest cover and subsoils?
- Given the location of project site in a watershed, is there an Integrated Pest Management Plan (IPM) for holistic approach to pest control to minimize potential adverse effects on health and the environment?

D. Vegetation & Wildlife:

- A map should be provided to demonstrate nearby protected lands and if a greenway corridor can be created by the remaining lands planned to be undeveloped with this project.
- In regards to site stabilization, we suggest further phase the project into smaller sections which will give a more gradual transition to the new conditions for wildlife as well as help contain erosion during storm events.
- Under section K. Land Use and Zoning, the DEIS states that "The Project Site is not identified as a primary habitat or conservation area" in the Southern Wallkill Biodiversity Study. However, the study actually highlighted the project site and surrounding area and determined "The biodiversity hub encompasses Otter Creek, which flows through the Town's reservoir system, feeds into Purgatory Swamp, and is host to significant biodiversity. Portions of this habitat system are at risk from dense residential development". These findings should be referenced and considered in the DEIS in this section.
- We expect best development practices to be followed for conserving pool-breeding amphibians with a study of any vernal pools on site. The Metropolitan Conservation Alliance/Wildlife Conservation Society produced a guide that could be used as reference material.

E. Groundwater and water supply -

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- The DEIS explains that the project will not be using groundwater onsite but that the Village will be providing water via their supply in the Town of Wallkill. The Village has hired an independent hydrogeologist and engineer to drill one or more additional wells on this site to supplement the Village's public water supply as part of the proposed agreement. Since the testing of potential wells is currently ongoing and permits still need to be sought as part of the proposed action, will a supplemental EIS be required once the new information is available?

E. Groundwater and water supply - continued:

- What is the water usage expected by number of facilities and expected visitors i.e. inner park bathrooms, fountains and restaurants, rides and attractions as well as hotel usage?
- The DEIS states "To determine anticipated water demand, usage from Legoland Windsor was utilized as a benchmark due to the similar size and seasonal nature of the park." It says Windsor has two water attractions; how many are proposed for New York. Will the New York Legoland facility have the same facilities and attractions as Windsor to accurately use as benchmark for example, does the hotel have same amount of rooms and the indoor water play area inside hotel as included in Windsor?
- What if the water projections for Legoland are underestimated for example: given actual demand by visitors in New York, or watering of new landscaping needed, and if other attractions are added to the theme park within the site plan or worst case scenario conditions e.g. drought or a fire on site exceeding water storage tank capacity?

F. Wastewater Management – Since wastewater capacity is conditional on the Village of Florida providing services, we would expect the final studies, agreements, etc. should all be provided before the FEIS is completed.

G. Stormwater Management

- Are any stormwater ponds located in wetland buffers or in close proximity to Federal wetlands and if so, are there negative impacts to be avoided or mitigated?
- Is climate change discussed in projecting the potential change in weather patterns (longer droughts periods and larger rainfall events) that will exacerbate flood risks and add additional challenges for water supply reliability?
- Does the DEIS identify the impacts of altering any drainage patterns or impacting intermittent stream channels and the resulting change in runoff amounts to watercourses?
- The DEIS (on page 72) states that "the revised design of guest parking areas with parking garages and decks reduces the overall amount of impervious surfaces." Was there alternate plans to be included in the DEIS showing a different layout?
- There is limited use of porous pavers compared to the amount of imperious surface planned on site; we think an increase in porous pavers in parking lot construction would better mitigate stormwater impacts.

H. Traffic - The DEIS states that 1.5 and 2.5 million annual visitors are anticipated to visit the site.

- The Windsor facility was used for water demand, sewer and electricity usage comparisons analyses, however, the Carlsbad, California facility is used for specific traffic count and attendance data; was this facility used because it has the largest traffic volumes at 2.3 million visitors a year? The DEIS says Windsor has approximately 2.2 million per year (with no water park).
- Is the data on deliveries and staff trips comparable between all current facilities?
- How many parking spaces are at Windsor facility? The DEIS only states California has 5,182 total parking spaces and Florida has 4,180 spaces compared to 5,634 parking spaces proposed for New York.
- How was the amount of bus parking spaces determined?

H. Traffic - continued

- Are the existing parking facilities meeting capacity at the other Legoland locations for peak season? Is there a contingency plan required for overflow parking on or off site that needs to accommodate larger than normal crowds?
- How early are visitors/vehicles allowed on premises prior to opening hours of the park?
- The DEIS assumes 20,000 peak daily attendance – does this exclude visitors arriving by bus? how does this compare to the opening day/year in the other Legoland parks in evaluating capacity?
- What is the maximum attendance of visitors that can be accommodated at the facility before impacting safety and efficiency of park services, rides, etc thus requiring the park to be closed and vehicles waiting to enter?
- The DEIS makes a comparison to other significant regional traffic generators in the area, such as Woodbury Common, the Galleria at Crystal Run and the Palisades Center – is the supporting data provided in the traffic impact study and are these shopping centers being used to compare traffic patterns to the Legoland amusement park e.g. peak hours, direct exit ramps, multiple entrances and several local road access routes differing from the proposed project?
- The DEIS recommends bus service from various collecting points. Given the amount of visitors to these attractions, using the Woodbury Commons as an example, would this increase the expected visitor rate and bus traffic in the analysis for the project? In addition, there was recent news of the planned Nickelodeon Universe Theme Park coming to American Dream Meadowlands in New Jersey – would this be a collecting point given Legoland center included and would it impact traffic impact study analysis?
- Will Town and Village of Chester be contacted specifically for request of any recent traffic studies conducted with approved projects to review for contributing traffic impacts e.g. Greens of Chester and Primo Sports due to close proximity to NYS 17 exits?
- Has the issue of a percentage of visitors not using designated exits for the park evaluated in the traffic study; whether they missed the exit, local residents aware of alternate routes, or visitors trying to avoid queuing on deceleration lanes? Is a sign proposed after Exit 124 indicating Exit 122 for purposes of U-turn to avoid problems with visitors or service trucks using Exit 123 to turnaround and navigate back to Legoland access?
- How does the simulation modeling accommodate for the amount of tractor trailers, construction vehicles and buses anticipated that they take longer to pass through lights and intersections as well as take up more space on acceleration and deceleration lanes?
- The DEIS recognizes that during certain Summer Sunday Peak conditions, the traffic counts and observations indicate that NYS Route 17 Eastbound experiences major congestion. This raises concerns about preparedness and accuracy of mitigation measures for the worst case scenario since holidays (spring break, 4th of July and Labor Day) were not taken into account in the DEIS.
- The future interstate conversion roadway improvements would interrupt the flow of traffic and exacerbate the queuing of vehicles on local roadways without the addition of the Legoland project, therefore, will these improvements be required and conditional to approval for the project or before opening of the amusement park?
- The DEIS doesn’t mention the timing of various road improvements on and off-site but shouldn’t the construction phasing list which tasks are to be completed in priority order?

H. Traffic - continued

- Does the 3 million dollars awarded the applicant from ESD grant have any restrictions or requirements attached on how funds are spent given announcement description stated "Legoland will continue to invest in infrastructure needs for this new amusement park in Goshen, Orange County."
- We have seen language used in the findings of another project to address monitoring the outcome of the project for consideration such as "*the applicant shall deposit with the Town the sum of $30,000, which the Town shall use to implement a traffic monitoring program that will monitor site traffic generation at each of the site access roads in order to verify that actual project generated traffic volumes and distributions are consistent with the EIS projections. If, for example, it is found that more project generated traffic is using a particular access point than previously anticipated, it may be necessary to re-evaluate those approved mitigation measures such as signal timing, lane configuration and directional signage as they specifically relate to the project site. If this analysis reveals inadequacies in the present mitigation plan, alternative or additional mitigation measures may be necessary in order to adjust actual project generated traffic volumes and distributions to bring the same into conformance with EIS projections*."
- We have seen language with another project to address concerns expressed with extraordinary traffic events such as "*As part of the traffic management plan, the Applicant will work with the Town to provide traffic management such as alternate route signing, temporary restriction of certain turning movements."* Details should be finalized prior to final approval.

I. Noise -

- The noise study doesn't fully analyze the impact of construction noise e.g. it does not mention impact specifically if blasting is to occur given close proximity to the Glen Arden community.
- The noise impact evaluation report recommends a sound wall along portions of the access road but this is not fully discussed in the DEIS.
- Noise levels for fireworks are anticipated to range from 100 to 106 dBA at nearest property lines. If not already, the Town should have a permit application to address possible impacts and require notification to property owners prior to event. Note, laser light shows can be an alternative since they don't have the same negative environmental side effects associated with fireworks provided they are not overused causing visual distraction to passerbys on the highway and obtrusive to residences nearby the project site.
- There are a variety of rides at the existing Legoland parks and the reader is not clear on which are proposed for New York that can be excessive noise generators depending on site design and topography e.g. Island in the Sky, Kid Power Towers, Beetle Bounce, Flying School and other variety of rollercoasters – what rides and attractions are proposed for Legoland New York?
- Does the assessment of noise impacts include a graph broken down into minutes to demonstrate what the dBA reading was to sharp and startling noises such as screaming on a rollercoaster?
- Noise is expected from construction during site grading and when building materials are trucked to the site. Levels exceeding acceptable ranges, as determined by the Town, should require immediate or short-term mitigation at no cost to the Town.

J. Solid Waste Disposal –

- The DEIS states "Waste will be transported to the Orange County Transfer Station #1 located on Training Center Lane south of NYS Route 17M and to private recycling facilities." It also lists construction and demolition debris that will need to be disposed currently on site; did the applicant inquire about the waste capacity at the transfer station to handle project?
- Will there be any firework debris that needs to be addressed?
- Cigarette butts, snack wrappers and take-out food and beverage containers are the most commonly littered items found along roadways and in waterways. With the increase in expected traffic and vehicles in queue, an increase in litter can be expected; therefore, an increase in the cost of cleaning up and removing litter along roadways will result. Perhaps Legoland will consider the "Adopt a Highway" program for RT 17M (and/or Goshen roads) as part of their goodwill to the community by pledging to help keep the area litter-free.

K. Land Use and Zoning –

- Note our comments regarding the proposed Local Laws, site plan, subdivision, and permits included in the beginning of this letter.
- The DEIS says the new overlay district will supersede underlying regulations of the existing zoning. Does the DEIS discuss comparing setbacks and other bulk standards of the current zoning with that which is proposed – as required in the scope document?
- How does the project comply (or not comply) with other Town regulations such as those listed in the 97-40 Supplementary Dimensional Regulations and 97-41 Rural siting principles?
- For clarification, can a map be provided to be more specific at what part of the site "lies within" the County's Priority Growth area designation?
- It is important to note that environmentally-constrained areas (such as wetlands, steep slopes, etc) were not necessary excluded from their priority growth areas since this was a large-scale mapping/planning project. In fact, the County's Comprehensive Plan states the following: *"It is important to note that the Growth Areas were created at a broad-scale and represent generalized areas of the County where growth should reasonably be focused; therefore, not all land within the proposed Areas are developable or necessarily appropriate for development. Any development project should seek to preserve important natural and cultural resources, regardless of location."*
- The County Open Space Plan discusses permanently protected lands (map 4) and identifies municipal water supply lands in the vicinity of the project as well as wellhead protection areas and water supply watersheds (map 5). Is there a map included in the DEIS that depicts all these overlays and protected lands nearby the project site with a color legend to clarify locations for the reader to understand potential impacts?
- The DEIS says the project incorporates riparian buffers of at least 100 feet around all onsite wetlands – is there a map that demonstrates these buffers to <u>all</u> wetlands onsite?

K. Land Use and Zoning – continued

- Open space should be permanently protected and as such would meet one of the goals of the Town of Goshen's Open Space and Farmland Preservation Study of 2003 when it states "the visual appeal and rural character of the landscape will be maintained if green havens **are kept free, in perpetuity**, from residential, commercial, industrial and institutional development" [emphasis added]. Note under water resources, it states "the small, headwater setting of both these reservoirs mean that their watersheds or drainage areas are also small and fragile. These watersheds are a priority for protection."
- The DEIS fails to recognize that the Southern Wallkill Biodiversity Plan has identified this site and surrounding area as a "biodiversity hub".

L. Community Services -

- The DEIS states that traffic data was compiled for various segments of NYS Route 17 between Exits 121 and Exits 131 to identify current volumes on the typical and summer season basis in order to determine the potential impacts from the increased traffic from the project – why then was only Exits 125-123 provided in incident calls with this section of analysis?
- The DEIS fails to address the impacts of mutual aid involving costs associated with accidents to NYS Route 17. Since it is not an interstate roadway, there is no compensation to local fire districts expending their resources. The local Fire Districts should have traffic data and cost.
- The DEIS states "…multiple attempts to contact local ambulance services were unsuccessful" – this problem should be rectified so the DEIS can adequately address impacts rather than make assumption that no additional costs are anticipated to GOVAC.
- The scope document specifically required data for calls for service and crime reports from similar facilities and existing Legoland facilities in California and Florida. More information is warranted specifically on crime reports in the DEIS. Why wasn't data from the Windsor facility included given it was used as a benchmark with other sections?
- Off-site incidents are expected to increase due to the increase in traffic from project and could impact emergency services e.g. incidents on area roadways like 17M, South Street and Harriman Drive?
- The DEIS states "No negative impacts to Town or Village Recreation Services are anticipated" however, as discussed under Fiscal Impacts below, the loss in fees to the Town to meet current and future needs are not considered.

M. Fiscal Impacts -

- Are anticipated costs associated with the project outlined in regards to highway, police, and ambulance and how much is expected to be offset by the PILOT and host community fees paid to the Town of Goshen?
- Are there statistics from the other Legoland host communities that identify the potential increase in petty crimes off-site that could have fiscal impacts to Goshen and neighboring municipalities?
- Note, the DEIS references that two of the parcels involved have an agricultural exemption, which implies current agricultural activities on site but then under Section Q. the DEIS says the parcels were both previously used for agricultural purposes, and activity ceased more than ten years ago. Clarification needed in these sections.

M. Fiscal Impacts – continued

- The growth inducing impacts include the demand of other retail services and housing for employees that could speed up the natural development of vacant land or farmland –
    - Does the Town have an open space and agriculture protection fund and if so, were do the funds come from and will any fees generated from the project be dedicated to this purpose?
    - Are the current recreation needs in the Town of Goshen being met and are their projected costs to meet the demand of a growing community?
    - What infrastructure upgrade costs are anticipated in the next 5 years for the Village and Town e.g. road repairs, facilities, sewer, water, etc.
- The project proposed is a commercial, for-profit, amusement park type of recreation use with no assurances that the remaining land with this project will be left undeveloped as open space, in perpetuity. For comparison purposes, if the land were to be subdivided for housing as currently zoned, there would be parkland fees or land set aside for parkland. The Fiscal Impact Analysis failed to account for the potential loss in fees to the Town if built out to be allocated specifically for improvements in parks, playgrounds and recreation areas and the analysis ignores the environmental benefits that would be created if subdividers dedicated parkland onsite to the Town.

N. Visual Resources –

The Town of Goshen Comprehensive Plan states how the "Town recognizes that it is presently and appropriately a primarily rural community" and "The foundation of this Comprehensive Plan is the recognition that the Town must both preserve its fragile and beautiful rural environment and provide for the needs of its people". This document is an example of the public's appreciation for their visual surroundings in Goshen.

The visual impact analysis is lacking graphic descriptions of all structures and signage as well as lacking in photo simulations of locations where portions of the Proposed Action which will be visible from public roads and trails with leaf-on and leaf-off conditions including night-sky conditions (as required per scope document).

The DEIS only included 2 post development photos (with leaf-on conditions) while other pre development photos did not objectively portray the viewshed impact for example:

- Heritage Trail: The photos provided in the DEIS (Image 8A & 8B), with leaf-on conditions, are misleading to the reader on the viewshed along the sides of the trail. See our attached photos (1A, 1B, 1C) from the trail with leaf-off conditions.
    - Compare Photo 1A & 1B to Image 8B in the DEIS. Image 8B does not show how there are several gaps in vegetation along the trail that actually provides partial views of the project site across NYS Route 17 and 17M. While at the start of the trail along 17M there are buildings (earth toned/muted colored), there is a long stretch of vacant woods and hills viewed as shown in Photos 1A & 1B. Depending on photo simulations of the proposed action, the reader cannot determine what heights and colors of buildings and structures might be seen from along the trail.
    - Compare Photo 1C to Image 8A in the DEIS. Image 8A is taken far back from the view point of users on the trail or intersection. Photo 1C shows is taken closer to the trail and the existing house on project site and NYS Rt 17 highway sign is visible.

N. Visual Resources – continued

- Intersection of 17M and Old Chester Road: Image 9 provided in the DEIS looks like partial leaf on conditions and is taken in the middle of the Old Chester Road rather than actually from the intersection where riders in vehicles would view the site when turning onto 17M, therefore the image provided in the DEIS was misleading to the reader. See our attached photo (2) taken from our vehicle in the direction of the proposed action which shows the site is not obscured by the billboard and you can see the cell tower. Depending on photo simulations of the proposed action, the reader cannot determine what heights and colors of buildings and structures might be seen from this location.

- NYS Route 17 (both eastbound and westbound): The photos provided in the DEIS (Images 13&14) lack perspective of the scale of the project site and visual impacts from this public road. See our attached photos (3,4,5) which clearly shows a broad view of the proposed action along the highway that needs to be considered in this section of the DEIS.

- Other than the intersection of Old Chester Road, there were no photos from along 17M in the DEIS at various line of sights points. Depending on photo simulations of the proposed action, the reader cannot determine what heights and colors of buildings and structures might be seen from this public road.

- Several photos in the DEIS state they were taken at "during majority leaf-off conditions" – what date were these images taken? Our photos were taken this winter season in December and January.

Based on above, new information is needed in this section of the DEIS to generate an unbiased visual impact report with pre and post development photos of day and night conditions as required in the scope in order for the Lead Agency to take a hard look at the impacts. Also, the scope required discussion with compliance with the DEC policy and procedure for assessing and mitigating impacts (http://www.dec.ny.gov/docs/permits_ej_operations_pdf/visual2000.pdf) This requires a viewshed map, or line of sight profiles at the very least.

The following are additional comments regarding potential impacts to review, as required in the scope:

- Need photos of signage proposed and location/size on and off site to see if they comply with Town Code 97-49 Signs.
- Need photos or illustrations of dimensions and architectural characteristics of each building attraction, restaurant and structures (DEIS only provided a few photos of representative buildings at other parks). We would expect the DEIS to discuss facades, exterior walls, detail features, awnings, roof lines, materials, colors of all buildings of the proposed action as well as the entrance way, attractions, rides, water tower, parking deck, retaining walls, and any other structure proposed plus photo simulations of those that will be most visible off site.
- The DEIS states the hotel proposed was reduced from five to four stories "to keep the hotel more hidden within the existing tree canopy" – given the amount of tree clearing and grading, this statements needs to be backed up with photo/line of sight illustration to support the conclusion particularly at leaf-off conditions.

N. Visual Resources – continued

- What will be the tallest structure(s) or feature(s) on site (in feet) in addition to the hotel e.g. water tower, retaining wall, rides with corresponding photos for illustration? Will there be light poles on the parking deck visible to nearby residences?
- What was used to study these tall structures' visual impact on the landscape; was a balloon test conducted?
- What is the circular gray feature shown on top of the hotel in the sample back angle photo in the DEIS? Are there any other roof top cupolas, antennas, flags etc. proposed exceeding the height of any structure that needs to be reviewed?
- There are a variety of rides at the existing Legoland parks and the reader is not clear on which are proposed for New York that can be visually obtrusive depending on site design and topography e.g. Island in the Sky, Kid Power Towers, Beetle Bounce, Flying School and other variety of rollercoasters – what rides are proposed for Legoland New York?
- Note our comments and questions on landscaping in the beginning of this letter regarding certified arborist consultant, planting guarantee and site plan notes as well as concerns of proposed height allowance with new local law for CR overlay zone.
- The light analysis did not include a photo simulation of the proposed action but rather a photo provided demonstrating a glimpse of another location parking lot with hotel in background (on page 143). In our attachment of photos, we included a photo found on the internet of hotel California – will there be lights illuminating back and front of hotel, aquarium and other buildings proposed and how will they be seen off-site from any public road or residence?
- Does a lighting analysis show a uniform distribution of light?
- Given that the landscaping will be new growth and will not significantly reduce the visual impact of this new development project on its own – what other measures have been taken to further off set visual impacts? Can more use of earth tone colors or variations in architecture be incorporated into the project so it's not such a stark difference in the landscape from buildings in vicinity e.g. color of hotel roof and back of buildings?
- If solar or wind turbines are added to the plans, then impacts need to be reviewed.
- Plantings are important along retaining walls, around the perimeter of the site, screening parking areas, trash facility, storage areas, the rear of buildings, and other potentially objectionable views from the public areas – is there a high concentration of evergreen plants included in the landscaping plan that can provide an effective year round effect to reduce visual impacts?
- Have off-site improvements been considered to help mitigate the visual impacts of broad views of the proposed action e.g. add landscaping and evergreens along Heritage Trail and 17M to fill in the gaps in existing vegetation for year round coverage?

As stated previously, we believe this section in particular did not meet the scope requirements and was not adequate for public review; therefore as per SEQR, a Supplemental EIS should be required. Any new information submitted in the Final EIS limits public input and analysis of the data.

P. Cultural Resources – The DEIS states "Prior to the start of construction, the project archeologist will develop a Phase III testing and recovery program." Is the Town/County Historian informed of plans prior to removal of any findings since they are not listed as an Interested Agency, however, they are tasked with preserving documenting, and promoting the history of the area.

R. Air – Note, the chemicals and heavy metals used in fireworks also take their toll on the environment, sometimes contributing to water supply contamination and even acid rain. Also, fireworks can be a fire hazard during droughts and should be addressed in a permit application. If fireworks will be used, are they environmentally friendly due to close proximity to nearby residential population e.g. using benign compressed air instead of gunpowder to launch to reduce air and noise pollution?

S. Construction Impacts –

- Will the off-site road improvements be included in a timeline for completion and/or set as a priority in phasing plan?
- Is there a mitigation plan for blasting required? The DEIS should describe how blasting operations will be conducted, and protective measures to limit the effects off site, if blasting is to occur.
- Even when a stormwater prevention plan is being implemented, construction on steep slopes can result in large erosion events during construction activity. Is there a monitoring plan by the Town on the erosion control devices to insure maintained and proven effective?
- In regards to the aquarium in Phase 2, we assume the construction time frame will be in the off season to reduce impacts and concerns in safety of visitors and staff. What happens to the current landscaping plan and how will construction trucks enter and exit the area?
- The DEIS states "Permanent damage to town and County roads is anticipated to be minimal as the roads construction vehicles would take to get to the site, including Harriman Drive and portions of South Street and Route 17M, are anticipated to be improved as part of this project" - perhaps the wording should be revised to be more definite such as "*shall be improved*" and include unacceptable conditions during construction and in what time frame improvements will be made?

V. Alternatives -

- Have any other reasonable alternatives been considered for avoiding or reducing identified impacts such as changing scale/size of project, change in layout, phasing etc.?
- Designate or subdivide permanently protected lots for open space from developed theme park use.

VIII. Growth inducing impacts - A project of this size will induce additional growth, as more hotels and motels, restaurants, gas stations, and other businesses sprout up to service the thousands of anticipated visitors. Based on reasonable assumptions about the amount of growth that will be induced, the impacts on traffic, air quality, water and sewer services, noise, visual impacts, community character, open space, and other subjects should be estimated and factored into the relevant studies.

There is a cost of new development and strain on existing infrastructure and services particularly if impact is not gradual on the Village and Town of Goshen to accommodate for unplanned growth.

We are concerned about the lack of significant information in the DEIS for the public to review. As per SEQR, supplemental EIS provides an analysis of one or more significant adverse environment impacts which were not addressed, or inadequately addressed, in the DEIS.

Furthermore, we are concerned if it is planned to include new information in the Final EIS because the SEQR process does not require a public hearing at that stage of review.

As a reminder, "The lead agency is responsible for the adequacy and accuracy of the Final EIS. A project sponsor may be requested to prepare draft responses to some or all of the substantive comments received on a draft EIS. However, the lead agency must still review any responses prepared by the sponsor to ensure that the analyses and conclusions accurately represent the lead agency's assessment. The lead agency may need to edit a sponsor's draft responses. The lead agency may also consult with other involved agencies, or with outside consultants, but this in no way reduces the responsibility of the lead agency for the final product." (SEQR Handboook)

In summary, we hope that our comments and questions assist in your review of the proposed action and decision making process. As you accommodate new growth now and in the future, we hope you are effective in protecting small town character, historic sites, rural landscapes and farmland as they are irreplaceable and contribute to the agritourism which is so important to preserve in Orange County and New York.

If you have any questions, please don't hesitate to contact us.

Thank you.

Sincerely,

Tracy Schuh
President
TPC, Inc.

Cc: Goshen Environmental Review Board
Orange County Planning Department

Attachment (pictures for visual impact study). Photos can be provided in separate files upon request.

ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

HERITAGE TRAIL

"IMAGE 8B is further west along the Heritage Trail illustrating the dense vegetation which creates secluded views and noise buffering for users of the trail."
[Source: DEIS Legoland 11/17/16]

See below comparison

BELOW Photo (1A&1B) along the Heritage Trail illustrates gaps in vegetation demonstrating trail users ability to see across NYS Rt17 when leaf-off conditions which was not provided in the DEIS. For reference, deer crossing sign on NYS Rt 17 in background in Photo 1A and cell tower in Photo 1B**.**
[Source: TPC 1/12/17]

Cell tower

ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

IMAGE 8A is from the intersection of Duck Farm Road and the Heritage Trail looking south at Route 17M with NYS Route 17 immediately beyond the trees. As shown in the photo, even at the road clearing during majority leaf-off conditions, the Project Site is not visible from this location due to both the Heritage Trail being topographically lower and existing, mature vegetation along Route 17M and New York State Route 17.

[Source: DEIS Legoland 11/17/16]

IMAGE 8A

See below comparison

BELOW Photo (1C) taken closer to the Heritage Trail at Duck Farm Road. Photo demonstrates the view of the project site with leaf-off conditions, which was not provided in DEIS. *[Source: TPC 1/12/17]*

PHOTO 1C

ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

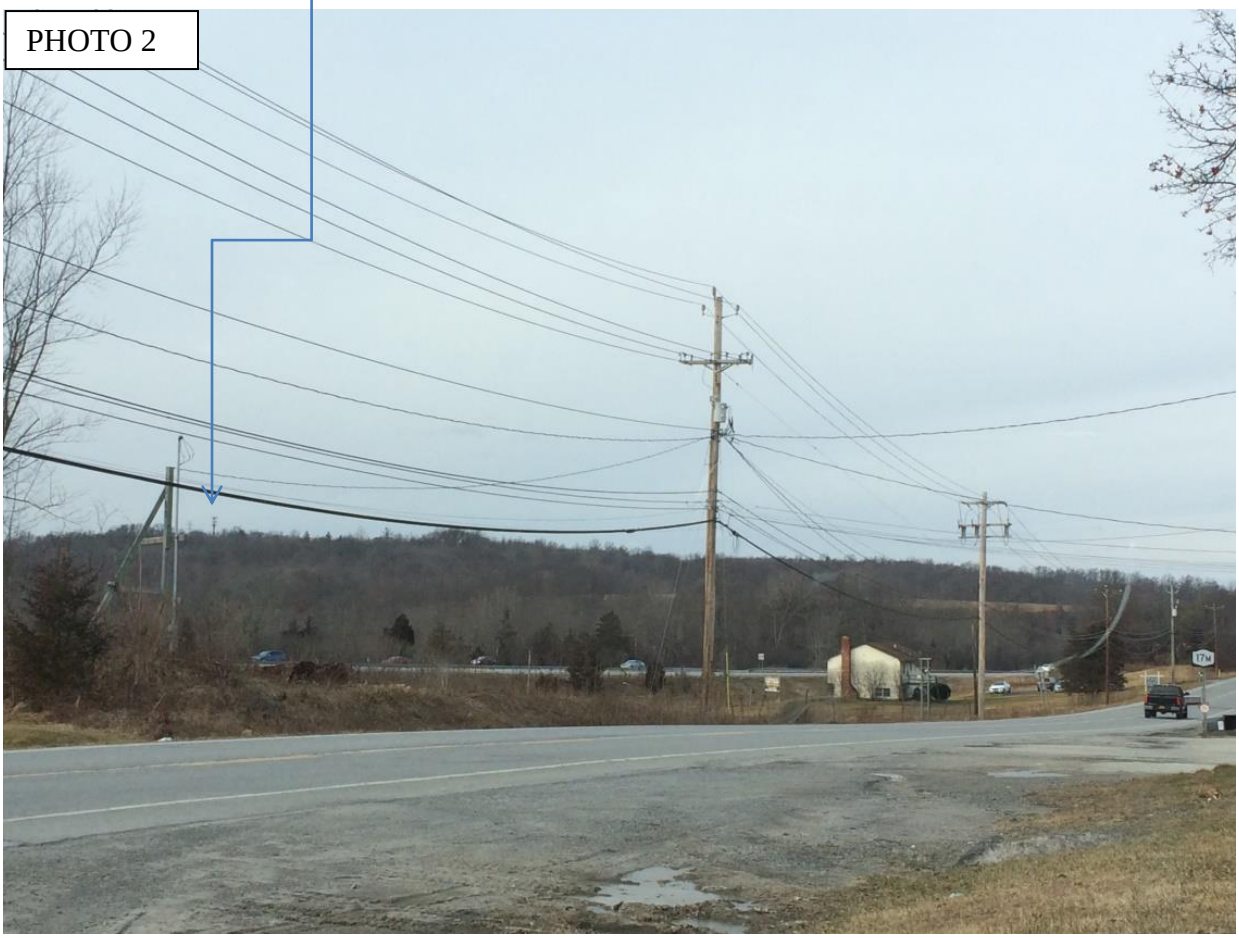
OLD CHESTER RD / RT 17M

"IMAGE 9 is taken from Old Chester Road at its intersection with Route 17M looking southwest with the Project Site in the background at the far right of the image"

[Source: DEIS Legoland 11/17/16]

See below comparison

BELOW Photo (2) taken from vehicle at intersection of Old Chester Road and 17M which demonstrates the broad view of the ridge in the direction of the project site, which was not provided in the DEIS. Note, the cell tower seen as reference. *[Source: TPC 1/5/17]*



ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

IMAGE 14 is from the west bound shoulder of NYS Route 17 looking south/ southwest over the Project Site. The existing residential structure on parcel 11-1-47, located along Harriman Drive is visible from this location *[Source: DEIS Legoland 11/17/16]*

ABOVE Image 14 from the DEIS fails to address the visual impact of the proposed project from different vantage points along NYS Route 17.
BELOW Photo (3) demonstrates the broad view of the site shown above of the existing house.
[Source: TPC 1/5/17]

PHOTO 3

ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

BELOW Photos (4 & 5) demonstrate the broad view of the project site from NYS Route 17, which was not provided in the DEIS to address the visual impacts. *[Source: TPC 12/11/16]*

PHOTO 4

Above photo (4): As reference, cell tower is behind the hill from this location (zoom-in to see crane on site at time photo was taken)

PHOTO 5

Cell tower

ATTACHMENT - The Preservation Collective letter dated January 17, 2017

Pictures for Visual Impact Study

IMAGE page 143 *[Source: DEIS Legoland 11/17/16]*

Source: Photo found on internet of Hotel California lighted at night

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 16, 2017

Town of Goshen Board and Town of Goshen Planning Board:

January 10, 2017 President Obama declared the rusty-patched bumblebee as an endangered species. The Fish and Wildlife Service has designated the rusty patched bumblebee as an endangered species.

Federal wildlife officials said 90 percent of the rusty-patched bumblebees have declined since the 1990's. This decline is a result of pesticides, climate change, habitat loss and disease.

Bees, butterflies and birds are pollinators of anything with a bloom—trees, shrubs, flowers, meadow lands and food will not survive without pollination. The construction of Legoland fulfills all four reasons for this bee's decline. How will this affect the crops in the black dirt region and our meadow lands?

Bumblebees must be protected as they are now considered endangered species. We are asking that you ask your experts to do a thorough study of the lands proposed for the Merlin Entertainment's Amusement park.
I am sure you will have to wait until the spring to be able to do this study.

Thank you for looking out for our land and our farms in advance. We have determined that the DEIS is severely lacking and is severely unusable as the studies for endangered species shows absolutely no effort in every aspect. We are asking that you dismiss the studies and ask that they are done properly.

Thank you,

Robert Corr

Robert I Corr
349 Sarah Wells Trail
Goshen, NY 10924 Attached are two supporting articles

The Washington Post

Energy and Environment

This bumble bee was everywhere. Now it's on the endangered species list.

By Darryl Fears January 10

For the first time in American history, a bumble bee species has been placed on the endangered species list. It probably won't be the last.

The rusty patched bumble bee was so prevalent 20 years ago that pedestrians in Midwest cities fought to shoo them away. Now, even trained scientists and experienced bee watchers find it difficult to lay eyes on them. "I've never seen one, and I live here pretty close to where there have been populations documented," said Tamara Smith, a U.S. Fish and Wildlife Service biologist stationed in Minneapolis.

ADVERTISING

Fearing that the striped black and yellow pollinator with a long black tail could be lost forever, Fish and Wildlife designated the animal as endangered Tuesday. The designation triggers protections such as regulations against knowingly destroying the bumble bee's habitat and habitat creation. It also raises awareness about the plight of the bumble bee and requires a detailed, long term recovery plan to restore its population.

Why was the rusty patched bee selected for the list and not others? The answer, Smith said, is its former abundance and astonishing plummet. Around 1995, "researchers were out looking for it in places where it was everywhere, and assumed it would be there," she said. "All the people interested in bees started talking to each other, and they said we haven't seen this bee for a while." By the early 2000s, the rusty patched bee was decidedly less visible even in places such as Madison, Wis., and Minneapolis, cities that were once buzzing with them.

The list of suspected causes for the disappearance, according to the agency, reads like an environmental most wanted list: farm pesticides, household herbicides, human development over bee habitat, disease and climate change.

Although rusty patched bumble bees are the first to be considered endangered, and the first bee species on the U.S. mainland to get the designations (the yellow faced bee in Hawaii became the first overall in October last year), they are likely to be joined by others. "This bee is kind of like the canary in the coal mine," Smith said, an indicator that many pollinator species — bees and butterflies — are in deep trouble.

Energy and Environment newsletter

The science and policy of environmental issues.

Sign up

There were nearly 3.5 million honeybee colonies in 1989, according to the Agriculture Department. That number fell by a million colonies when colony collapse disorder was first documented in 2006. in the 10 years sinc, the number of colonies has climbed only slightly, by about 100,000.

One state, Maryland, shows how eerie and perilous the decline has been for professional beekeepers. In 2015, the state lost more than 60 percent of its hives, each containing up to 20,000 honeybees. Beekeeper Steve McDaniel, owner of McDaniel Honey Farms, lost half of his hives in Manchester, Md., and all of them where he kept bees in downtown Baltimore. Hives with up to 20,000 bees cost about $1,200.

Honeybees are agriculture's go-to pollinator for many of the foods Americans eat, but bumble bees are no slouches. As a group, they "are some of the most significant pollinators," Fish and Wildlife says in a fact sheet on its Web site. "Although bumble bees show a preference for certain native flowers, they are generally not picky about where they get their nectar and pollen — almost any source flower will do.

"Bumble bees can fly in cooler temperatures and lower light levels than many other bees, which makes them excellent crop pollinators. They also perform a behavior called 'buzz pollination,' in which the bee grabs the pollen producing structure of the flower in her jaws and vibrates her wing muscles, dislodging pollen from the flower," Fish and Wildlife said. Tomatoes, peppers and cranberries are among the crops that benefit.

Read More

More bad news for honeybees: Beekeepers lost nearly half their colonies in the past year

Maryland's honeybees are being massacred, often by pesticides in your home

Darryl Fears has worked at The Washington Post for more than a decade, mostly as a reporter on the National staff. He currently covers the environment, focusing on the Chesapeake Bay and issues affecting wildlife. Follow @bydarrylfears

The Post Recommends

Opinion

Trump is on target to violate the Constitution the moment he takes the oath of office

Democrats should deliver an ultimatum.

Opinion

How Republicans lose the mantle of 'constitutional conservatives'

The rusty-patched bumblebee, once common across the continental United States, has been designated an endangered species. Credit Clay Bolt

The Obama administration, rushing to secure its environmental legacy, has increased protection for a humble bumblebee.

The rusty-patched bumblebee, once common across the continental United States, has been designated an endangered species by the Fish and Wildlife Service: the country's first bumblebee, and the first bee from the lower 48 states, to be added to the register. Seven bees were previously listed as endangered, but they are found only in Hawaii.

Since the late 1990s, the population of the rusty-patched bumblebee has declined by nearly 90 percent, a result of a combination of factors, including exposure to pesticides, climate change, habitat loss and disease, federal wildlife officials said. The species, once found in 28 states, the District of Columbia and two Canadian provinces, is found today only in small pockets of its once-sprawling habitat. The designation will accelerate efforts to protect the bees' habitat and to reduce the use of pesticides that are killing them.

It is the latest in a flurry of last-minute efforts to protect the environment and preserve President Obama's legacy on climate change. In the last month, he has issued a permanent ban on offshore oil and gas drilling in large areas of the Arctic and much of the Eastern Seaboard; announced two new national monuments in Utah and Nevada, protecting 1.65 million acres of federal land; and denied six permits for oil exploration in the Atlantic, partly because the seismic testing harms marine animals.

Related Coverage

And the announcement about the bee came a day after the Fish and Wildlife Service said that human-caused climate change is the biggest threat to the polar bear's survival, and that without significant action to fight global warming, the bears will most likely vanish.

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Federal wildlife officials noted that the process of listing a species as endangered can take years, sometimes even decades. More than 300 species have been listed during the Obama administration, second only to the more than 500 species listed under President Bill Clinton.

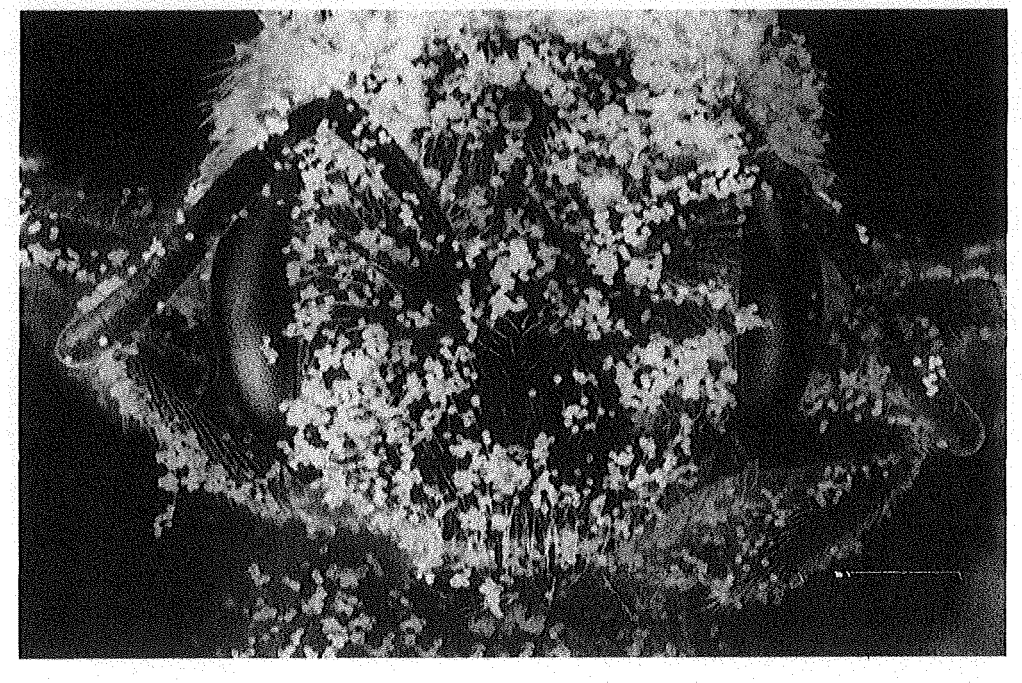
During the George W. Bush administration, just 62 species were added to the list. Noah Greenwald, endangered species director for the Center for Biological Diversity, an environmental advocacy group, said activists were worried "that we're headed into another period like that, where hostility from the administration toward protecting endangered species causes them to shut the listing program down."

The incoming Trump administration, however, would need to undertake a lengthy process to declare the rusty-patched bumblebee population recovered if it wished to reverse this week's decision, and it would be required by law to justify its action on scientific grounds.

The role of these bees and other pollen-carrying insects is important, Tom Melius, the Fish and Wildlife Service's Midwest regional director, said in a statement. "Pollinators are small but mighty parts of the natural mechanism that sustains us and our world," he said. "Without them, our forests, parks, meadows and shrub lands, and the abundant, vibrant life they support, cannot survive, and our crops require laborious, costly pollination by hand."

You're a Bee. This Is What It Feels Like.

We're taking you on a journey to help you understand how bees, while hunting for pollen, use all of their senses — taste, touch, smell and more — to decide what to pick up and bring home.



Around the world, the populations of bees, butterflies and other insects that promote plant growth are crashing, a threat not only to biodiversity but also to the global food supply. A study last year from a group associated with the United Nations warned that an increasing number of species that aid the growth of hundreds of billions of dollars' worth of food each year face extinction.

"Obviously, it's sad that anything has to get on the endangered list, but this really provides a great opportunity," said Dennis vanEngelsdorp of the University of Maryland, a bee expert who applauded the government's decision. "When you're talking about saving the bumblebees, what you're really talking about is saving the community."

The kinds of measures that could protect the rusty-patched bumblebee could help many other pollinators, as well, by restoring habitats and food sources and restricting the use of pesticides — especially nicotine-based insecticides that have been linked to the decline in bee species. Such measures are especially important with native bumblebees, Dr. vanEngelsdorp noted, as opposed to honeybees, which are maintained in large colonies and trucked around the country for commercial pollination.

The service is reviewing three other species of bees to determine whether they ought to be listed as endangered as well: Franklin's bumblebee, the western bumblebee and the yellow-banded bumblebee.

When a species is listed as endangered, the Fish and Wildlife Service is required to design a recovery plan, which is often carried out by other agencies, nongovernmental organizations, universities and tribes. Other federal agencies have to check that their actions will not hurt an endangered species or its habitat, particularly when it comes to land use planning.

Bumblebees are particularly effective pollinators because, though they seem to prefer native flowers, they will pollinate pretty much anything and can fly in lower temperatures and lower light conditions than many other insects. They also use the technique of "buzz pollination," in which they grab the pollen-producing part of the flower in their jaws and vibrate their wings, shaking the pollen loose, a process that seems to benefit plants like tomatoes, peppers and cranberries, according to the Fish and Wildlife Service.

Bumblebees are particularly important to agriculture, but agriculture is often unkind to them. A number of factors have reduced the habitat available to bees, including the use of pesticides and other chemicals, the domination of vast amounts of farmland by a single crop, and the use of some genetically modified crops and herbicides that prevent the growth of weeds in fields and wildflowers along their borders.

Climate change may also be shrinking the bees' habitat, because of drought, rising temperatures, more storms and mismatches in timing: Plants may start to flower at times when the bees are not ready to pollinate. It also presents serious threats to the migration patterns of monarch butterflies and other pollinators, such as honeybees.

While these species may not be as visible or as charismatic as polar bears or other mammals whose existences are threatened by a changing climate, placing them on the endangered list is a victory for the species and those who fight for it.

"Now we have a symbol to rally around," Dr. vanEngelsdorp said.

Northwestern Mutual®

January 9, 2017

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TOWN OF GOSHEN
TOWN CLERK

Nikki Regina CLU®, MBA
Financial Representative

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Goshen, NY 10924
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Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Nikki Regina

Northwestern Mutual is the marketing name for The Northwestern Mutual Life Insurance Company, Milwaukee, WI (NM) (life and disability insurance, annuities and life insurance with long-term care benefits) and its subsidiaries. Nikki Marie Regina is an insurance agent of NM and Northwestern Long Term Care Insurance Company, Milwaukee, WI (long-term care insurance). Nikki Marie Regina is a Registered Representative of **Northwestern Mutual Investment Services, LLC** (securities), a subsidiary of NM, broker-dealer, registered investment adviser, and member FINRA and SIPC. There may be instances when this agent represents companies in addition to NM or its subsidiaries.
CA License #0166677

January 15, 2017

Douglas Bloomfield, Supervisor
Town of Goshen Town Board
Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

I write this letter in regards to my stern opposition to the "Proposed" Legoland.
I live in Chester, Ny. Moved there from Scotchtown, & Middletown, moved there from Orange County, Southern California. I have also resided in South West Florida, with a good history back and forth my whole life among all [four] places to know why I choose here, Orange County NY, as home.

So yeah I have been around enough that I understand what adding something risky like this does to an area; especially the irreversible change to a raw, agricultural, rural area which will ensue negatively from making any exceptions to accept a Legoland proposal.

I see no benefit what so ever in destroying that land where the proposed Legoland wants to purchase, build on and have 523 acres rezoned, for some corporate gain. Chiefly at the cost to the already drained and strained water & maintenance resources we manage to get by with, while trying to keep the area from turning into Newburgh or Harriman.
I have seen the so called "progress" (corporate greed & corruption) taking over almost every place I have lived.

My heart was set on living in Goshen; this area is gorgeous, historic, full of wonderful people and an air about the businesses in town that most places could only wish to have the enrichment of.

I have had plans of purchasing for the past 6 years, a home in Goshen, only if ideal that I am to continue with my established professional licensure as a NYS Dental Hygienist.

I moved here to work and help people with their health, and to get healthy myself and spend my life in a clean, easy going area. I will not stay if some quote unquote amusement park comes here though. It is not okay to tell someone who has options, to "deal with it," as we will not deal with anything other than defending the best, and the best for Goshen/Chester/OC was already written and has been being violated lately.

I fight traffic as it is, often congestion in town just going to and from work to get home to Chester. I find myself taking Goshen exits off route 17 if coming from Middletown, or preferring battling the traffic through Monroe and frontage of Kings Hwy if coming from NYC, to avoid the backup at what is supposed to be my local exit.

On any given day there are more than enough transient travelers through Goshen! I can only imagine the mess it will be, given the allowance of tourists and theme par goers. The lies that things will be fine and that the state will accommodate do not give any justice nor hide the reality that it will not be fine. Traffic will be horrendous and cruel to locals. It will be a major problem if accidents or disables occur right in the area where this traffic will be heading, as the road is the same road where the Glen Arden senior facility and BOCES educational institute are located.

From Middletown to Harriman and trickling all around, the congestion will be felt and despised. California became that way years ago. I can imagine what an area like this that cannot support that kind of traffic is going to be like.

Why do these people think having the standstill 405 freeway or a two lane parking lot for half the day on 17, at ANY time during the year is acceptable offer towards a beautiful country style, slow-motion town?

There is a way of life being threatened, a way of life I choose over the hell California is, a way of life and an image I prefer to the over-saturation occurring down in my Florida state town as well.

Perhaps it only "doesn't affect" the people determining this, is it because they are getting paid for their choices? Is it because they don't live in the town of Goshen, so they think it won't hurt them? I can tell anyone right now it will affect Chester terribly, probably almost worse for people living near Chester High school, as well as Florida NY, Monroe etc. Even Washingtonville residents who are using the Chester exit just before exit 125 to go up 94 to connect to 17 are going to have rude awakening in their commute.

Everyone who lives in Orange County is going to be affected by this.

I have not met a single person who thinks this is a good idea, so what impression does the length to which this proposal has reached give? What is really wrong when the planning board members are expected to line up in support of such a disastrous project? What is really happening with not just this issue, in this town, but with so many major environmentally harmful impact projects so slyly under works as we fight for our image, around Orange County, NY?

The rezoning or farm land and approval of a Legoland facility for Goshen will be an environmental crime!

I would like to address on that note that what I read in DEIS was complete trash, too much inconsistency, omittance and redundancy to regurgitate. It just provides more background about my opposition as what drove me to be so appalled by the distance this 'proposal' has gotten to among what is supposed to be [our] Goshen's representing board.

In addition to this proposal being in a much more under fit location than the two prior turned down projects, if this is not already understood, I plead that it is a terrible idea.

Is it greed driving this facetious attempt? Is someone fueling with money, playing the façade of a tax positive role to hide the truth of a harmfully impactful proposal all around? (of course) but why?

We do not need Legoland in our area. We do not need Legoland next to a historic town, reservoir and senior home.

If seniors thrive so well around children, pertaining to the proximity to Arden Hill and the lack of voice their residents have had towards addressing the very same concerns, put the seniors not in a position where they are forced to be within earshot of children, but put funding towards programs that involve the same underprivileged children being linked together with seniors for activities and such.

It is so clear, the absurdity of the arguments that the Chamber of commerce had for this. I am not the only one having a hard time putting clear thought together as to why there is a question to whether or not even a proper or less shady DEIS would still lack support of such a horrendous plan and malicious intent behind the rezoning of this 523 acres Legoland wants.

The current DEIS, was thrown together. It loosely seems to be addressing only certain issues, after already being poorly described in fake attempt to appear to have been studied in full. Not addressing those studies on traffic, sight lines or land survey concisely or thoroughly, and not even comprehensively to any other than a confused layman, before moving onto the next contradicting passivity.

I look around everyday at what is beauty, what is home, unspoiled land and a special kind of asset to us. There will never be a sight like what I see, if Legoland infiltrates Goshen. I drive down the frontage of route 17 everyday and know we will never get back that buffer and scenic view.

We will just be known as another atrocity off of the highway. Another Woodbury commons, attracting outsiders who do nothing but pollute our air and streets.

Sightlines basically from Middletown to Harriman ruined, with never again as much peace and quiet as we now have.

Legoland is not suitable for this location. Legoland, regardless what it is defined as, will never be a long term fix for any issue we have. It will create more issues than false hope for employment of a lower class. Legoland is not welcome in my eyes, and I have cried often at the thought that I was fooled by the promises and master plans of a town that drew me in since I was a child.
The disappointment right now ranks among one of the worse I have felt ever over a travesty in the like. Hitting close to home as I would never be in favor of a Legoland for Goshen, no matter if I lived here in Chester or stayed in any of the four prior locations.

Reconsider the motives here. Rethink the strain it will put on us. Examine the crumbs being offered as bribes by this Merlin Company, in respect to the big profit picture they are painting and hidden truths they are hoarding to themselves.
Say No to Legoland.
Thank you.
Tiffany Robinson, RDH
Chester,
NY

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Letter in Support of LL 1-16-17
Date: January 17, 2017 at 8:36 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Keith Roddey [mailto:keithroddey@yahoo.com]
Sent: Monday, January 16, 2017 8:58 PM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org
Subject: Letter in Support of LL 1-16-17

Below (and attached in PDF format) is my letter in support of Legoland. Just wanted to get this in prior to the cut-off.

Having reviewed the DEIS and doing my own analysis, I can only come to one conclusion re LegoLand coming to Goshen: it is a once in a lifetime opportunity that Goshen should not ignore. There are too many benefits...and they will help transform Goshen, all in positive ways.

My biggest concern--as I think with most people--was the additional traffic LL will bring to our roads. When looking at the details of the DEIS (the changes that will be made to accommodate this additional traffic on our local roads) and looking at the numbers and doing comparisons, I no longer see this as an issue. When you look at the finer details, it basically comes down to can the new lanes and synchronized lights move 15.4 cars per minute (see below table) off of Route 17 from the East sufficiently so there is no backup (coming from the West should not present any issues due to the exit being at a location that avoids the surface roads/lights)?

The South Street/17M light should not present an issue due to the minimal amount of traffic coming from South Street from the Village direction and the LL cars being able to turn right-on-red. There is 2,000 feet leading up to this light (which will accommodate approx. 100 cars). So, worst case, with the limited amount of opposing traffic and the ability to turn right-on-red and having sufficient room for cars to queue up, this light should not present a problem. Of course when it's green traffic will flow.

Having approx. 700 feet for cars (at least 35 cars) to queue up at the Harriman light in one lane, plus the additional lane that appears to be at least 200 feet towards the end up to the light (which will accommodate another 10 cars), at least 45 cars will be able to queue up at the Harriman light, over the bridge.

With the average light lasting two minutes, the number of cars queued up over these two minutes will be 31.

So, the question is, can we get 31 cars through a left turn light in two minutes. Looking at the numbers and the rates and the infrastructure, it certainly appears this is the case. If, after the light turns green, each car starts going forward every 2 seconds, you'd be able to get well over 60 cars through that light (almost twice the expected number).

Of course, if you stagger these two lights, with the 17M light turning green first, 10-15 seconds later the Harriman light turning green, you will also get these cars through these surface roads in an even more efficient manner.

Ave Number of Cars Expected Per Day	3500	Cars
Percentage Coming from East	66%	
Total Cars Coming from East	2310	Cars
Number of Hours During Which Bulk of Cars Will Arrive	2.5	Hours
Hourly Rate of Cars Arriving From East	924	Per hour
Rate of cars arriving from East every minute	15.4	Cars

For a comparison of what 15.4 cars per minute equates to, the average number of cars travelling on Rt 17 during the commute home is between 50-70 cars. That is, if you observe the traffic at 6pm going West on a weekday you'll see 50-70 passing by every minute...and you'll see quite a bit of space between these cars and clusters of cars. 15.4 cars represents only 25% of the normal commuter traffic, though the Legoland traffic will be in the opposite direction and during a lull in traffic, when it is at a minimum.

Traffic was my concern, though with the changes that will be made as per the DEIS, that is no longer the case.

The benefits that Legoland will bring are enormous and at so many levels. The biggest benefit I see has nothing to do with money; it will be with Goshen now being associated with a children's park that does such good work, with them being an integral part of our community (such as with our educators), and with the bulk of this land being preserved, left green. It will put us on the map in an extraordinarily gentle way. Children will think back on their childhood remembering Goshen as a place they came to, to play, to have fun, to be with their families...and that's a wonderful thing!

Of course, the monetary benefits are great, too. For the Town to get approx. $1.3 million dollars a year in user fees, this in itself will provide a means to do extraordinary things for Goshen, such as repave more roads, tear down the Salesian School and build a community center, provide additional equipment to the DPW and police department, build a community pool...etc., etc. It's amazing what the possibilities are. And the taxpayer's will save upwards of 2% in school taxes, the Village will get additional funds through water and sewage usage, the County additional tax revenue, and the State will bring in millions of dollars in taxes.

Legoland will contribute to the transformation of Goshen. The majority of Goshen does want

Legoland...and I am hopeful the Planning Board and the Town Board and all those involved in this decision makes it a reality.

Keith Roddey
Village of Goshen

KeithRoddeyLetterInSupportOfLL.pdf

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: November's Speech
Date: January 17, 2017 at 8:39 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Keith Roddey [mailto:keithroddey@yahoo.com]
Sent: Monday, January 16, 2017 10:12 AM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org
Subject: November's Speech

And here's November's speech that I made at the Town Board meeting:

"$1.3 million dollars. That is what the Town is projected to receive every year in host fees when Legoland opens. $1.3 million dollars that can be used to pay off debt and reduce taxes. $1.3 million that can be used to tear down the Salesian school and build a community center. $1.3 million that can be used to improve the Town's infrastructure, such as by repaving roads or replacing culverts...or replacing water and sewer pipes. $1.3 million that can be used to buy equipment for the DPW and police departments. $1.3 million that can be used to build a community pool. $1.3 million dollars that can be used to transform Goshen."

Keith Roddey
Village of Goshen

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: December's Speech
Date: January 17, 2017 at 8:39 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
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Goshen, New York 10924

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From: Keith Roddey [mailto:keithroddey@yahoo.com]
Sent: Monday, January 16, 2017 10:10 AM
To: nhalloran@townofgoshen.org; dbloomfield@townofgoshen.org
Subject: December's Speech

Perhaps there's an audible record, but I also wanted to make sure there's a written record of the speech I gave back in December, which follows:

"I do support Legoland coming to Goshen. I support them because the No Legoland group, the Planning Board, and others have challenged them, Merlin, questioning how they'll deal with traffic and water and the environment, how they'll protect and ensure we have enough resources, how they'll fit within our community in all respects, taking Merlin to task in such fine detail, as surely no other company has had to do who hoped to setup shop here in Goshen. And now, what we have is an incredibly thorough vetting, all of which is detailed in the thousands of pages of text and charts and numbers in their Draft Environmental Impact Statement (DEIS). Thanks to the No Legoland group (and others), the questions and issues have been raised, the answers provided, plans altered and additional money will be spent, all to ensure Legoland is a perfect fit for Goshen, that they will be a welcomed addition to our community. I urge all Board members to ensure everything is done to bring this once in a lifetime opportunity to Goshen, to make Legoland a reality."

Keith Roddey
Village of Goshen

Al Rolo
7 Aspen Lane
Goshen NY 10924

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RE: Merlin Entertainment DEIS for Lego Land

To Whom it May Conern:

At the December 19th DEIS meeting there were speakers who called the Lego Land project one of the most benign projects for Orange County. I am an Arcadia Hills resident and I could not disagree more with those individuals who live outside the Goshen area. On the contrary, I am very concerned with what Lego Land will mean to me and my surrounding neighbors. The Planning Board is considering a zoning change that would put a brand new zoning overlay – allowing intensive development – over a 522-acre property. The DEIS only has an impact statement that only considers the development of 140 acres. It is unclear of how the remaining 382 acres will be used. The DEIS already suggested the boarder line to be 900 feet from the nearest property line. This is already a contradiction to the original 2000 feet proposal.

There may also be consideration from Merlin Entertainment to purchase an additional 215 acres that is directly on either side of Goshen Reservoir. I would not think they want this additional property as a buffer zone. This is a large corporation with deep pockets to build large in Goshen. Once they have a strong hold in Goshen, they will continue to expand as they are going to do in Winter Haven Florida. Goshen land is very vulnerable to over development of such a project. It is a known fact that Merlin Entertainment wants to make this Lego Land the largest of its kind. Obviously this cannot be done with their initial plans that are presented. They must expand.

Even the impact statement itself says that there may be future development by Lego Land which would go through another SEQRA process. As the Planning Board, you know this is not legal. It violates the provisions of the law that states that you cannot segment the review of a project in separate phases. Any future expansion plans must be considered now at this time, not at a later date.

When Legoland was first coming to Goshen, Steve Neuhaus said it was going to include a water park. It was in all the papers. The water park was part of the proposals in Rockland before they came here, too. Why was it mysteriously dropped? I'm going to assume that's what they are figuring for that other land and that mystery SEQRA review. They know that water is a major concern in Goshen, and they probably don't want to screw up their chances in getting the project approved by having the water park included. That would be pretty hard to justify to water starved Goshen, wouldn't it? Once they have their foot in the door, they'll come back and ask for it later. At that point its going to be a lot harder to deny them.

It is imperative that they sign a legal guarantee of some sort – like a deed restriction – you HAVE to consider the impact of a water park now. During this review. Not at some later point. The law requires you to. You have to consider what would be the impact of a full buildout under this zoning change that you're considering. And that means assessing the impact of a potential water park, whether they actually build it or not.

It is up to the Goshen Planning Board whether this project is approved for rejected. This project is out of scope for Goshen NY. The negative impact is just as important as the positive impact and must be recognized and rectified before any final decision is made. We strongly urge the Planning Board to review the DEIS with field experts to make sure Goshen is an adequate location for this project. The area has a long history of severe water problems and traffic to name a couple. CC4HV has experts that are willing to work with you through the process. Please take advantage of these services.

Thank you.

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TOWN OF GOSHEN
TOWN CLERK

January 17, 2017

To the Goshen Board and Town of Goshen Planning Board

Please read the attached document in its entirety. This was addressed to Lee Bergus dated December 23, 2016. I have a question; how many of you have received a copy of this? It appears it has a very limited distribution list.

It is nine pages contesting the validity, inaccuracies, and omissions of Legolands DEIS regarding their environmental studies. The NYSDEC document is quite impressive. The DEIS of Legoland is a joke and I am requesting it be thrown away immediately.

How could the planning board have accepted the DEIS and say it was ready for public review? Why did the planning board hold two public hearing meeting when you had this report in hand?

The planning boards acceptance of the DEIS should be ruled a criminal act. You must reject this DEIS. You must say NO to Merlin/Legoland. Goshen is not for sale.

Shame on all of you.

Sandra Rotheinberger
Goshen, NY

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561
Phone: (845) 256-3054 • **FAX:** (845) 255-3042
Website: www.dec.ny.gov

NEW YORK STATE OF OPPORTUNITY | Department of Environmental Conservation

December 23, 2016

Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

Re: Draft Environmental Impact Statement
LEGOLAND – New York
Town Goshen, Orange County
DEC ID: CH# 6540 / 3-3330-00239/00001

Dear Chairman Bergus,

The New York State Department of Environmental Conservation (DEC) has reviewed the Draft Environmental Impact Statement (DEIS) for Legoland New York Commercial Recreation Facility, received by DEC on November 23, 2016. According to the DEIS, the proposed LEGOLAND - New York project consists of the construction of a theme park and resort on approximately 140 acres of a 521.95 acre site off of Harriman Drive in the Town of Goshen. The park will include rides and attractions, an aquarium, theaters, restaurants, a hotel, offices and staff areas, as well as associated parking and drainage facilities. Water will be supplied from the Village of Goshen municipal water system, and wastewater collection will be provided by the Village of Goshen.

DEC PERMITS AND JURISDICTION

Article 24 Freshwater Wetlands – The proposed LEGOLAND – New York project site contains New York State Freshwater Wetland GO-41, Class 2. A Freshwater Wetlands permit is required for any physical disturbance to state regulated freshwater wetlands or to the 100 foot wetland adjacent area.

In addition, there are wetlands on the project site that meet the 12.4 acre size threshold (eligible wetlands) to be regulated by New York State under Article 24 of the Environmental Conservation Law. Eligible wetlands on the project site are located on the north western corner of the site adjacent to Harriman Drive (Eligible Wetland A), and on the south western corner of the project site, adjacent to Conklin Town Road (Eligible Wetland B). Figure II-3, Project Layout appears to label the eligible wetlands as "Federal Wetland", and the map validated by the Department shows the wetland

labeled as "Eligible". The "Eligible Wetland" labels should also be shown on all maps and figures.

Eligible wetlands that meet the regulatory criteria but are not shown on the regulatory maps[1] should be afforded the same level of protection as the wetlands that are currently on the regulatory map. Wetlands provide functions and benefits to the people of New York State as outlined in Article 24. The loss of wetlands will cause a reduction in these benefits including an increase in the volume of water in streams during times of flood events and a segregation of water quality. All development should be planned to avoid the state regulated wetlands and the 100 foot adjacent areas. Unavoidable impacts such as for access to unregulated areas must be minimized and mitigated to the maximum extent practicable.

The proposed project will result in approximately 140 acres of site disturbance, and approximately 77.41 acres of impervious surfaces. While no physical disturbances are anticipated to state regulated freshwater wetlands, 23 stormwater treatment areas are proposed, which will ultimately discharge to onsite wetlands and the Otter Kill. According to the DEIS, the site has been designed to limit post-development flow rates at the study points, however, the DEIS should discuss potential long term impacts to water quality or water quantity, which can impact vegetation composition and habitat.

In addition to the above, the following specific references should be addressed:

- An existing access road cuts through the wetland in the north western corner along Harriman Drive (Eligible Wetland A), please state if there are plans to renovate the existing access road (see Overall Site Concept Plan, sheet C2 of 26).
- A portion of the internal road runs along the southern boundary of Eligible Wetland A, cutting through a break between this wetland and another Federal wetland. Please provide details on this road construction (see Overall Site Concept Plan, sheet C2 of 26).
- Section III, Part A, Subpart 3. Proposed Mitigation Measures (p. 37) – "blast spoils would also be reused in construction of new wetlands and stream relocation" – please provide additional information regarding where this will be occurring on site, and why.
- Section III, Part C, Subpart 2. Potential Impacts (p. 42) – "Herbicides are used to control weeds and algae", the use of herbicides to control weeds and algae should be prohibited in or around any wetland area.
- Section III, Part D, Subpart 1. Existing Conditions (p. 52), Possible Roundabout - discusses a possible roundabout to be located near Route 17/Route 6/Harriman

[1] The Freshwater Wetlands Act (Article 24 of the Environmental Conservation Law) requires DEC to map the freshwater wetlands that are subject to jurisdiction of the law. The law requires the maps to show "the approximate location of the actual wetland boundary".

Drive. Please be aware the NYS Freshwater Wetland GO-35 is located in the vicinity of the proposed road work. An Article 24 Freshwater Wetlands permit will be required for any disturbance to wetland GO-35.

- Section III, Part D, Subpart 3. Proposed Mitigation Measures (p. 54), the DEIS discusses the use of open bottom culverts for stream/wetland crossings, please identify and provide information regarding the details on the proposed structures and possible installation locations.
- Section III, Part S. Construction (p. 156) states that construction will begin with clearing in the northeast corner/back of house area. Please provide additional information or a plan drawing of all proposed land clearing areas.
- Vegetated buffers should be considered in areas where slopes are present, specifically in the vicinity of the access road to Arcadia Hills Subdivision and surface parking lots, where the access road will be immediately adjacent to the 100 foot adjacent area of NYS freshwater wetland GO-41 (see Site Plan – 100 Scale Sheet 2 of 3, sheet c7 of 26).
- Please note that the ingress/egress location crosses NYS Freshwater Wetland GO-41, and therefore any surface improvements, grading or site disturbance required to maintain or improve the road will require an Article 24 Freshwater Wetlands permit.

Article 15, Title 5, Protection of Waters – Tributary of Otter Kill, Waterbody Index No. H-89-20-17, Class A, is located in the western corner of the project site adjacent to Conklin Town Road. Tributary of Otter Kill is a "protected" waterbody. A Protection of Waters permit is required to physically disturb the bed or banks (up to 50 feet from stream) of any streams identified as "protected." According to the proposed plans, work will not be conducted in the lower southwest corner of the site, where this portion of the tributary is present.

Tributary and subtributary of Otter Kill, Waterbody Index No. H-89-20-17, Class C, is located on the eastern portion of the site. This is a "non-protected" waterbody. A permit is not required to disturb the bed or banks of "non-protected" streams. <u>If a permit is not required, the applicant is</u> still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

According to the DEIS, Section III, Part C. Surface Water Resources, this tributary is discussed and accurately classified as Class C, however, the DEIS inaccurately states that a DEC permit would be required for any disturbance. An Article 15 Protection of Waters Stream Disturbance permit is not required for disturbances to "non-protected" waterbodies. Streams and small water bodies located in the course of a stream with a classification of AA, A, or B, or with a classification of C with a standard of (T) or (TS)

are collectively referred to as "protected streams," and are subject to the stream protection provisions of the Protection of Waters regulations.

In planning for this project, disturbances to the protected stream and all watercourses should be avoided to the maximum extent practicable. A vegetated buffer should be designed into lands that are adequate to minimize unintended impacts to the streams. In areas where steep slopes are proposed, buffers should be considered to reduce surface water runoff. Crossings of the streams should be avoided and where necessary be designed to the standards outlined in the stream crossing brochure (enclosed).

Article 15, Title 15, Water Withdrawal – The Village of Goshen has adopted a resolution agreeing to provide water supply to the project. Anticipated water demand is projected at 176,438 GPD with peak usage in July of approximately 255,394 GPD. The Village of Goshen will need to apply for a modification to their existing permit to include the new Water Service Area and the new well. Additional Department approval may be required to ensure that the site is covered under an existing Water Withdrawal permit and does not exceed the authorized maximum taking of water into the existing water district or service area encompassing the project site to be served.

The Town of Goshen will need to apply for a water withdrawal permit or permit modification for the addition of the two wells dedicated to the Arcadia Hills Water District. According to the DEIS, an easement will be granted to the Town for use and future access and maintenance of these areas. Regarding the decommissioning of existing wells on the property, please be aware of proper well decommissioning procedures. Decommissioning procedures can be found on the Department's website at http://www.dec.ny.gov/lands/86955.html.

SPDES (State Pollutant Discharge Elimination System) Sanitary Permit – Total anticipated wastewater generation is an average of 90,461.90 GPD, and a daily peak in the highest usage month is estimated at approximately 130,689 GPD. Wastewater collection will be provided by the Village of Goshen, and the Village Board of Trustees have passed a resolution agreeing to provide the Project Site with sewer services. Please be aware that sewer line extensions require review by our Department's Division of Water.

Article 11, Title 5, Threatened & Endangered Species – The DEIS considers potential impacts to threatened and endangered species, and retained consultants to conduct an environmental assessment, and evaluate habitat for threatened and endangered species at the Project Site. The scoping document states that a site biological assessment and mapping for habitats of threatened and endangered species

and species of special concern will be prepared. In general, the DEIS only addresses the habitat of species indicated in the Threatened and Endangered Species Habitat Assessment, and does not sufficiently address or review impacts to the species found on site, or potentially found on site. Specific examples of where additional review is required is related to special concern reptiles and amphibians (i.e. Eastern Box turtle), as well as information related to common wildlife species, including species that can cause nuisance issues during operation of the facility and how those situations will be handled (i.e. bears and garbage).

The conversion of habitat is not sufficiently addressed in the DEIS or the Habitat Assessment. While acreage amounts are assigned to some habitat types, (i.e. 347 acres of forested communities) not all habitat types have acreage information. In addition, the acreage of impacts is not broken down by habitat type, but provided in overall terms. The information of impacts to habitat type should be included. In addition, the acreage of impacts and undisturbed land is not consistent though out the text. As stated in the DEIS, the majority of the Project Site, or 444.54 acres will remain as a combination of undeveloped open space or manicured lawn and landscaping. At another point, the total site disturbance for the Proposed Action is described as 140 acres. 77.41 acres will be made impervious and 132,977 square feet (3.1 acres) of porous pavers will be utilized in parking lot construction, leaving a total of 436.38 acres of land as open space and manicured lawn. The discrepancy between the number of acres to be impacted and number of acres remaining should be clarified. The statement regarding manicured lawn also needs further clarification. The existing site does not contain manicured lawns or landscaping, and therefore this change should be considered a land use change and included in the acreage of impacts.

Northern Cricket Frog (NCF) –The Northern Cricket Frog is a New York State listed endangered species. A Modified calling survey was conducted late in the season, as part of the Habitat Assessment (Appendix C). Although Section III, Part D of the DEIS does not discuss in detail how the survey was modified, the Habitat Assessment does discuss where and why all the methods of the Department's Northern Cricket Frog Calling Survey could not be followed in this investigation. As a result of these surveys, the applicant's consultants discounted the presence of habitat on site. Based on the information submitted to the Department, no additional surveys are required at this time.

Bats – Indiana Bat is a New York State listed endangered species, and Northern long-eared bat (NLEB) is a New York State threatened species. While the Department did not indicate that there are known resources within 2.5 miles (Indiana Bats) or 5 miles (NLEB), a known hibernacula for both species is found 5.15 miles from the project site and all development is proposed within 6.15 miles. The closest Indiana Bat Roost tree is 3.2 miles from the project site. Based on the descriptions provided, the site not only appears to include potential foraging habitat, but also potential roosting habitat, which is not addressed in the

DEIS. Roosts include a variety of species of live and dead trees, with exfoliating bark, cracks or crevices. The trees need to be > 2 in BDH for NLEB, or >4 in DBH for Indiana bat. The amount or acreage of tree removal is not specified in this section of the DEIS and should be to truly evaluate impacts. However, as stated in the DEIS, tree cutting will take place from November 1st to March 31st, and a number of acres of the property are not currently proposed for developed.

Birds - The DEIS mentions special concern birds found on site, while the information in the Habitat Assessment found in Appendix C addresses a list of endangered, threatened and special concern birds. It is not clear if appropriate surveys were conducted to determine presence or probable absence of all species listed in Appendix C. For the species that were encountered during survey work at the site, there is limited information on how the proposed action will impact the species or their habitat. For example, impacts to Cooper's hawk, found on site, were not addressed in the DEIS.

Please note, Appendix C habitat assessment, Page 8 Section E. paragraph 3 makes the statement that there are no known breeding locations of Least Bittern in Orange County. This is not correct, there is an occurrence of Least Bittern Breeding in Orange County. The Least Bittern is a threatened species in NYS.

Special Concern Species – The DEIS does not provide sufficient discussion related to special concern species, as specified in the Scoping document. Bird species of special concern were discussed, however, there is no mention of special concern reptiles, amphibians, or mammals. The HERP Atlas data identifies several species known to the area which falls in two topo quads, Goshen and Warwick. These include the following:

- Eastern Box Turtle
- Wood turtle
- Spotted Turtle
- Northern Two-lined Salamander
- Jefferson Salamander
- Blue-spotted Salamander

Special concern Mammals would include Eastern Small Footed bat. These species should be addressed in this document. In particular any special concern species encountered during any survey work should be included in the report. There was a report of several box turtles found on the site in the area of the proposed hotel, parking and large day use parking lots. Any discussion of these occurrences should include locations, habitat and analysis of impacts and any mitigation measures offered to offset impacts.

Section III, Part D, subpart 3. Proposed Mitigation Measures – The DEIS does not sufficiently evaluate or offer mitigation methods related to both impacts to individual species or the conversion of habitat of the overall property as a whole. The major mitigations offered are that the development will occur in the central portion of the project site, therefore reducing impacts outside the disturbance area; and a time of year restriction on removal of trees to avoid impacts to bats. The use of conservation easements should be evaluated in order to protect the portion of project site that is not proposed for development. In addition, measures could be put in place to avoid impacts to species found on site during construction (i.e. monitoring).

In addition to the above, the following specific references should be addressed:

- Section III, Part D, subpart 1 Existing Conditions (p. 44) - paragraph 2 states "The New York Natural Heritage Program (NYNHP) was established in 1985 and is a partnership between the NYSDEC and the State University of New York College of Environmental Science and Forestry. The NYNHP maintains a database on New York's flora and fauna to deliver information to partners working in natural resource conservation".
  - The NYNHP maintains a database of what are referred to as 'tracked' species, and not all New York's flora and fauna. NYNHP tracks and maintains data on rare species and natural ecosystems. NY Natural Heritage maintains New York's most comprehensive database on the status and location of rare species and natural communities. The statement in the DEIS is misleading, making the reader think NYNHP has data on all New York's flora and fauna and should be revised.
- Section III, Part D, subpart 1 Existing Conditions (p. 45) - paragraph 2 states "The on-site emergent wetlands identified along the Gumwood swale was not determined to be potential habitat since the NYSDEC wetland maps do not identify the wetland as potential habitat."
  - The NYSDEC wetland maps were not created to identify potential habitat, but rather identify approximate boundaries of regulated wetlands. The statement in Section III, Part D on p. 45 is misleading in relation to potential bog turtle habitat and should be revised.
  - Please also note that NYSDEC wetland maps show approximate boundaries of regulated wetlands, and the actual boundary is identified through delineation.
- Section III, Part D, subpart 1 Existing Conditions (p. 45) - paragraph 2 states "The emergent wetlands around the Harriman Road pond, and emergent inclusions within the large forested wetland located north of Conklingtown Road are characterized by cattail, tussock sedge, purple loosestrife, reed canary grass, skunk cabbage, jewelweed, sweet flag, and woolgrass. These species can be associated with disturbed potential bog turtle habitats, but do not include the common calciphiles often found in New York bog turtle habitats."

- Common calciphiles are not a request indicator of bog turtle habitat. They can be missing from areas that still have all other criteria of habitat. As mentioned in the Phase I survey guidance:

  - **Suitable vegetation**. Dominant vegetation of low grasses and sedges (in emergent wetlands), often with a scrub-shrub wetland component. Common emergent vegetation includes, but is not limited to: tussock sedge (*Carex stricta*), soft rush (*Juncus effusus*), rice cut grass (*Leersia oryzoides*), sensitive fern (*Onoclea sensibilis*), tearthumbs (*Polygonum* spp.), jewelweeds (*Impatiens* spp.), arrowheads (*Saggitaria* spp.), skunk cabbage (*Symplocarpus foetidus*), panic grasses (*Panicum* spp.), other sedges (*Carex* spp.), spike rushes (*Eleocharis* spp.), grass-of-Parnassus (*Parnassia glauca*), shrubby cinquefoil (*Dasiphora fruticosa*), sweet-flag (*Acorus calamus*), and in disturbed sites, reed canary grass (*Phalaris arundinacea*) or purple loosestrife (*Lythrum salicaria*). Common scrub-shrub species include alder (*Alnus spp.*), red maple (*Acer rubrum*), willow (*Salix spp.*), tamarack (*Larix laricina*), and in disturbed sites, multiflora rose (*Rosa multiflora*). Some forested wetland habitats are suitable given hydrology, soils and/or historic land use. These forested wetlands include red maple, tamarack, and cedar swamps.

Section V: Project Alternatives

The DEIS does not sufficiently discuss or present alternatives to site design and layout, and only discusses other alternatives for site use (ie. no development, neighborhood, etc.).

- The Department supports site designs and layouts that avoid and minimize disturbances to both regulated and eligible wetlands. Alternative layouts should be considered, or if alternative designs have been considered, but are not favorable, please discuss why (ie. site constraints).
- The large parking lot creates a large impervious surface, increasing the overall foot print of the project, and reduces potential habitat on site. The DEIS does not sufficiently discuss or present alternatives to the large surface lot (ie. parking garages). Public transit to the site could mitigate or minimize impacts, and reduce the need for the currently proposed lot.
- The length of the access road into the project site allows for 500 cars to be stacked, and therefore will minimize impacts to roadway traffic, however, idling cars may increase emission and gas usage, and the length of the road increases overall site impervious surfaces. Alternatives to the current road/parking lot and site plan should be discussed.

If you have any questions please feel free to contact me at 845-256-3059, or via e-mail at Tracey.Omalley@dec.ny.gov.

Re: Draft Environmental Impact Statement
LEGOLAND – New York
Town Goshen, Orange County
DEC ID: CH# 6540 / 3-3330-00239/00001

Sincerely,

Tracey O'Malley
Division of Environmental Permits

Ecc. Town of Goshen Planning Board
Lee Bergus, Chariman
Cordisco@gmail.com
Brian Drumm, BOH
Michael Fraatz, BOH
Lisa Masi, BOW,
Armand DeAngelis, DOW
Natalie Brown, DOW

January 17, 2017

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

To the Town of Goshen Board and the Town of Goshen Planning Board

NYS has laws and regulations that covers any building project from the planning stage to the finished product. It is evident that Merlin/Legoland has ignored every one of these laws. Their DEIS is proof of their ignorance of our laws.

Merlin/Legoland must be told this is not Windsor, Winter Haven or Carlsbad—This is New York State. They should not be doing any comparison to any of these amusement parks as they constantly do in their DEIS. Their DEIS must be thrown away and done again in its entirety using relative, time-sensitive data specific to this area. They are comparing irrelevant data and using old studies.

Refer to the attached article from the NYSDOT about Special Hauling Permits. First sentence specifically states a hauling permit is needed for NYS highways. Legoland is surrounded by highways owned by NYSDOT.

A special hauling permit is needed for each vehicle weighing over 18,000 pounds. Please notice that the fee is only for one truck making one round trip. The residents had to interpret Legolands DEIS to discover that the amount of fill they will be bringing on-site will take 32,199 trucks. This number of trucks does not include any construction equipment coming to the sight.

Legoland should be aware of what these costs are. range? The worst case scenario would be to approve Legoland, they would clear cut the property and then discover they cannot proceed because of NYS rules and regulations.

Please reject the DEIS and make them submit a proper one. Better yet, just say NO to the Legoland Amusement Park.

Sandra Rothenberger
Goshen, NY

STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION
Central Permit Office 50 Wolf Road, 1st Floor Albany, New York 12232
INFORMATION CONCERNING SPECIAL HAULING PERMITS (Visit www.NYPermits.org)

I. Special Hauling Permits are required to move vehicles and/or loads on New York State highways if the vehicle and/or loads exceed the legal dimensions or weights specified in Section 385 of the New York State Vehicle and Traffic Law. The Department of Transportation issues different types of Special Hauling Permits. Additional information regarding specific permit types is included in this document or may be obtained from the Department's Central Permit Office or any of the Regional Offices listed below.

A. A "Permit" authorizes the movement of an oversize and/or overweight vehicle for a specific time period on permissible hauling days. Special Hauling permits may also authorize the movement of Manufactured / Modular homes not included under Building Movement Permits.

B. A "Permissible Hauling Day" is any normal working day, Monday through Friday, during the daylight hours between one-half hour before sunrise and one-half hour after sunset when weather conditions are favorable. No movements are allowed on Saturdays*, Sundays or the following holidays: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day or after 12 noon the day preceding Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. The day preceding means any normal working day, Monday through Fridays. No travel is allowed at night between the hours of one-half hour after sunset and one-half hour before sunrise unless otherwise specified.

*Over-dimensional and overweight moves that are within 12 feet in width, 85 feet in length, legal height, and which can maintain normal highway speeds may be authorized by permit to move from ½ hour before sunrise until 12 noon on Saturday unless such Saturday falls on a holiday set forth above. Overweight moves that are not over-dimensional and are within 125 percent of legal weight as defined by Section 385 of the new York State Vehicle and Traffic Law, and which can maintain traffic flow speed, are not restricted as to times of travel or days of travel as set forth above

II. Application Procedures A. Listed below are the addresses for the Department of Transportation's Regional Offices. Forms and Applications to apply for Special Hauling Permits may be obtained and submitted at any one of the Offices listed below. Office hours may vary, please call in advance to confirm hours of operation. Permit Applications may be mailed or hand delivered to: New York State Department of Transportation, 50 Wolf Road, Central Permit Office 1st Floor, Albany, New York 12232 or any Regional Office with the exception of the Region 1 and Region 11(New York City) Offices Central Office 50 Wolf Road, 1st floor, Albany, NY 12232 (888) 783-1685 Region 2

Region 2

207 Genesee Street, Utica, NY 13501-2869 (315) 793-2356 Region 3 333 E. Washington Street, Syracuse, NY 13202-1466 (315) 428-4388 Region 4 1530 Jefferson Road, Rochester, NY 14623-3161 (585) 272-3470 Region 5 100 Seneca Street, Buffalo, NY 14203-3088 (716) 847-3271 Region 6 107 Broadway, Hornell, NY 14843 (607) 324-8514 Region 7 317 Washington Street, Watertown, NY 13601-3784 (315)

785-2325 Region 8 4 Burnett Blvd., Poughkeepsie, NY 12603-2594 (845) 437-3331 Region 9 44 Hawley Street, Binghamton, NY 13901-3200 (607) 721-8082 Region 10 Veteran's Highway, Hauppauge, NY 11787-5518 (631) 952-6020

B. Applications made by mail using Special Hauling Permit form (PERM 39) will be mailed to the address given by the applicants. If requested, they may be mailed to any Post Office c/o General Delivery. C. Applications may also be made through an Authorized Permit Service Companies having a licensing agreement with the State. See the Permits website (www.nypermits.org) for a complete listing of Participating Permit Service Companies.

Permit numbers are not assigned by telephone. The Permittee must have the permit form in his possession before traveling on New York State highways.

III. Permits

A. Highway Use Tax Permit: Applicants for Special Hauling Permits for vehicles that have a gross weight of 18,000 pounds or more must obtain a Highway Use Tax Permit from the Highway Use Tax Unit, NYS Department of Taxation and Finance, Telephone No. (518) 457-5735.

B. When traveling over THRUWAY, PARKWAY, COUNTY ROAD, TOWN HIGHWAY, CITY OR VILLAGE or any other roadway not under the jurisdiction of the Department of Transportation, additional permission must be obtained from the appropriate authority by the Permittee. Permits issued by NYS Department of Transportation are valid only for highways under Department of Transportation's jurisdiction. Permits for New York City must be obtained from the New York City Permit Office: 212-839-6337 Permits for New York State Thruway must be obtained from the NYS Thruway Permit Office: 518-436-2793

C. Liability: The applicant agrees to assume all responsibility and liability for damages to persons or property that may accrue during movements of the vehicle or combination of vehicles, through negligence of himself, his agent or employees or from any other cause and to save the State of New York harmless there from.

D. Revocation: The permit is revocable without hearing or necessity of showing cause, either before or during movement.

E. Special Requirements: Each Special Hauling Permit issued will state the conditions for travel.

LEGAL DIMENSIONS, WEIGHTS & GROSS WEIGHTS FOR NEW YORK STATE

IV. The maximum legal dimensions (overall, inclusive of load, bumpers, etc.) are:

	State	Qualifying or	Highway	Access Highway
A. Width of Vehicle, inclusive of load	8 feet [1]	8 feet 6 inches		

B. Height of vehicle from underside of tire to top of vehicle, inclusive of load 13 feet 6 inches 13 feet 6 inches

C. Length of single vehicle inclusive of load and bumpers 40 feet 40 feet D. Length of a combination of vehicles inclusive of load and bumpers 65 feet[2] Unlimited[2]

E. Length of a single trailer 48 feet 53 feet[3]

F. Length of a single twin trailer 28 feet 6 inches 28 feet 6 inches

NOTE: [1]Except in New York City. Width of vehicle is 8 feet 6 inches on highways with minimum pavement width of 10 feet. Commissioner of Transportation may restrict certain highways. [2]Automotive Carriers - Overhang limited to 3' FRONT and 4' REAR Stinger Steered Car Carrier - Length cannot exceed 75'. Overhang limited to 3' FRONT and 4' REAR. Limited to qualifying and access highways. [3]Except in New York City. Limited to Qualifying and Access Highways. Distance from King pin to center of rear axle limited to 43 feet. 1. Special Hauling Permits are not required for a combination of vehicles hauling poles, girders, columns, or similar objects of great length if only the legal length is exceeded. The width, height and weight of the combination must be legal.

2. Vehicles over 8'6" in width shall display 18 inch by 18 inch red flags front and rear on the left side unless other warning devices or escort vehicles are required or prescribed.

3. Escort vehicles may be required for oversize movements of extreme width or length or if highway conditions warrant them.

V. Maximum legal weight for State Highways and Designated Highways are:

A. Maximum load per tire. The lesser of manufacturer's tire rating or 800 pounds per inch of tire

B. Maximum wheel loading 11,200 pounds

C. Maximum weight, one axle 22,400 pounds

D. Maximum weight, any two consecutive axles, less that eight (8) feet apart 36,000 pounds

1. Axles less than 46 inches apart, measured from axles' center, are considered one axle.

E. Maximum weight, any two consecutive axles eight (8) to ten (10) feet apart. Weight cannot exceed formula:

**$W = 500 (LN/N-1 + 12 N + 36)$; 40,000 pounds maximum

**See Item F. 1.b. for explanation of terms.

F. Maximum weight on all axles of a single vehicle or combination of vehicles having three (3) axles or more is 80,000 pounds based on one of the following formulas:

1. For any vehicle or combination of vehicles having a total gross weight less than 71,000 pounds, the higher of the following shall apply: a. the total weight of all axles shall not exceed 34,000 pounds plus 1,000 pounds for each foot and major fraction of a foot of the distance from the center of the foremost axle to the center of the rear most axle, or

b. the overall gross weight on a group of two or more consecutive axles shall not exceed the weight produced by application of the following formula:

$$W = 500 \quad (LN/N-1 + 12N + 36)$$

where W equals overall gross weight on any group of two or more consecutive axles to the nearest 500 pounds, L equals distance in feet from the center of the foremost axle to the center of the rear-most axle of any group of two or more consecutive axles, and N equals number of axles in group under consideration, except that two consecutive sets of tandem axles may carry a gross load 34,000 pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

2. For any vehicle or combination of vehicles having a total gross weight of 71,000 pounds or greater, formula in section F.1.b. shall apply.

VI. Manufacturer's Tire Ratings:

1. Single Rating is used when there are two tires per axle one on each side. Use the number given on the sidewall of the tire and multiply the number given by 2 (2 tires)

2. Dual Rating is used when there are 4 tires per axle, two on each side. Use the Dual number given on the sidewall of the tire and multiply the number given by 4 (4 tires)

3. See following page for details regarding Manufacturers Tire Ratings

January 17/2017

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JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen Board and Town of Goshen Planning Board

On 1/11/2017 about 9:30 a.m. I turned from 17M onto South Street. At the Heritage Trail, traffic was one lane due to 1 ambulance, 2 police cars, 1 pedestrian car, and one person standing on the Heritage Trail.

I had no way to know if it was a pedestrian injury or a personal emergency. What is going to happen at the Heritage Trail IF Legoland is approved? Their mitigation at this location was to install a red flashing light or to put a stop sign, both of which would cost the taxpayers.

One afternoon at this same location, Rt. 17M and South Street at 2:28 p.m. BOCES school buses were stacked on South Street, Harriman Drive and in the school parking lot waiting for the light to change at 17M. Legolands mitigation was to install a light at the BOCES driveway. Really? Again a cost to the taxpayers. What are Legolands mitigation for Elant and Glen Arden? Emergency vehicles need access to these locations 24/7. Any mitigation here is not acceptable or even an option.

I am talking about one intersection and two roads. What occurs at these roads now is normal activity. What is going to happen IF Legoland builds?

Where are the studies as to whether our local hospital can handle an influx of patients at this time? The emergency room at Cornwall has just closed. This is not the time to add 10,000 to 20,000 visitors a day who will have medical emergencies to overwhelm emergency rooms that already operate at capacity.

The mitigation proposed by Legoland does not address any problems outside of the park. Their DEIS should be thrown out. We need a DEIS that addresses all secondary roads and the worst case scenario of accidents that can happen.

If medical emergencies happen and there are casualties, you will be responsible. We need a full medical evacuation plan in the DEIS. A DEIS that has quantifiable data.

Sandra Rothenberger
Goshen, NY

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 17, 2017

To the Town of Goshen Board and the Town of Goshen Planning Board,

The attached report was shocking and sad for me to read. This should be the defining piece of information for all of you to say NO to Legoland.

These are the threats to the Otterkill Creek

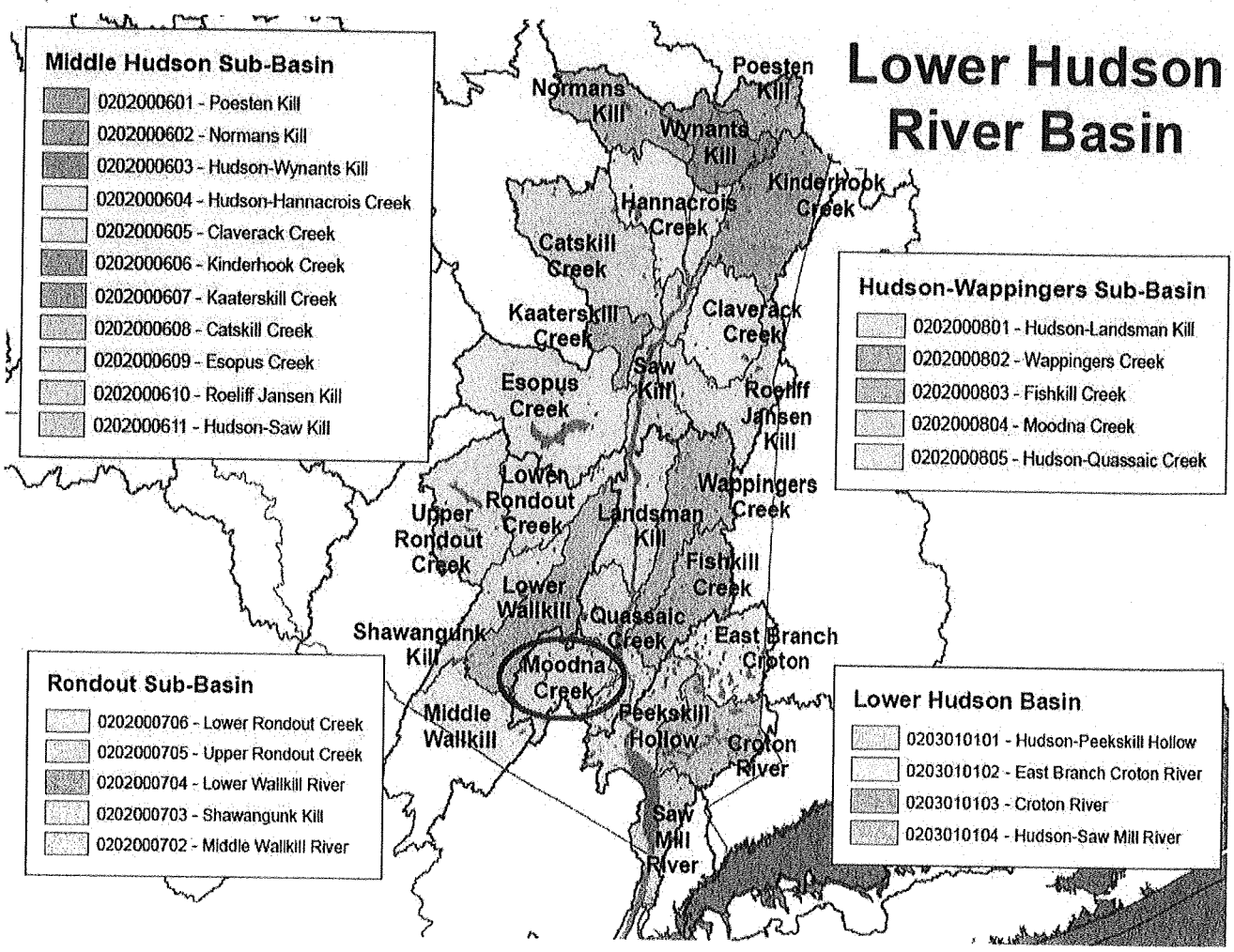
(1) Silt/sediment restricting the water level and flow. Do you really believe that clear-cutting and bulldozing 180 acres will not produce silt/sediment that will be in the runoff to the creek?
(2) Thermal Changes. This occurs when you clear-cut 180 acres and remove the natural canopy of the trees. When it rains the water hits the heated landscape, percolates through heated ground and enters the Otterkill creek as heated water. Heated water kills the biodiverse ecological system.
(3) Construction. Legoland is not just a little bit of construction but 2 years of 6 days a week, 10 hours a day. It's a **mega** construction project.
(4) Habitat Modification. Legoland will be paving over and destroying wetlands. Their DEIS used fuzzy math when telling you they will be below the DEC's limit of destruction. They also did not list all the wetland areas on their plans that are on the property.

Please read the attached report carefully, and evaluate what the DEC/DOW and BWAM/SBU are stating.
We need a full DEC report and analysis done properly. We expect you to not approve the garbage DEIS instead we expect that you do your jobs and demand a full wetland, watershed and estuary study. Once done, it will be evident, that the proposed parcels is the wrong place for an amusement park with a 6000 car parking next to a threated estuary of the Hudson River.

As stewards of Goshen, please, honor your oath of office to make decisions in the best interests of the residents and the environment that we all live in.

Sandra Rothenberger

Goshen, NY



Moodna Creek
(0202000804)

Water Index Number	Waterbody Name	Category
H- 89	Moodna Creek, Lower, and minor tribs (1303-0010)	**NoKnownImpct**
H- 89	Moodna Creek, Upper, and minor tribs (1303-0011)	**MinorImpacts**
H- 89- 2-P225	Lake Washington (1303-0012)	**NoKnownImpct**
H- 89- 2-P226a	Browns Pond Reservoir (1303-0013)	**NoKnownImpct**
H- 89- 7	Woodbury Creek and tribs (1303-0014)	**MinorImpacts**
H- 89- 7- 4-P228	Sutherland Pond (1303-0015)	UnAssessed
H- 89- 7- 6-P229a	Earl Reservoir (1303-0016)	UnAssessed
H- 89- 7- 7- 2-P231	Cromwell Lake (1303-0017)	UnAssessed
H- 89- 7- 7-P231a,P231b	Shadow Lake, Hillside Lake (1303-0018)	UnAssessed
H- 89- 7-10-P231f	Lake Frederick (1303-0019)	UnAssessed
H- 89- 7-P232	Peckermans Pond (1303-0020)	UnAssessed
H- 89-12-P234	Beaver Dam Lake (1303-0021)	UnAssessed
H- 89-12-P234..P234g	Crest View Lake (1303-0022)	UnAssessed
H- 89-17-P239d	Orange Rockland Lake (1303-0023)	UnAssessed
H- 89-19-10-P257	Walton Lake (1303-0004)	Need Verific
H- 89-19-P240d	Tomahawk Lake (1303-0024)	UnAssessed
H- 89-20	Otter Kill/Black Meadow Creek and tribs(1303-0025)	**Threatened**
H- 89-20-17-P304b	Goshen Reservoir (1303-0026)	UnAssessed
H- 89-20-P260	Browns Pond (1303-0027)	UnAssessed

Moodna Creek, Lower, and minor tribs (1303-0010) No Known Impacts

Waterbody Location Information

Revised: 04/01/2016

Water Index No: H- 89
Hydro Unit Code: Moodna Creek (0202000804)
Water Type/Size: River/Stream 25.3 Miles
Description: stream and select tribs, from mouth to Mountainville

Water Class: C
Drainage Basin: Lower Hudson River
Reg/County: 3/Orange (36)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Pollutants/Sources)

Uses Evaluated	Severity	Confidence
Water Supply	Unassessed	-
Public Bathing	Unassessed	-
Recreation	Unassessed	-
Aquatic Life	Fully Supported	Known
Fish Consumption	Unassessed	-
Conditions Evaluated		
Habitat/Hydrology	Unknown	
Aesthetics	Unknown	

Type of Pollutant(s)
Known: - - -
Suspected: - - -
Unconfirmed: - - -

Source(s) of Pollutant(s)
Known: - - -
Suspected: - - -
Unconfirmed: - - -

Management Information

Management Status: Assessment/Reassessment Scheduled
Lead Agency/Office: DOW/BWAM
IR/305(b) Code: Water Attaining All Standards (IR Category 1)

Further Details

Overview
This portion of Moodna Creek is assessed as having no known impacts, based on the evaluation that aquatic life is fully supported. There is some limited sampling of a trib showing elevated levels of pathogens, but this impact needs to be verified.

Use Assessment
This waterbody segment is a Class C waterbody, suitable for general recreation use, and support of aquatic life, but not as a water supply or for public bathing.

Water Quality Information

A biological (macroinvertebrate) survey of Moodna Creek at multiple sites between the mouth at Cornwall and Washingtonville was conducted in 2004. Sampling results indicated non–impacted to slightly impacted water quality conditions. Two of the three sites located in this reach reflected non–impacts water quality. Nonpoint source nutrient enrichment was indicated as the primary source at all sites on the stream. Possible sewage inputs were suggested at the downstream sites. Nutrient biotic evaluation determined the effects on the fauna to be minor. Aquatic life support is considered to be fully supported in the stream, and there are no other apparent water quality impacts to designated uses. (DEC/DOW, BWAM/SBU, June 2005)

Bacteriological sampling for enterococcus in a trib has been conducted by the Quassaick Creek Watershed Alliance, in partnership with Riverkeeper. The Alliance submitted 2014 and 2015 data showing exceedences of the EPA recommended entero criteria for support of recreational uses. Although NYSDEC is considering the use of entero (or E-coli) criteria to replace the current coliform standards, it has not yet adopted these criteria as water quality standards. It is also not certain that limited number of samples collected are representative of conditions in the larger waterbody. Additional sampling to more fully evaluate conditions in this waterbody is recommended for the next NYSDEC RIBS monitoring effort in the Lower Hudson River Basin in 2017-18. (DEC/DOW, BWAM, April 2016)

Source Assessment

Specific sources of pollutants to the waterbody have not been identified.

Management Actions

No specific management actions have been identified for the waterbody. Followup sampling to verify support of recreational uses is recommended.

Section 303(d) Listing

This trib waterbody is not included on the current (2014) NYS Section 303(d) List of Impaired/TMDL Waters. There are no impacts/impairments that would justify the listing of the waterbody at this time. The waterbody was suggested and considered for listing during development of the the 2016 List. However, although enterococcus levels were found to be elevated, NYSDEC has not adopted an entero standard for general recreation use. Therefore it is not appropriate to list the waterbody at this time. (DEC/DOW, BWAM, April 2016)

Segment Description

This segment includes the portion of the stream and all tribs from the mouth to Woodbury Creek (–7) in Mountainville. The waters of this portion of the stream are Class C. Tribs to this reach/segment, including Silver Stream (–2), are Class C. Woodbury Creek and Upper Moodna Creek are listed separately.

Moodna Creek, Upper, and minor tribs (1303-0011) MinorImpacts

Waterbody Location Information

Revised: 03/26/2008

Water Index No: H- 89
Drain Basin: Lower Hudson River
Hydro Unit Code:
Str Class: C
Waterbody Type: River
Reg/County: 3/Orange Co. (36)
Waterbody Size: 131.5 Miles
Quad Map: MAYBROOK (P-24-1)
Seg Description: stream and select tribs, above Mountainville

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted	Severity	Problem Documentation
Aquatic Life	Stressed	Suspected

Type of Pollutant(s)
Known: - - -
Suspected: NUTRIENTS (phosphorus)
Possible: - - -

Source(s) of Pollutant(s)
Known: - - -
Suspected: AGRICULTURE, URBAN/STORM RUNOFF
Possible: - - -

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))
Verification Status: 3 (Cause Identified, Source Unknown)
Lead Agency/Office: DOW/Reg3
Resolution Potential: Medium
TMDL/303d Status: n/a

Further Details

Overview
Aquatic life uses in This portion of Moodna Creek are thought to experience minor impacts/threats due to nutrient loadings from nonpoint sources.

Water Quality Sampling
A biological (macroinvertebrate) survey of Moodna Creek at multiple sites between the mouth at Cornwall and Washingtonville was conducted in 2004. Sampling results indicated non-impacted to slightly impacted water quality conditions. All three of the sites located in this reach reflected slightly impacts water quality. Nonpoint source nutrient enrichment was indicated as the primary source at all sites on the stream. Although aquatic life is supported in the stream, nutrient biotic evaluation indicates the level of eutrophication is sufficient to stress aquatic life support. (DEC/DOW, BWAM/SBU, June 2005)

Segment Description
This segment includes the portion of the stream and selected/smaller tribs above Woodbury Creek (-7) in Mountainville. The waters of this portion of the stream are Class C. Tribs to this reach/segment, including Baby Brook (-9), Perry Brook (-15), Slatterly Creek (-17) and Cromline Creek (-19), are Class C,C(T). Woodbury Creek, Otter Kill Creek (-2) and Lower Moodna Creek are listed separately.

Lake Washington (1303-0012)

NoKnownImpct

Waterbody Location Information

Revised: 07/25/2008

Water Index No: H- 89- 2-P225
Hydro Unit Code:
Waterbody Type: Lake
Waterbody Size: 167.3 Acres
Seg Description: entire lake
Str Class: A
Drain Basin: Lower Hudson River
Reg/County: 3/Orange Co. (36)
Quad Map: CORNWALL (P-24-2)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted	Severity	Problem Documentation
NO USE IMPAIRMNT		

Type of Pollutant(s)
Known: - - -
Suspected: - - -
Possible: - - -

Source(s) of Pollutant(s)
Known: - - -
Suspected: - - -
Possible: - - -

Resolution/Management Information

Issue Resolvability: 8 (No Known Use Impairment)
Verification Status: (Not Applicable for Selected RESOLVABILITY)
Lead Agency/Office: n/a
TMDL/303d Status: n/a
Resolution Potential: n/a

Further Details

Source (Drinking) Water Assessment
Lake Washington was assessed through the NYSDOH Source Waters Assessment Program (SWAP) which compiles, organizes, and evaluates information regarding possible and actual threats to the quality of public water supply (PWS) sources. The information contained in SWAP assessment reports assists in the oversight and protection of public water systems. It is important to note that SWAP reports estimate the potential for untreated drinking water sources to be impacted by contamination and do not address the quality of treated finished potable tap water. This assessment found an elevated susceptibility to contamination for this source of drinking water. The amount of residential lands in the assessment area results in an elevated potential for contaminants. Other potential contaminant sources consistent with residential/commercial areas are also present. However, this assessment is typical of many water supplies and reflects the need to protect the resource. This water supply reservoir provides water to... (NYSDOH, Source Water Assessment Program, 2005)

Browns Pond Reservoir (1303-0013)

NoKnownImpct

Waterbody Location Information

Revised: 07/25/2008

Water Index No: H- 89- 2-P226a
Hydro Unit Code:
Waterbody Type: Lake(R)
Waterbody Size: 193.1 Acres
Seg Description: entire reservoir

Str Class: A

Drain Basin: Lower Hudson River
Reg/County: 3/Orange Co. (36)
Quad Map: CORNWALL (P-24-2)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted	Severity	Problem Documentation
NO USE IMPAIRMNT		

Type of Pollutant(s)
Known: - - -
Suspected: - - -
Possible: - - -

Source(s) of Pollutant(s)
Known: - - -
Suspected: - - -
Possible: - - -

Resolution/Management Information

Issue Resolvability: 8 (No Known Use Impairment)
Verification Status: (Not Applicable for Selected RESOLVABILITY)
Lead Agency/Office: n/a
TMDL/303d Status: n/a

Resolution Potential: n/a

Further Details

Source (Drinking) Water Assessment
Browns Pond Reservoir was assessed through the NYSDOH Source Waters Assessment Program (SWAP) which compiles, organizes, and evaluates information regarding possible and actual threats to the quality of public water supply (PWS) sources. The information contained in SWAP assessment reports assists in the oversight and protection of public water systems. It is important to note that SWAP reports estimate the potential for untreated drinking water sources to be impacted by contamination and do not address the quality of treated finished potable tap water. The analysis of available information for this source water assessment did not find any significant sources of contamination in this watershed. No discrete sources were identified within the assessment area and agricultural practices in the watershed do not appear to pose significant threats. The overall susceptibility of this watershed to potential sources of contamination was found to be medium. This assessment is typical of many water supplies and reflects the need to protect the resource. This water supply reservoir provides water to the City of Newburgh. (NYSDOH, Source Water Assessment Program, 2005)

Woodbury Creek and tribs (1303-0014)

MinorImpacts

Waterbody Location Information

Revised: 03/26/2008

Water Index No: H- 89- 7
Hydro Unit Code:
Waterbody Type: River
Waterbody Size: 38.4 Miles
Seg Description: entire stream and tribs

Str Class: C

Drain Basin: Lower Hudson River
Reg/County: 3/Orange Co. (36)
Quad Map: CORNWALL (P-24-2)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted
Aquatic Life

Severity
Stressed

Problem Documentation
Known

Type of Pollutant(s)
Known: NUTRIENTS (phosphorus), SALTS
Suspected: Silt/Sediment
Possible: - - -

Source(s) of Pollutant(s)
Known: DEICING (STOR/APPL), URBAN/STORM RUNOFF
Suspected: MUNICIPAL
Possible: - - -

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))
Verification Status: 4 (Source Identified, Strategy Needed)
Lead Agency/Office: DOW/Reg3
TMDL/303d Status: n/a

Resolution Potential: Medium

Further Details

Overview
Aquatic life support in Woodbury Creek is known to experience minor impacts and threats due to elevated chlorides, nutrient enrichment and siltation from nonpoint sources related to continuing development in the watershed.

Water Quality Sampling
A biological (macroinvertebrate) survey of Woodbury Creek at multiple sites between the mouth in Mountainville and Highland Mill was conducted in 2005. Sampling results indicated quality conditions ranged from non-impacted to slightly impacted at four sites on the stream and in two tribs. The identified causes of the impacts include increased specific conductednce from chloride inputs, nutrient enrichment and siltation. Much of the chloride increase is likely attributable to salt runoff from a salt storage facility serving Woodbury Commons Mall. Increases in nutrient loadings may be the result of smaller sewage treatment facilities that serve newer developments in Highland Mills, just upstream of the sampling site most impacted by enrichment. Siltation from ongoing development in the watershed was also noted as contributing to impacts. The report noted that a particular stonefly species that is key indicator of high water quality that was found in 2004 sampling did not found during the 2005 survey. Although aquatic life is supported in the stream, sampling results indicate impacts are sufficient to stress/threaten aquatic life support. (Woodbury Creek Biological assessment Report, DEC/DOW, BWAM/SBU, November 2005)
Segment Description
This segment includes the entire stream and all tribs. The waters of the stream are Class C,C(TS). Tribs to this

reach/segment, including Mineral Spring Brook (-4), are also Class C,C(TS).

Walton Lake (1303-0004)

Need Verific

Waterbody Location Information

Revised: 07/11/2008

Water Index No: H- 89-19-10-P257
Hydro Unit Code: 02020008/090 **Str Class:** A
Waterbody Type: Lake
Waterbody Size: 117.7 Acres
Seg Description: entire lake

Drain Basin: Lower Hudson River
Low Hudson-Wappinger
Reg/County: 3/Orange Co. (36)
Quad Map: MONROE (P-24-4)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted
Recreation

Severity
Stressed

Problem Documentation
Possible

Type of Pollutant(s)
Known: - - -
Suspected: ALGAL/WEED GROWTH (aquatic vegetation)
Possible: Nutrients, Salts

Source(s) of Pollutant(s)
Known: - - -
Suspected: ON-SITE/SEPTIC SYST, Urban/Storm Runoff
Possible: Deicing (stor/appl)

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))
Verification Status: 1 (Waterbody Nominated, Problem Not Verified)
Lead Agency/Office: DOW/BWAM
TMDL/303d Status: n/a
Resolution Potential: Medium

Further Details

Overview
Recreational uses in Walton Lake may experience minor impacts/threats due to excessive aquatic vegetation and/or algal growth. This assessment is based on previously reported concerns and conditions in the lake need to be verified.

Source (Drinking) Water Assessment The NYSDOH Source Waters Assessment Program (SWAP) compiles, organizes, and evaluates information regarding possible and actual threats to the quality of public water supply sources. This information - which is contained in SWAP assessment reports - assists in the oversight and protection of public water systems. It is important to note that SWAP assessments evaluate the potential for untreated drinking water sources to be impacted by contamination. These assessments do not address the safety or quality of treated finished potable tap water. Drinking water supplies taken from this waterbody include the Village of Chester. This assessment found no noteworthy risks to source water quality. (NYSDOH, Source Water Assessment Program, 2005)

Previous Assessment
Concerns that recreational uses and aesthetics in Walton Lake may be restricted by excessive aquatic vegetation were previously reported. Suspected sources of nutrients feeding the lake include inadequate and/or failing on-site septic systems serving residences along the lake and lawn chemical/fertilizer usage. Urban runoff and road salt/sanding activity may also influence water quality in the lake. Grass carp were introduced to control aquatic vegetation growth

in the lake. However the lake has been stocked with trout and it is noted as a satisfactory large mouth bass fishery. (Orange County WQCC and DEC/Reg 3, FWMR, 1996)

Otter Kill/Black Meadow Creek and tribs (1303-0025) Threatened

Waterbody Location Information

Revised: 04/16/2008

Water Index No: H- 89-20
Hydro Unit Code:
Waterbody Type: River
Waterbody Size: 99.1 Miles
Seg Description: entire stream and tribs
Str Class: C*
Drain Basin: Lower Hudson River
Reg/County: 3/Orange Co. (36)
Quad Map: MAYBROOK (P-24-1)

Water Quality Problem/Issue Information

(CAPS indicate MAJOR Use Impacts/Pollutants/Sources)

Use(s) Impacted
Habitat/Hydrolgy

Severity
Threatened

Problem Documentation
Known

Type of Pollutant(s)
Known: - - -
Suspected: WATER LEVEL/FLOW, THERMAL CHANGES
Possible: Silt/Sediment

Source(s) of Pollutant(s)
Known: - - -
Suspected: CONSTRUCTION, HABITAT MODIFICATION
Possible: - - -

Resolution/Management Information

Issue Resolvability: 1 (Needs Verification/Study (see STATUS))
Verification Status: 4 (Source Identified, Strategy Needed)
Lead Agency/Office: ext/WQCC
TMDL/303d Status: n/a
Resolution Potential: Medium

Further Details

Overview
Hydrologic/habitat uses in Otter Kill/Black Meadow Creek are known to experience threats due to impacts to habitat from increasing development.

Water Quality Sampling
Biological (macroinvertebrate) assessments of Black Meadow Creek were conducted at various sites by the Orange County Water Authority in 2004 and 2005. The results of this sampling indicated slightly to moderately impacted water quality conditions. However the more significant (moderate) impacts were likely influenced by low stream gradient and poor sampling habitat. Initial result suggested septic inputs were contributing to impacts, but these indication were likely to have been significantly influenced by impoundment conditions in the wetlands. (DEC/DOW, BWAM/SBU, March 2008)

Habitat Issues
The Metropolitan Conservation Alliance of the Wildlife Conservation Society issued a Biodiversity Plan for the Southern Wallkill area, including this watershed. The plan identified Otter Creek as a biodiversity hub that is host to significant biodiversity. The plan noted that portions of the habitat system are at risk from dense residential development. The watershed also includes Purgatory Swamp, a diverse wetland system that provides important wildlife habitat for state-listed declining and rare amphibians, reptiles and birds. Protection measures in this watershed

would yield significant conservation benefits. (MCA/WCS, 2005)

Segment Description

This segment includes the entire stream and all tribs. The waters of the stream are Class C. Tribs to this reach/segment, including Black Meadow Creek (above trib. 20 of Otter Kill is named Black Meadow Creek), are primarily Class C; with small portions of tribs designated Class A.

Hallaran

Sandra Rothenberger

Town of Goshen board and planning board public hearing 12/19/2016

There are two critical issues that must be addressed before a developer can turn over one shovelful of dirt. They are ZONING and WATER.

When Merlin was shown the 523-acre property by the OC Partnership, you knew Goshen prohibited Amusement Parks. Spot-zoning is not allowed and it appears that is what Law 5 & 6 are proposing. Water is not available and we have a history of drought.

In **2002** Goshen hired Schoor DePalma to conduct a water study. The title of their report was: **Town-Wide Potable Water Planning Study.**

The summary of their report was:

"Most wells serving the Town are drawing water from bedrock aquifers. Other wells located in the town draw water from overburdened aquifers along the Wallkill River.

ALSO

"The Arcadia Hills water system should be investigated. Testing the aquifer should be performed to identify hydrogeological capacity for existing wells. This analysis should include an evaluation and estimate the safe yield."

Legoland proposes giving Arcadia Hills two wells for their water supply. Yet the wells have not had recent hydrogeological studies on them, instead relying on **1999** data. Current testing <u>must</u> be done to guarantee that Arcadia Hills will have sufficient water.

The new CRV well being drilled has not been tested for gpd, is only 200' feet from the other 2 wells and all three are drawing from the same aquifer. In addition, the 2 original wells are pumping alternately.

DEC 2 7 2016

The Village has prematurely signed an agreement for $900,000 without knowing if those wells will produce enough water. There will be grave consequences from Legoland and the residents if there is no water.

Farr Engineering studied the water needs of Legoland and stated: "Currently there is adequate water supply HOWEVER, WHEN FACTORING IN FUTURE FULL VILLAGE BUILDOUT additional water sources will be needed."

The Lone Oak development was denied a zoning change and told there was no water in April 2016. These are the statements you made at that time.

Councilman Lyons was told by Attorney Golden: "...it is the role of each Board member, as a Legislative body, to act in the Town's best interest."

Attorney Golden: He noted the roads within and leading to the subdivision are not suitable for the anticipated amount of traffic.

Supervisor Bloomfield: "One of the things about Goshen is the historic charm and beauty of our community. Bringing in more traffic is a deterrent to the quality of life. Water has always been an issue. We don't have an overabundance of water."

Councilwoman Gallo: "...is concerned with the availability of water to 300+ units. She has experienced water issues in her development and is aware of water issues in another development."

Supervisor Bloomfield noted that the general consent of the Board members is not to change the zoning.

Passing revised Law 5 & 6 specifically written for Legoland is spot zoning. Every builder you have denied a zoning change to build will be in your office applying for a zoning change and permit to build. Kiryas Joel has already stated in a newspaper article they intend to sue Goshen if they change the zoning. They are suing Orange County and the Village & Town of Chester because they changed the zoning for the Camp LaGuardia property.

So, I ask you what happened in a few months to cause all of you to do a 100% flip-flop on the Comprehensive Plan and Law 5 &6 since Legoland came to town?

I am asking you to uphold your oath of office and the laws of this town and just say NO to Legoland.

January 9, 2017
Town of Goshen Board
Town of Goshen Planning Board

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

Re: Legoland Amusement Park

Who are you working for? It is clearly evident not for the residents of Goshen. The behavior of the board and planning board is appalling, biased and disgusting. Lee Bergus and Doug Bloomfield must resign.

YOU SHOULD BE ASHAMED OF YOURSELVES

You knew about Legoland coming to Goshen in 2014. Yet, you did not release this information to the residents until June 2016. And from 2014 until 2016 we know you had secret meetings, and engaged in closed door shenanigans to fast track this project in a few months to the approval stage.

When Merlin submitted their application on 6/3/2016, before any of the residents knew about Legoland, the honorable action for you to have taken would have been to say NO. NO to an amusement park that is prohibited in the Comprehensive Plan. Instead you accommodate them by classifying them as a Commercial Recreation Facility. See attached description for Commercial Recreation Facility.

YOU SHOULD BE ASHAMED OF YOURSELVES

You have ignored all warnings of lawsuits. Goshen will be sued. Has Merlin agreed to pay the legal fees the residents of Goshen will be burdened with? The answer is no. They will be building Legoland and eagerly awaiting the arrival of 2M paying customers.

YOU SHOULD BE ASHAMED OF YOURSELVES

Doug Bloomfield and Lee Bergus you have clearly demonstrated you are biased and have no concept of this project when you allowed the flawed DEIS to be released to the public. This project is so complex and so big that none of you, even as a group, have the background of expertise. Experts should be making these decisions on such a massive project.

Douglas Bloomfield and Lee Bergus you should both RESIGN!

Sandra Rotenberger
Goshen, NY

Hand Delivered

Definition according to Wikipedia: The amusement park industry's offerings range from large, worldwide type theme parks such as Walt Disney World, SeaWorld Orlando and Universal Studios Hollywood to smaller and medium-sized theme parks such as the Six Flags parks and Cedar Fair parks. Countless smaller ventures exist across the United States and around the world. Simpler theme parks directly aimed at smaller children have also emerged, such as Legoland.

WEBSTER'S DICTIONARY:
Amusement park—Commercially operated park having various devices for entertainment as a merry-go-round or roller coaster with booths for sale of food
and drink. Theme park—an amusement park in which the structures and settings are based on a central theme.

You have put this town in a precarious position by reclassifying an amusement park to a commercial recreation facility. Anyone of the following can be built under this classification. Resorts, convention centers, sports/fitness centers, arenas, stadiums, golf courses, casinos, campgrounds, water parks, race tracks, theatre/fair/concert venues, RV parks and more. Which one will Legoland be building on the other 436 acres?

We do not need a LEGOLAND Amusement Park in Goshen. There are already 14 or more amusement parks in NYS. They are in locations where an amusement park is appropriate and have activities for the entire family. LEGOLAND's target is very narrow appealing only to 2 to 12-year-old children. If LEGOLAND did a cost/benefit analysis and compare the 14 parks below it would show that a LEGOLAND amusement park is definitely not needed in Goshen.

Seebreeze Amusement Park	Darien Lake
Magic Forrest	Rye Playland
Enchanted Forest Water Safari	Santa's Workshop
Sylvan Beach Amusement Park	Adventureland
Luna Park	Deno's Wonder Wheel Park
Huck Finn's Playground	The Great Escape Indoor & Outdoor Waterpark
Victorian Gardens Amusement Park	Sylvan Beach Amusement Park

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

1/9/2017

Town of Goshen Board and Town of Goshen Planning Board

SEQRA Handbook, Lead Agency

"7. May an agency assign its SEQRA review responsibilities to another agency?"

For example, can a town board delegate its responsibilities to a local planning board or conservation advisory council?

No. An agency's responsibilities under SEQRA to make determinations of significance, conduct environmental impact reviews, if required, and to make findings following the completion of the FEIS cannot be delegated to other agencies. However, other agencies may provide assistance in these reviews and determinations, so long as it is clear that the decision-making agency is responsible for its own SEQRA decisions."

here is the link to this version of the SEQRA Handbook:
http://www.dec.ny.gov/docs/permits_ej_operations_pdf/seqrhandbook.pdf

The SEQRA Handbook clearly states the rules as to who should be Lead Agency. According to the above information we want lead agency to be given to the DEC. Visit the website and/or obtain a copy of the SEQRA Handbook. The DEC will provide unbiased opinions that are not being controlled by Merlin Entertainments.

Sandra Rothenberger

Goshen, NY

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen Planning Board

Town of Goshen Zoning Board

41 Webster Ave.

Goshen, NY 10924

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

January 8, 2017

Dear Boards,

I'm writing today to let you know I am NOT in support of the addition of law #5 changing the Comprehensive Plan of Goshen NY presently in effect. There are NO AMUSEMENT PARKS allowed in Goshen.

There need to be further studies done to see the additional impacts of the Comprehensive Plan change on such things as the need for additional police officers, not too far down the road PAID Fire department as well as PAID EMT Service. How could you have so many additional people in your town and not think there will be an increased need for such services. How can we just assume the VOLUNTEER'Ss that support such services are willing to accept that many more VOLUNTEER calls while LEGOLAND makes millions? Many of these Volunteers have jobs of their own and are not in the available during the day. Seems like a big risk for Goshen to have an AMUSEMENT PARK in the town and rely so much heavily on volunteer safety services.

When my family came to Goshen in the 80's, Goshen was the most sought after town in Orange County. People PAID more for homes here...Goshen was admired for its beauty, its charm, "Hall of Fame of the Trotter". PLEASE don't change the comprehensive plan and say NO to LEGOLAND.

Regards,

Samantha Swingle

Samantha Swingle

Goshen

RECEIVED
DEC 27 2016
TOWN OF GOSHEN
TOWN CLERK

10/15/16

To the Goshen Town Board

I am writing this letter to show my support for Legoland, Goshen, NY.

I fully support the project & hope that it gets approved & brings in business to our beautiful little town.

My hope is that Goshen's real estate take a turn for the better & we see economic growth.

Debbie Sacco
Lincoln Ave
Goshen

Supervisor, Douglas Bloomfield

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

From: Thomas <sepawun78@yahoo.com>
Sent: Sunday, January 15, 2017 4:15 PM
To: DBloomfield@townofgoshen.org
Subject: Legoland

I am writing to you today to express my support for Legoland. As a local homeowner and educator, I believe that Legoland will have an enormous positive impact on the community. First of all, as we know, there will be hundreds of new jobs created. As we know, job creation has countless positive effect. There will be the enormous increase in tax revenue coming into the town, the county, and the school district. It will benefit other local business, especially restaurants and hotels, which is desperately needed in Goshen. In turn, due to the benefits on other businesses, we will see more sales tax revenues coming in from them as well and increased employment, which further leads to increased spending within the community. Furthermore, it would most likely to lead to the town of Goshen finally attracting a new supermarket. There are also the great educational and recreational opportunities that Legoland will provide to the local community.

I think the only major legitimate concern involved with this project is traffic, but Legoland only stands to benefit financially by ensuring that local traffic concerns are mitigated. It seems that the people coming into and leaving the area will not have too much of an impact on highway traffic because the majority of the traffic will be heading in the opposite direction of rush hour traffic and much of the traffic will be during slower traffic hours

I really hope to see this project come to fruition due to the huge positive impacts that it will have on the community. I also believe that, if this project comes to fruition, it has the potential to help attract other business ventures to the area as well. This is an incredible opportunity for Goshen and the entire region. Thank you.

Thomas Santiago

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 13, 2017

To The Goshen Town Board and Building Inspector,

After living in several towns throughout Orange County, my husband and I decided to settle down and buy a house in Goshen 3 years ago. We were drawn in by the charm of the village and the open space of the country.

When I first heard of the proposed Legoland project, my heart sank. I was confused and saddened. I could not understand why anyone in this community would want such a monster of a project right in the middle of our beautiful area. I still cannot understand why, even after seeing opinions in favor of Legoland. We did not choose to live in Goshen to be bombarded with traffic and tourists as a result of a giant amusement park. I am extremely concerned about the zoning changes and domino effect that will result if the project is approved. I am equally concerned about the detriment it will have on the environment around us, including water supply and wildlife.

The magnitude of the project and the proposed location- an important ecosystem surrounded by residential properties- is extremely ill fitting. We live at 174 South Street and Legoland would negatively affect our quality of life. So we ask you please, stand up for the residents who love living here, and say NO to Legoland.

Sincerely,

Amanda Schiffmacher

COPY

RECEIVED
JAN 09 2017
TOWN OF GOSHEN
TOWN CLERK

Januaru 6, 2017
Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous economic development impacts it will offer Goshen and the greater Orange County community.

Please remember:

The Goshen Central School District will receive **$38.4 million of $52.6 million** in PILOT payments over the course of 30 years.

In the first year of operation, **$1.022 million** in the first year would go to the Goshen Central School District, **$210,000** would go to the Town of Goshen and **$168,000** would go to Orange County. These amounts will increase each year over the PILOT's 30 year term.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. **The Town of Goshen will receive 65 cents for each visitor up to 2 million visits and 20 cents for each ticket thereafter – with no cap!**

This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the park's success! Think of all the worthy community projects that will finally become a reality with these funds!

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

And, LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

I believe Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Sincerely,

John Schmid

24 West Street
Goshen, N Y

My name is Leslie Schumacher, I'm a Goshen resident.

There was a recent sound bite from an interview with Phil Royal, where he stated that in five years time, after Legoland is built, he could stand under the church steeple and look out on the town and nothing will have changed. Well, five years from now, if Legoland is built, a resident of Glen Arden, or Elant won't be able to say nothing has changed for them. Neither will any of the residents of Arcadia Hills, or any of the other residents who have the misfortune of bordering the perimeters of the proposed site.

I can't think of a worse spot to build Legoland than smack dab in the middle of a residential community next to two nursing homes and so many, many residences. But I guess they are just seen as collateral damage by Phil Royal and Merlin AND the Planning Board.

Legoland is not about community, or legos or children. It's about profit – for Merlin. They are taking much, much more than the pittance they are offering. And it's not, in my opinion, as stated by someone at Thursday's hearing, A GIFT FROM GOD.

Anyone involved in fast-tracking a project of this magnitude, with the indisputable impact it will forever have on this area, should be ashamed of themselves.

My name is Leslie Schumacher, I'm a resident of Goshen.
I'd like to start by addressing air quality. The scope requested a study on the cumulative impact on air quality, during contruction and operation of Legoland, from pestidices, construction equipment, generators, trucks, busses, idling vehicles and to include operations of gas powered rides in the park. The study was to take into consideration the 10 new projects proposed in the area, all listed in the scope and DEIS, except the CPV Plant, which should have been included.
One of the mitigation strategies offered by Legoland was to impose a minimal speed limit on site for construction vehicles. There is nothing in the DEIS stating the implementation of a monitoring system for this. How will it be enforced? Another was to "monitor unnecessary idling of construction vehicles." How will this be monitored? We don't know....And there's no way to control idling cars while queuing in or out of the park.

The DEIS basically skipped over the inclusion of the 10 other anticipated projects in their response, stating "...to the extent information is publicly known and available" to them there would be no associated impact. That is not doing an in-depth, independent study, as requested. That's taking a pass. So how will the construction and operation of Legoland ALONG WITH the 10 other projects impact our air quality? We don't know....

There is nothing in the DEIS stating how many gas powered rides versus solar powered rides there will be. Are there 40 gas powered rides? 2 solar powered rides? Or vice-versa? We don't know...

According to the DEIS, based on the National Clean Air Act, which hasn't been amended in 26 yrs, the Town of Goshen's existing Air Quality Index is <u>less than the national average</u>. So the study requested in the scope is important, but they didn't do it.

The DEIS is woefully vague and lacking details- or refused to provide details - on the impact Legoland will have on our air quality.

January 13, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

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This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in the Goshen community!

LEGOLAND New York will create 800 construction jobs and will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Kathryn Seckler

Kathryn Seckler

300 Westage Business Ctr Drive, Site 403
Fishkill, NY 12524
845-~~22~~765-0705

Work in Orange City

Sweet Tymes

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

PLEASE VOTE YES FOR LEGOLAND PROJECT

January 10, 2017
Town of Goshen
Planning Board and Town Board
41 Webster Avenue
Goshen, NY 10924

Dear Goshen Town Board and Planning Board Members:

As a sixteen year resident of the Village of Goshen and a business owner, the addition of Legoland will provide jobs, educational opportunity and an economic boom for Goshen.

Sincerely,

David R Seligmann

Sweet Tymes, Ltd ⊙ 159 W Main Street ⊙ Goshen, NY 10924 ⊙ (845) 360-5989
www.sweettymes.com ⊙ @SweetTymesNY ⊙ candyman@sweettymes.com

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Support for Legoland
Date: January 3, 2017 at 9:53 AM
To: Kelly Naughton knaughton@bmglawyers.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

-----Original Message-----
From: Thea Smuckler [mailto:thea.smuckler@yahoo.com]
Sent: Monday, January 02, 2017 8:56 PM
To: NHalloran@townofgoshen.org
Subject: Support for Legoland

Good evening,

I'm writing to tell about our family's support for Legoland. I firmly believe that those with good things to say keep it to themselves, and those with negative comments always are sure to write in. I do not want the loud voices of the few to overshadow the overwhelming agreement of the residents of Goshen as a whole: Goshen needs Legoland.

Our stores and shops are closing, our children leave for better opportunity, our water again and again is above acceptable levels of contaminants, and for our high tax burden, we have relatively underperforming schools. The revenue that would be brought in by Legoland would be monumental to our community.

The requested increase budget to our police force is ludicrous. If anything, I wish the residents had more control over decreasing the police budget so we would have less of these over-reaching DUI and car seat check points in the middle of the day.

It is my firm belief that Legoland will bring jobs, stability, and revitalize our area. Never has the opening of a family center hurt the area, it is only an improvement. Please do not let fear-mongering win out.

Thank you,

The Smuckler Family
14 Marie Terrace, Goshen

January 6, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Goshen has been our home for 25 years and our business has been located just down the road in Chester for 12 years. We strongly urge you to approve the proposed LEGOLAND New York project. It is critical for our tax base and the tremendous tourism and economic development impacts it will offer Goshen, Chester and the surrounding area. The families with young children and older grandparents will be the perfect draw to our community. As well as the school educational trips that will come to our great town.

Goshen has been in need of bringing in tax ratables and it seems it has been fought for years. It is time. So much of our land is tax exempt from the county buildings and religious institutions that our taxes are through the roof. This project is the opportunity for Goshen residents to get a good family oriented company to not only subsidize our taxes and school district but also to create local jobs and with it a multitude of economic benefits as well.

The project is a win win for Goshen and the surrounding towns. I am confident Merlin Entertainment and Legoland will satisfactorily address all issues you and those in opposition might have in its environmental impact review. I also believe Legoland in an effort to work in unison with Goshen will do whatever it takes to be an outstanding member of the Goshen community and to support the quality of life in Goshen.

We need to take advantage of this opportunity and support the zone change and it's approval for development!

PLEASE VOTE YES and approve this project!

Respectfully,

Tim and Laureen Somers
Goshen Residents and
Owners of Hambletonian Auto Spa

1 Bryle Place • Chester, NY 10918 • (845) 469-3007 • Fax (845) 469-3612
email: hamboautospa2@aol.com • www.hambletonianautospa.com
facebook.com/HambletonianAutoSpa

Thank you for your consideration of all Goshen residents as well as local businesses.

Tim & Laureen Somers
Goshen Residents since 1992
Hambletonian Auto Spa Owners since 2004

January 3, 2017

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

Planning Board
Town of Goshen
Goshen, NY 10924

Dear Planning Board,

My name is Mary Jane Sorrell née Bull. I was born in Goshen, raised in Middletown, NY, taught school in Middletown for 25 years and am presently living in the Glen Arden CCRC. This past September I was fortunate to be a part of the initial Goshen tour of LegoLand in Winter Haven, Florida. The experience was so extremely positive that I came away feeling very strongly in favor of LegoLand New York.

I believe having LegoLand as my neighbor will benefit Glen Arden, Goshen, and indeed, Orange County. I look forward to this boon for our area. Merlin Entertainment, Inc has effectively answered the many questions made by "the Concerned Citizens of the Hudson Valley". The "Concerned Citizens" latest scare tactics, citing the amount of crime in Winter Haven versus Goshen did not present a balanced comparison; showing no details of time periods compared. During our visit to LegoLand, Florida I saw a multitude of uniformed security personnel and the non-uniformed security persons were pointed out to our group by the park representatives. The emergency facilities we toured, seemed to be as fully equipped as any professional ER in a hospital.

As a former teacher, I was very impressed by the educational benefits I witnessed in Florida and hearing of those which will be available at LegoLand, NY. As you know, all local teachers in Orange County will be able to schedule times to use the LegoLand "classrooms" for field trips, to reinforce studies in design, robotics, architecture and coding, to mention just a few of the possibilities.

LegoLand NY will afford job opportunities for our older area students. These summer jobs provide training in hospitality services, mechanical/technical talents, etc. and additionally provide for the opportunity to stay within the company in the future. With these continued career possibilities at LegoLand NY, the young people of our county are able to continue their contribution to the strength and development of our communities.

I am a retired but extremely active person involved in many activities and organizations and I hope to continue with this level of livelihood with the possibility of a part-time position at LegoLand. I appreciate all of your time and effort as you sort through the myriad of details and look forward to all of the benefits our community will gain when LegoLand NY becomes a reality!

Most sincerely,

Mary Jane Sorrell

S

Mary Jane Sorrell
214 Harriman Dr., Apt. 3047
Goshen, NY 10924-2427

LUCA SPENSIERI
PO BOX 422
GOSHEN, NY 10924

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Jan.13-2017

Planning Board
Town of Goshen
Orange Co. NY

Ladies & Gentleman of the Planning Board

Please allow me to express my disappointment with all the nonsense expressed by the group of people trying to stop the construction of LEGOLAND.

I've spoken to a few these opponents and find appalling their reasoning.

Some object about the traffic, some about the noise, some others object about the water, one in particular admitted, that's a good thing for business but, he is vehemently opposed because his house back yard, one mile away, will be in full view of LEGOLAND.
None of them, except one, could care less about the huge help that this project would bring to the local merchants and the Town's and County treasury.

In my opinion this project brings nothing but good things to the area. It's not an industrial manufacturing complex with noises and foul odors; this is a clean recreational Park where families and kids go to have fun, play and enjoy.

This project will also energize and stimulate more recreational related growth in the area with additional revenue benefits for all.

Ultimately I like to ask all these skeptics: If our predecessors had applied the same parameters and concerns as they have for LEGOLAND, would we have BEAUTIFUL CITIES such as, New York, Los Angeles, Las Vegas, Miami, London, Paris, and Rome.... Where millions of people live, work, prosper and enjoy every day?

Let's not waste precious time, let's approve and build this project.
The sooner the better. It's a financial blessing of huge proportions.

Thanks for your efforts.
Luca Spensieri

Halpern
John Stein

Legoland Public Hearing re: DEIS Dec. 15, 2016

For this second, and accepted DEIS presented by Legoland (Merlin Entertainment), after the first draft was turned down by Planning Board, I find this document woefully lacking in adequately addressing many issues originally presented to the scoping committee.

First, and foremost, this document totally lacks any discussion of the impact this massive project will have on the quality of human life. This oversight alone should give all parties pause as to whether The Merlin Corporation really cares about the lives that may be adversely affected.

They talk about a traffic study done on Thursday August 18, they talk about unavoidable disturbances to the surrounding environs due to blasting, use of pesticides and herbicides; they admit that wildlife will be impacted....therefore an admission of guilt. Of course, they only mention a few species of wildlife that will be negatively impacted, such as the long-nosed and brown nose bat, the Northern bog turtle and a certain species of frog. What about the 40 or so other species of wildlife that will be negatively affected?

So, how come in 6000 pages of their findings, mostly of which is described as "potential" occurrences, or comparisons to parks in California and Florida, there is absolutely nothing about the impact this project will have on human life, while under construction, and then afterwards. They have not done one iota of research on people living in the area who might be suffering from asthmatic and / or other lung related conditions that would very likely be exacerbated by an overwhelming increase of vehicular (cars and buses) exhaustion and toxic fumes, due to an overwhelming increase in traffic and congestion.

The unsettling affects from "blasting", bulldozing acres and acres of dust and soil, the constant drive-by of trucks will not only increase the amount of poisons released into the air, but will cause an increase in noise pollution. Has Merlin done any humane research of the people living at Glen Arden and how their lives would be adversely affected by the constant traffic, noise, release of pollutants, etc?

Shouldn't human life be a leading issue in any environmental impact statement? Nothing from the first, and / or the accepted, second DEIS, from Merlin speaks to this. For this reason alone, the DEIS should not have been accepted. Merlin cannot give any assurances that human lives will not be negatively affected, or that their health can, and most certainly, will be affected. How many lives affected make this a worthwhile project? What is the value of one human life to the town and planning boards?

DEC 2 7 2016

Traffic remediation is a joke. What is different in this document than that first, and failed, DEIS? Nothing! You, the planning board, gave the public less than a month to read, contemplate and respond to over 6000 pages of potential assertions, comparisons and denials. Did any of the planning / town board members actually do due diligence and actually read this whole document word for word? If you had you would have laughed at the idiocy of this document.

Back to traffic...their whole discussion of mediation is limited to the area of Rtes 17 and 17M around exits 124 and 125. And they seem to base their study on some research based to traffic counters performed on Thursday August 18, 2016. A Thursday is way different than a Friday, or Sunday, when traffic is unbearable. And also, their research was done pre Legoland. No one, not even the best experts in the world can predict just what the extent of traffic will be once Legoland is built. They use comparative study of the parks in Florida and California. That is ridiculous and absurb! This is tranquil Goshen! What Goshen will become if this monstrous project goes through is another story!!!

Again, no discussion of Rtes 17 and 17M from Monroe to Middletown, and beyond. Traffic will be affected on all roadways surrounding the project, not just roads that lead to specifically into Legoland. Of course, their only concerns are the roads that lead specifically into their park. How neighborly!

The only solutions they seem to have come up with are signage, new traffic signals, and widening of a few roads....in and around South Street....and Harriman Dr. Of course, their main contention is that there is already traffic on these roads...OMG...so it's ok that there will be an increase in traffic and the nightmares and tolls it will take on human life? How many roads and lanes will have to be shut down during the two year construction phase? And that's ok?

There are many, many other glaring points that this document either alludes to, or completely fails, to make. Two in particular...back to effects on human life. With the prediction of 1 – 2 million people / year visiting the park, there has to be some thought as to the "potential" for a rise in crime, that could impact the town and village of Goshen, as well as surrounding areas. Can anyone be 100 percent sure that it won't? Therefore, just the possibility alone will require an increase of the police force in the town and village of Goshen. Who will pay for the increase? Merlin only seems to be interested in what happens in their own borders, and not in any possible adverse circumstances and / or bearding that their park will have on the surrounding areas. Though they say they want to be good neighbors...they are anything but....starting with the rush to pass this DEIS through and the use of underhanded tactics to cajole the planning and town board, IDA and other organizations to go along.

And finally, to those union workers, filling this room...no one on either side, particularly the opponents of Legoland are making attempts to stop you from getting a job....rather, we are

supportive of your needs, but not here in Goshen. Let's not destroy the beauty and serenity of Goshen. Remember, there are no guarantees that Legoland will even be here for the full length of their 30 year pilot request. And if they leave, which they probably will, then what?

And, furthermore, getting back to the DEIS...they makes claims as to how many jobs will be created, both temporary (construction), permanent and part-time, but did you notice they cannot, or will not, divulge the salary they will be paying to employees...they are very secretive to this fact and admit to being so...that they don't have to divulge any salaries. That's not right...so, once they are not being honest in their desire to be good neighbors. And to make one further point on this...the horrendous financial agreement...this 500 billion dollar company will only agree to 1.3 million dollars to Goshen and 1 million / year to Goshen schools. The annual school budget is $38,000,000 plus or minus....What's wrong with this picture? They will make close to one or two billion dollars a year with all the charges the public will be paying...from food, to parking to admission and more.

So, I ask for sake and safety of humanity, tear down this myth!!!

Mr. Lee Borgus, Chairman
Town of Goshen Planning Bd.
Goshen, NY 10924

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

6 Mc Bride Rd.
Goshen, NY

9/16/17

Sir:

When was it - 1940's - 1950's - on Sunday evenings - standing on the South St. Overpass in Goshen, watching the back-up of traffic heading back to New York on Rt 17. - no vehicles were moving, except those trying desperately to find some access to back roads out of their entrapment - Oh, some people say - ~~they~~ the traffic will never "spill" over into the Village - Oh really?

And what about the fragile water problem - no outside watering - at all - water sent by pipe from Glenmere Lake to our reservoir -

When was it - in the 1940's ~~we~~ when an auxiliary reservoir was dug off Conklintown Rd - it could never hold water and so was abandoned.

In 1776 - Paul Revere galloped the streets warning residents - "The Red Coats are Coming" (the Red Coats are Coming) foot-wearers ~~is~~ was foot-armed

Now we have our own Paul Revere in the - person of former Village

of Goshen - Engineer James Cagliano who in a letter to the Editor of The Chronicle spelled out exactly why Merlin must not be allowed to build an amusement park on this land -

~~This~~ His letter should be read by each and every person in the Town and Village of Goshen - If we would listen to him the problem would not exist -

There are many people, especially residents who were living in the Village or town of Goshen during the last 80 or 90 years and have the memories & knowledge not available to people who have been residents only much more recently.

Don't accept the rosy picture Merlin would have us believe about the marvelous new world they would create for us the reality is + oh my ~~gosh~~ gosh - what have we done!

Ruth Stellwagon

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: objections to Legoland project
Date: January 17, 2017 at 8:35 AM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: Beth Stewart [mailto:b.stewart1016@yahoo.com]
Sent: Monday, January 16, 2017 9:56 PM
To: Neal Halloran <nhalloran@townofgoshen.org>
Subject: objections to Legoland project

Dear Mr. Halloran,

I am writing again to state my opposition to the proposed Legoland construction.
I have heard nothing of substance about how the increase in traffic would be managed or accommodated. What proposed changes will there be to Route 17?

I am opposed to amending/changing local laws 4 & 5, the current laws that prohibit amusement parks.

The results of the environmental impact study need to be scrutinized very carefully and with some skepticism. And what about the people that are affected by this? People whose homes will lose value because of the proximity to the park and no longer being in a desirable location.

I repeat my concerns that this will not bring the hoped for "new

I repeat my concerns that this will not bring the hoped for "new business" into our local area. At least not enough to offset the negative consequences.
Why was the one planning board member whose wife is a "Stop Legoland" supporter removed from the board after 18 years of service? This seems very fishy to me.

There needs to be a cost benefit analysis taking into consideration ALL the costs to the town, village and townspeople and weighing that against what is being asked of Legoland. Has that been done? Where are the facts and figures from this?

This project feels like it is being railroaded through the approval process and makes one wonder if there is some corruption going on.

I am categorically opposed to this project in its current proposed location.

Beth Stewart
845-427-5457

Independent
Telecommunications
Corporation

January 3, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

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The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Keith Studt
President

831 LITTLE BRITAIN RD., SUITE 300, NEW WINDSOR, NY 12553 • (845) 561-4440 • FAX (845) 561-8147
itc-communications.com

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

recordonline.com
TIMES HERALD-RECORD

Editorial: Legoland can't choose local board members

Wednesday
Posted Jan 11, 2017 at 2:51 PM

DON'T DESTROY GOSHEN

Just when it appeared that the efforts by Legoland to come to Goshen were moving along at the expected pace, a tiny bit of news has raised some not-so-tiny questions.

It all started at the first of the year when Goshen Supervisor Douglas Bloomfield told Reynell Andrews, an 18-year member of the planning board, the body whose approval is crucial for the project, that his services would no longer be needed. The chairman of the board wanted to make a change, Andrews said Bloomfield told him. Legoland never came up.

Andrews had suspicions. His wife, Judith, is one of the petitioners in a lawsuit regarding Legoland. The suit seeks to have a judge review work done so far by the Planning Board on the application, the kind of second-guessing that might lead to some interesting conversations over dinner at the Andrews house but that does not constitute a conflict of interest.

Andrews had little more to go on. He said he is concerned about the potential for traffic problems on Route 17, but that's an issue that all board members are supposed to care about. And he says that not only does he not see his wife's participation as a problem, he describes his attitude as "on the fence," which is where all board members and all public officials are supposed to be until we have all of the facts.

With LIES + CORRUPTION

And that would have been that except for a letter that came to light, a letter from lawyer Dominic Cordisco of the New Windsor firm Drake Loeb PLLC, which represents Merlin, asking the town to request that Andrews recuse himself on Legoland issues because of his wife's involvement in the lawsuit.

No, the town attorney replied. The town has no power to force members of boards to recuse themselves.

We need to know more.

Why did the chairman want a change of direction? What kind of change? Had he or the supervisor or others ever let Andrews know that he was on the verge of being sent off the board?

We do not need to know any more about the role of Legoland. It has spent millions of dollars courting favorable treatment, and there is nothing wrong with that. But it also now has decided that it should determine which members of boards are allowed to make decisions that should hold the well-being of Goshen above that of the developer.

Now we are left to wonder what else those highly paid lawyers in the service of Legoland are promoting behind the scenes so they can get their way. That's not the reputation Legoland should want. And the suspicions caused by the letter and the unexplained decision regarding Andrews are not what local officials should want either.

If there are reasons for dumping Andrews from a board where he has served for so long, town officials need to make them clear. If there aren't any beyond the Legoland objection, one already rejected by the town attorney, then Andrews should rejoin the planning board which can use all of the experienced members it can get.

I can't believe this obvious corruption is happening in my home town of 30 years.

Say NO to Legoland.

Lillian Swingle
Goshen, NY
10924

Town of Goshen Planning Board

Town of Goshen Zoning Board

41 Webster Ave.

Goshen, NY 10924

RECEIVED
JAN 10 2017
TOWN OF GOSHEN
TOWN CLERK

January 8, 2017

To Whom It May Concern on Goshen Planning and Zoning Boards;

I am writing today to let you know that I am OPPOSED to creating the news laws # 5 and 6. Please adhere to the Comprehensive Plan that is currently in effect in the town, No AMMUSEMENT PARKS.

You don't have to scratch the surface too deeply to see that the costs to Goshen far exceed any additional revenue it will be receiving. How can we not see that there will be an immediate need for additional services such as Police? Bring an additional 5,000 people into the town we will need more police. Each officer has to cost at least $100,000.00 per year between salary and benefits, who will pay for this??? Not Merlin, they have a 30 year PILOT! All the expenses will be on us, the taxpayer while LEGOLAND makes millions.

We NEED to have a cost/benefit analysis done on this project, by someone other than the applicant, before proceeding any deeper into this TOWN RUINING project.

Please say No to LEGOLAND.

Regards,

T.A. Swingle

Goshen

WTBQ 1110 AM 93.5 FM
Radio Worth Listening To
Home of the Best Music

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 6, 2016

Dear Goshen Town Board and Planning Board Members:

As the #1 Community Radio Station in the County that has been independently owned for the past 22 years (*est. 1969*) we have been involved in many innovative ideas that were aimed at generating new revenue. In our opinion, LEGOLAND has proven (*throughout the world*) to be extremely beneficial to all residents and businesses where LEGOLAND theme parks have been constructed.

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community. This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and the entire County, provide new revenue to the Goshen School District and have Goshen (*and beyond*) be the beneficiary of the untold economic multipliers.

Add that LEGOLAND New York will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees, and all these new hires will be spending money, buying homes, and shopping local in the Goshen community! They will also be creating 800 construction jobs while looking in Goshen first for these positions. The LEGOLAND project is an economic boon to Goshen and LEGOLAND's New York initial investment prior to opening day will be $350 million with its investment reaching $500 million in its fifth year of operation.

WTBQ is confident Merlin Entertainment will address any and all issues including the environmental impact review. Merlin and LEGOLAND's transparency is quite evident, as we all discovered when attending the many meetings this past year. They have already become residents of Goshen as well as opening their Welcome Center right in downtown Goshen. They have been on the air on WTBQ numerous times speaking to the entire County. The feedback we have received from the listeners once they hear from LEGOLAND in their own voice, is this is an organization that is committed to doing it right and making it beneficial to all concerned.

You know the old saying....when opportunity knocks....open the door and be welcoming!

PLEASE VOTE YES and approve this project.

Taylor
Co-Host of "*The Frank Truatt Morning Show*"
Station Manager ~ Host of "*The Taylored Word*"
#1 Orange County Community Radio Station
#1 Drive Time Morning Show

GOSHEN FIRE DEPARTMENT
P.O. Box 946
Goshen, New York 10924
OFFICE: (845) 294-3448 FAX: (845) 294-7132

CHIEF
Elmer Budd

1st ASSISTANT CHIEF
Richard Pearson

2nd ASSISTANT CHIEF
Alex Streichenwein

RECEIVED
DEC 19 2016
TOWN OF GOSHEN
TOWN CLERK

December 13, 2016

Town of Goshen Planning Board
Town Hall
Webster Avenue
Goshen, N.Y. 10924

RE: Legoland Project

Dear Board Members,

After a review of pertinent parts of the DEIS regarding the captioned matter, we feel that we can make no adverse statements regarding same at this time.

Once the final location of the various roadways are determined, we will review same with Mr. O'Rourke of Lanc and Tully with specific attention to the radii, width, and grade of same but, based on his cooperation to date, we anticipate no insurmountable problems regarding same.

We are also awaiting answers to some questions we submitted to the fire department which covers the Florida Legoland project. We anticipate that these answers will prove to be in the nature of procedural reporting differences between their requirements and ours. Should these answers prove to be of a substantial nature, we will, of course, immediately discuss them with yourselves and Mr. O'Rourke.

Due to the time constraints (date of public hearing, comment period, our meeting schedule) we felt it best to make our view on this project known at this time.

Very truly yours,

ELMER BUDD, Chief **RICHARD PEARSON, Chief-elect**
Goshen Fire Department/Goshen Fire District

Cc: Board of Fire Commissioners, Goshen Fire District

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: Legoland Comment
Date: January 10, 2017 at 1:07 PM
To: Kelly Naughton knaughton@bmglawyers.com, Krutki Kathleen kkrutki@townofgoshen.org

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: bob torsello [mailto:btorsello@yahoo.com]
Sent: Tuesday, January 10, 2017 11:40 AM
To: nhalloran@townofgoshen.org
Subject: Legoland Comment

Dear Mr. Halloran,

I have attached a letter with comments about the proposed Legoland project in the Town of Goshen. Please confirm receipt of this email.

Thank you for your time,

Bob Torsello
Town of Goshen

SKMBT_C22017011012550.pdf

Robert J. Torsello
37 Shale Lane
Campbell Hall, NY 10916

January 3, 2017

Douglas Bloomfield, Supervisor
Town of Goshen Board
Lee Bergus, Chairman TOG Planning Board
Town of Goshen Planning Board
c/o Neal Halloran, Building Inspector

Dear Mr. Bloomfield, Mr. Bergus and members of the respective Town Boards;

I am opposed to the Legoland project and the amendments to Local Law #5 and #6.

I don't understand how a decision to approve or reject this project can be made without a Cost/Benefit Analysis. By Legoland's figures, the revenue to the town would be $210,000 plus a host fee of up to $1.3M. While this may sound like a large number, what are the associated costs (i.e. additional police and highway department personnel and equipment)? At the 1/5/17 Planning Board Meeting, it was said that if traffic backed up beyond the entrance to the park, that the 'police' would be called for traffic control. This is an example of a potential additional cost. A responsible decision-making process would necessitate a 'full' understanding of the costs. It would also be transparent to make such a Cost/Benefit analysis available to the public.

Regarding the proposed PILOT, based on 10,000 residents, the income is only approximately $150/person. My question is: What 'would' Legoland pay in taxes without a PILOT? That figure should be considered in your analysis. A 30 year multi-generational PILOT is unrealistic. This should be negotiated 'before' any voting is done.

Regarding Traffic, Legoland's own literature states that it "proposes comprehensive traffic upgrades and improvements throughout the area, including lane widening" etc. However, it also states that they expect Orange County and NYS to pay for the improvements. Isn't it reasonable that these improvements should be designed and approved 'before' the board votes to approve. The funding for these improvements 'should' be guaranteed before you even consider voting on the project. What happens if the County and NYS decide not to pay until 'after' construction starts or not at all?

Another important issue is that the changing of Law #5 and #6 is clearly being done solely to benefit Legoland. This is 'spot' zoning and is illegal according to NYS law. By approving the project, the board is subjecting the town and taxpayers to possible litigation. It is the board's duty to protect the taxpayers. If the board had decided, prior to interest by Legoland, that they wanted to attract commercial recreational business and modified the law to support that, that would make sense. However, the opposite has been done. A corporation expressed interest in locating in Goshen, and now you propose changing the laws to accommodate the project. This is not right.

Also, Quality of Life is an issue that has not be measured in economic or environmental review, but it is the most important issue to consider. Please remember that you represent the taxpayers, not the unions, OC Partnership, OC Chamber of Commerce, and other county agencies. There is no going back from the decision you make. Please read the Minutes from the 12/14/16 Environmental Review Board meeting. There are serious concerns about traffic, water, pollution and the "completeness" of the DEIS. This project is not ready to move forward. Please take your time and consider 'all' relevant information once it is available.

Finally, Haverstraw Supervisor Howard Phillips Jr., who personally favored the Legoland project, said the town board rejected the project because of the division in the community. Please demonstrate the same integrity.

Please vote 'NO' and preserve our town.

Respectfully,

Robert J. Torsello

RECEIVED
JAN 05 2017
TOWN OF GOSHEN
TOWN CLERK

January 3, 2017

Dear Sir or Madam:

I am writing this letter because I am very much against building Legoland in Goshen, N.Y. for several reasons.

First, we have had severe water problems since we moved here in 1970. If there is often not enough water for those living here, how can Legoland officials be sure there will be enough for thousands of visitors? (We are currently in the middle of a drought.)

Secondly, we chose to live here because of the quiet, rural character of the town. This atmosphere will be forever changed with the addition of Legoland.

Thirdly, the value of my house in Arcadia Hills will likely depreciate, because rather than being on the fringe of a quiet village, it will be on the fringe of Legoland.

Finally, I am sure the traffic on 17 M and Arcadia Road will increase to the point that it will take me much longer to access Shop Rite, a drug store or Route #17.

For the above reasons I am <u>very much against</u> building Legoland in Goshen.

Sincerely,

Laura Triano

Statement to Goshen Planning Board in Reference to the Legoland DEIS

December 19, 2016

My name is Renee Turcott and I represent Circle Z LLC, the owner of 120 Conklingtown Road in Goshen and am also a partner of WillsWay Equestrian Center, the equine boarding and lesson operation located at the farm.

I respectfully dispute the conclusions of Maser regarding the Noise Impact Evaluation, Section G, Future Sound Levels. In the last paragraph of that section, the report states that the one receptor expected to experience a significant increase in sound level is Receptor 1, Glen Arden. My concern, as well as the partners at WillsWay Equestrian Center, is with Receptor 7, the one closest to our farm. I believe we will see a significant increase in sound levels near Receptor 7 and will experience an adverse effect on our farm and the surrounding area.

In Section F, Sound Level Data Collected at Legoland Park in Carlsbad, California, the report says that the Dragon roller coaster does in fact generate significant noise, 45 dBA at 500 feet, 39 dBA at 1000 feet. Given the height of the roller coaster for the proposed park here in Goshen, there is no surrounding terrain capable of obstructing the noise sure to be generated by a ride of this size and the exuberant screams of the park's visitors on this ride.

As you are aware, this immediate area proposed for the park is known locally as Echo Ridge specifically for the reason that generated sound has the capability to travel long distances and be heard quite clearly on surrounding properties. This phenomenon has been noted by many Goshen residents including ourselves who have experienced it as recently as this past summer – it really is quite remarkable!

As I mentioned, WillsWay Equestrian Center is a horse boarding and lesson program farm. We are also affiliated with Life's Journey, a certified PATH therapeutic riding center and in the spring of 2017 we will begin offering therapeutic riding lessons. Life's Journey's clients not only include autistic children, children with varying degrees of challenges and disabilities but individuals with Post Traumatic Stress Disorder (PTSD).

We do recognize that horseback riding in and of itself is an inherently risky activity, however, the documented benefits of a PATH program conducted in the right environment with proper safety measures in place outweigh the inherent risks. The level and type of noise generated by the park's rides could very well increase our risk level and negatively affect both our horses (which by nature are flight animals) and our clients.

Orange County is home to only one other certified therapeutic riding program and there is a growing demand for the services we offer. We ask the Planning Board to pay particular attention to the potential for increased and distracting noise levels imposing on the properties in close proximity to the park.

We purchased 120 Conklingtown Road because of its' location on this scenic bi-way and easy accessibility to Route 17. Talk about impact, this project will directly impact our ability to conduct business and could very well adversely affect our bottom line. If the main roads are back up with traffic how will small businesses' clientele conveniently travel to their destination? When we appeared in front of the Town Board we were queried regarding the type and size of business we would be conducting. There was much concern expressed by the board regarding the additional amount of traffic our commercial equine business would be generating on this scenic bi-way if and when we have any clinics, shows or special events. Obviously, our traffic pattern pales in comparison to the amount of cars estimated to visit Legoland and the huge burden not only on our major roads but the spillover that will absolutely occur on our side roads as well and the negative impact it is sure to have on residents, their quality of life and small business.

& other small businesses.

In closing, we the partners of WillsWay Equestrian Center, respectfully ask both the Planning and Town Boards to turn down the Legoland proposal.

150 Clark Road
Goshen NY 10924

December 28, 2016

Town of Goshen Town Board
Town of Goshen Planning Board
Douglas Bloomfield, Supervisor
41 Webster Avenue
Goshen, NY 10924

RECEIVED
DEC 30 2016
TOWN OF GOSHEN
TOWN CLERK

Re: Proposed Legoland in Goshen Town NY

This letter is a follow up to the December 15th and 19th, 2016 Combined Planning Board and Town Board Public Hearing held at CJH Middle School.

Please accept this epistle as official record that my family and I, Goshen residents and registered voters, **are opposed to changing the Master Plan of Goshen to accommodate an amusement park.**

The #STOPLEGOLAND movement raised many valid points that the DEIS is insufficient and lacking substance/validity. The expediting of changing the zoning intiative by Chairman Lee Bergus is seen as self-serving and not in the best interest of the town of Goshen.

I am still unsure as to why this issue has not been put to a vote via referendum to the registered voters of Goshen (the ones most affected). A fair and valid vote would finally resolve the animosity that has arisen in our fair town. I am sure both sides would abide by a fair voter decision.

Denise Tzouganatos

Vasilis Tzouganatos

Stephanos Tzouganatos

From: **Neal Halloran** nhalloran@townofgoshen.org
Subject: FW: LL public hearing letter
Date: December 28, 2016 at 11:29 AM
To: Kelly Naughton knaughton@bmglawyers.com, Sean T. Hoffman SHoffman@H2M.com

NH

Neal Halloran

Building and Zoning Inspector
Town of Goshen
P.O. Boz 217
Goshen, New York 10924

845-294-6430 x226

From: denise tzouganatos [mailto:vdset@warwick.net]
Sent: Wednesday, December 28, 2016 11:10 AM
To: nhalloran@townofgoshen.org
Subject: LL public hearing letter

150 Clark Road

Goshen NY 10924

December 28, 2016

Town of Goshen Town Board

Town of Goshen Planning Board

Douglas Bloomfield, Supervisor

41 Webster Avenue

Goshen, NY 10924

Re: Proposed Legoland in Goshen Town NY

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Denise Tzouganatos	Vasilis Tzouganatos	Stephanos Tzouganatos

incomplete

Law #5 & Law #6--Amusement Park vs. Commercial Recreation Facility

Legoland is an **Amusement Park**. Three papers are attached for your reference.
(1) NYS licensing and business description of Merlin Entertainments Group U.S. LLC. "...large-sized organization in the **amusement parks industry**...."
(2) Times Herald Record, May 26, 2016 "Orange County has been wooing the **amusement park** for months...."
(3) New York Times article, Oct. 16, 2011, Legoland Florida, Winter Haven. "The Merlin Entertainments Group is one of the world's largest operators of **amusements parks**...."

WEBSTER'S DICTIONARY: **Amusement park**--commercially operated park having various devices for entertainment as a merry-go-round or roller coaster with booths for sale of food and drink.
Theme park—**an amusement park** in which the structures and settings are based on a central theme.

You have put this town in a precarious position by reclassifying an amusement park to a **commercial recreation facility**. Anyone of the following can be built under this classification. Resorts, convention centers, sports/fitness centers, arenas, stadiums, golf courses, casinos, campgrounds, water parks, race tracks, theatre/fair/concert venues, RV parks and more. Which one will Legoland be building on the other 436 acres?

Introduction to Commercial Recreation & Tourism—Negative Impacts

- Many types of commercial recreation and tourism have high failure rates and/or short life cycles, thus resulting in unemployment and decreased economic contribution to the local community.
- The local infrastructure (roads, sewers, utilities, etc.) can become overburdened, thus requiring capital improvements that cost huge sums of money.
- Crime can increase since tourists can be easy prey, and transient-type employees may be more crime prone.
- Increased land values can backfire on young residents wishing to buy property for the first time.
- Natural resources can be overused to the point of ruining the attraction that is the center of the commercial recreation and tourism industry.
- Undesirable types of commercial recreation may appear, trying to capitalize on increased traffic to the prime commercial attraction.
- Lack of authenticity of tourism attractions, and/or unattractive aesthetics diminish and cheapen the experience.
- Local culture in rural or remote areas can be harmed.
- Residents may become disenchanted with their own community.

DO NOT pass law #5 & #6. Uphold the Comprehensive Plan of 2009 that prohibits amusements parks.

--- Vote NO on Legoland ---

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DEC 28 2016
TOWN OF GOSHEN
TOWN CLERK

Merlin Entertainments Group U.S. LLC (Headquarters Location) New York - Amusement Parks

Phone Number:
(212) 512-9604

Address:
234 W 42nd St Frnt 4
New York, New York 10036-7215
United States
Website: merlinentertainments.biz

Merlin Entertainments Group U.S. LLC is a large-sized organization in the amusement parks industry located in New York, NY. It opened its doors in 2007 and now has an estimated $420.6 million in yearly revenue and 24,000 employees.

recordonline.com
TIMES HERALD-RECORD

Legoland expected to build mega theme park in Goshen

Wednesday
Posted May 25, 2016 at 6:44 PM
Updated May 26, 2016 at 12:16 AM

Legoland is expected to purchase land in Goshen to site its third mega theme park in North America, according to multiple state and local sources.

Orange County has been wooing the amusement park for months after Legoland scrapped plans in October to build in Haverstraw in Rockland County. And New York has given Legoland about $4 million in grants as an incentive to remain in the state rather than go to northern New Jersey, an area company executives had also been considering.

Representatives of Merlin Entertainments, which owns and operates Legoland, visited Orange County several times over the winter but didn't commit to a site. In early May, Orange County Executive Steve Neuhaus said Legoland was negotiating sale prices with a handful of landowners.

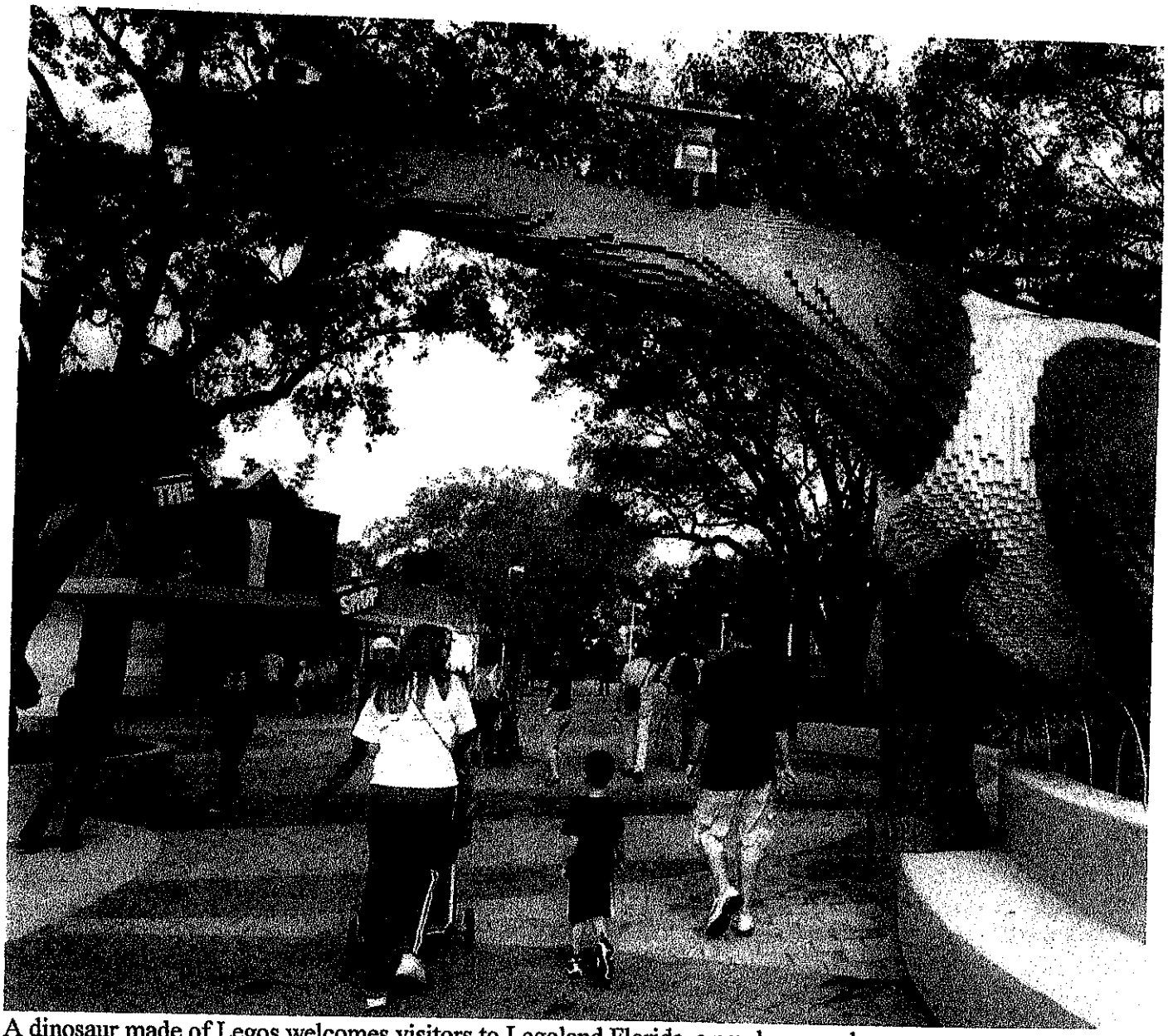
The site of the proposed Legoland includes a cluster of adjacent lots along Harriman Drive, off exit 125 on Route 17, sources confirmed.

County officials have said a theme park in Orange County would create about 1,000 jobs and would bring in taxes and opportunities for restaurants and small businesses. Capital investment in the project would run hundreds of millions of dollars, according to economic development experts. Legoland's investment in Haverstraw was reported to be $250 million.

Neuhaus declined to comment on the Goshen pick on Wednesday.

From Britain, It's Legoland

By BROOKS BARNES OCT. 16, 2011



A dinosaur made of Legos welcomes visitors to Legoland Florida, a newly opened amusement park in Winter Haven. Credit Gary Bogdon for The New York Times

WINTER HAVEN, Fla. — The Merlin Entertainments Group is one of the world's largest operators of amusement parks and tourist attractions, entertaining more than 40 million visitors annually. But the company operates almost entirely overseas, and it has no presence in central Florida, the sweaty epicenter of the theme park universe.

Hallaran

I have reviewed the DEIS and I have tell you there are so many inconsistencies

1. There is no cumulative impact study of the project which includes all the new sub-divisions, Montraign casinos, Amy's Kitchen, Dan Depew's Waterpark, the government center, the library, the proposed CVS Supermarket, additional hotels and low income affordable housing that will be needed and all the suggested development along the route 17 and 17m corridor. This is missing from the DEIS.

2. There has not been an independent cost benefit analysis. Using Legoland guestimates is allowing the fox to watch the hen house. We really need to know what legoland is really going to cost the taxpayers.

3. The Town turned down the lone oak sub-division on April 25th 2016 which proposed more money for the Town of Goshen and proposed a conservation easement and protected the wetlands. Why are we not demanding a concervation easement to protect this land that is so unsuitable for this type of project.

4 The DEIS claims 140 acres will be disturbed I was corrected by Phil Royle, and told clear cutting 180 acres and other report claims 153 acres, which is it? this needs to be corrected in the DEIS. Legoland could not have chosen a worse site located within the Moodna Watershed, Wetlands, AQ 3, AQ 6, Scenic, Stream and Reservoir overlay district, the Otterkill Creek a class c 16 miles long tributary of the Moodna Creek runs through the site has significant Biodiversity along its banks that must be protected, Yet the Otterkill creek is ignored on legoland maps

5 There is no study of the environmental impact of the proposed overlay. Endangered species don't just jump out and say here I am it takes hours and days to locate them. Throughout the DEIS is refers to disturbing the wetlands. On one page its less than acre on page then refers to 62 acres then 52.75, then another 15 acres, all before the DEC has even been involved to evaluate the wetlands. We need to know the total amount of acres that is intended to be disturbed.

The minimum distance from the Otterkill creek do not meet the DEC requirements merlins shows 100 feet on their maps it should be over 262 feet. I live on the Otterkill creek I could not build within 100 feet of the Otterkill as it flood sometimes up to 300 from the creeks edge.

Throughout the DEIS it refers to Data which was copied from a 1999 and a 2006 former turned down application. The data that is used in legolands current DEIS is 10 and 17 years old and should be thrown out. This DEIS was done Fast and Cheap by the current applicant. The Truth is legoland is here to make money and lots of it they do not care what it will do to our town, our taxes, our property values, our wetlands or quality life. Without a proper DEIS you are an accomplice.

RECEIVED
DEC 2 7 2016
TOWN OF GOSHEN
TOWN CLERK

Halloran

7/12/2016

Dear Town of Goshen Board Members and Town of Goshen Planning Board:

I am asking that the Town Board honor its commitment to our Master Plan as stated in Sec 97-3 A : "To conserve the natural resources and rural character of the Town".

The current Town of Goshen zoning section 97-10 states: "Amusement parks ... and Related Activities" are a prohibited use in All Districts. The proposed Mega Theme Park IS an amusement park even if you call it a "Commercial Recreation Overlay Zoning District."

In addition, the Master Plan of the Town of Goshen zoned the area where Legoland is proposing to build as RU for the following reason: "The most constrained watershed basin (and therefore having the lowest potential carrying capacity) was estimated to allow for not more than one dwelling unit per every 2 acres.", Per our Masterplan of the Town of Goshen enacted in 2007. In fact, here is an excerpt from the Town Board work session of April 25, 2016 – "One of the things about Goshen is the historic charm and beauty of our community." Bringing in more traffic is a deterrent to the quality of life. "Water has always been an issue. We don't have an overabundance of water'" Supervisor Doug Bloomfield. The water table has not changed. What has?

If the town board just follows our zoning and master plan so recently enacted, you can say no to high density housing AND say no to irresponsible zoning. I am not implying that this land remain vacant forever. It can still be developed successfully under the current zoning.

The Project site consists of acreage situated within the Otter Kill tributary area of the Moodna Creek within the Hudson River Basin. Adhering to our zoning and therefore, not violating our Master Plan will protect this sensitive land.

When the voters of Goshen decided to purchase homes, build their lives and raise their families here, it was NOT because they expected or looked forward to having a Mega-Theme Park in their back yards.

To arbitrarily change the zoning, negates the trust we had in our elected officials.

For all of the above reasons, I am asking The Town of Goshen to run an Independent SEQRA review.

Thank you,

RECEIVED
DEC 2 7 2016
TOWN CLERK

Halloran

Truly Merlin/GIC/legoland could not have chosen a worse site within the Moodna Watershed, Wetlands, Scenic and Stream and Reservoir overlay, the Otterkill Creek runs right through it, which legoland ignored on their maps. Merlin plans on clear cutting 180 acres of trees which will displace and kill hundreds of species of animals. This proposed site is known as ECHO Ridge, because noise echoes from this area and will be heard in the Town and Village of Goshen. On the EAF Application it says there will be no noise, that is a Lie. Legoland will pollute our air from the 2000 to 4000 cars daily. Light pollution from construction, the rides, parking lot and hotel will change our night sky and wildlife forever. Will the residents in the neighboring community of Arcadia and in the Town of Goshen be compensated for the loss in value of their homes? Goshen's town zoning prohibits amusement parks, yet the Town board of Goshen has moved ahead getting ready to put in place a commercial overlay that will enable this amusement park to have the zoning it will need to open up shop to make hundreds of millions dollars annually; while the taxpayers of the town and village are expected to pay for increases for police, fire, roads and EMS. NYS taxpayers are expected to pay for all road improvements to Legoland to get its attendees to their park so they can make millions. While offering pennies of what Legoland should be paying, The offer 1+million to the schools could be taken from the aid that we get then realizing zero for the schools. Legoland wants to be a good neighbor? Good neighbors pay their fair share of taxes, Good neighbors Legoland don't ask for a Pilot of 30 years and then plan to renegotiate in year 31 never expecting to pay taxes on their assessed value that we have too. Legoland belongs in a commercial zone, there is this very site in Newburgh that just become available and another site by Woodbury Commons (Nepera); these sites are off of the NYS Thruway. The truth is Legoland/GIC/Merlin is here to make money and lots of it they do not care what it will do to our town, our taxes, our wetlands and wild animals or our quality of life.

Faxed 12/20/16

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

December 19, 2016

RECEIVED
DEC 22 2016
TOWN OF GOSHEN
TOWN CLERK

Lee Bergus, Chairman
Town of Goshen Planning Board
Goshen Town Hall
41 Webster Avenue
Goshen, NY 10924

Dear Mr. Bergus:

This responds to the U.S. Fish and Wildlife Service's (Service) receipt of the Draft Environmental Impact Statement (DEIS) for the proposed LegoLand New York project along Harriman Drive in the Town of Goshen, Orange County, New York. Thank you for including the Service as an interested agency for the State Environmental Quality Review Act process.

We understand the U.S. Army Corps of Engineers (Corps) may be involved with the project through permitting pursuant to Section 404 of the Clean Water Act. As you are aware, federal agencies, such as the Corps, have responsibilities under Section 7 of the Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) to consult with the Service regarding projects that may affect federally-listed species or designated critical habitat, and confer with the Service regarding projects that are likely to jeopardize federally-proposed species and/or adversely modify proposed critical habitat.

We reviewed the project sponsor's DEIS, and the assessment of the potential for federally-listed species to occur at the site is a significant improvement upon the prior Environmental Assessment Form (EAF). We agree that no further analysis is needed for the dwarf wedgemussel (*Alasmidonta heterodon*) (endangered), small whorled pogonia (*Isotria medeoloides*) (threatened), or bog turtle (*Clemmys [=Glyptemys muhlenbergii]*) (threatened) as the occurrence of these species within the action area is unlikely.

However, we understand that suitable habitat for the Indiana bat (*Myotis sodalis*) (endangered) and northern long-eared bat (*Myotis septentrionalis*) (threatened) is present and approximately 96 acres (according to the EAF) of forest will be cleared for the proposed project. Given the amount of forest clearing and to assist with an analysis of potential impacts of the project, the Service recommends that the applicant conduct bat presence/probable absence surveys[1]. This

[1] The Service's current summer survey guidelines are available at http://www.fws.gov/midwest/endangered/mammals/inba/inbasummersurveyguidance.html

type of information can greatly assist the Service and the Corps with a full analysis of the effects of the proposed activity. We look forward to hearing from the project sponsor.

The above comments pertaining to endangered species under our jurisdiction are provided pursuant to the ESA. This response does not preclude additional Service comments under other legislation.

Any additional information regarding the proposed project and its potential to impact listed species should be coordinated with both this office and with the New York State Department of Environmental Conservation.

Thank you for your time. If you require additional information please contact Robyn Niver at 607-753-9334. Future correspondence with us on this project should reference project file 16TA1996.

Sincerely,

Patricia Cole

for David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
http://www.fws.gov/northeast/nyfo/es/section7.htm

cc: NYSDEC, New Paltz, NY (Attn: Env. Permits)
COE, New York, NY (Regulatory)

Faxed 12/20/16

United States Department of the Interior

FISH AND WILDLIFE SERVICE
3817 Luker Road
Cortland, NY 13045

December 19, 2016

RECEIVED
DEC 22 2016
TOWN OF GOSHEN
TOWN CLERK

Lee Bergus, Chairman
Town of Goshen Planning Board
Goshen Town Hall
41 Webster Avenue
Goshen, NY 10924

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Sincerely,

Patricia Cole

for David A. Stilwell
Field Supervisor

*Additional information referred to above may be found on our website at:
http://www.fws.gov/northeast/nyfo/es/section7.htm

cc: NYSDEC, New Paltz, NY (Attn: Env. Permits)
COE, New York, NY (Regulatory)

Supervisor, Douglas Bloomfield

From: antonio.varano=gmail.com@cbiadvocacy.com on behalf of Antonio Varano Della Vergiliana <antonio.varano@gmail.com>
Sent: Monday, January 16, 2017 8:16 AM
To: Town Supervisor Doug Bloomfield
Subject: Support for Legoland in Goshen NY

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

Monday, January 16, 2017

RE: Support for Legoland in Goshen NY

Dear Town Supervisor Doug Bloomfield,

I am writing to you today to express my strong support for the Legoland New York project. I believe development of this theme park in the Town of Goshen will positively impact Orange County's economy and quality of life.

The job growth, capital investment, increased tourism and tax revenue, as well as fees paid to the Town of Goshen and the Goshen School District that Legoland New York will bring will benefit our residents and businesses greatly. Legoland New York is a "clean" industry that will have minimal impact on the environment and our infrastructure in comparison to the significant positive aspects of the project.

I encourage you to conduct a thorough SEQRA process, adjust Goshen's Comprehensive Plan and move this project forward with all due diligence.

Sincerely,
Antonio Varano Della Vergiliana
Antonio Varano
270 Maple Avenue
Goshen, NY 10958
845 9886817
antonio.varano@gmail.com

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 5, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous economic development impacts it will offer Goshen and the greater Orange County community.

Please remember:

The Goshen Central School District will receive **$38.4 million of $52.6 million** in PILOT payments over the course of 30 years.

In the first year of operation, **$1.022 million** in the first year would go to the Goshen Central School District, **$210,000** would go to the Town of Goshen and **$168,000** would go to Orange County. These amounts will increase each year over the PILOT's 30 year term.

LEGOLAND New York would also pay the Town of Goshen a host community fee for every visitor to the park. **The Town of Goshen will receive 65 cents for each visitor up to 2 million visits and 20 cents for each ticket thereafter – with no cap!**

This would provide the Town of Goshen with at least $1.3 million annually, based on 2 million visitors, and substantially more depending on the park's success! Think of all the worthy community projects that will finally become a reality with these funds!

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

And, LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

I believe Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Sincerely,

Matthew Ventura
POB 270
Goshen, NY 10924

RECEIVED
JAN 06 2017
TOWN OF GOSHEN
TOWN CLERK

Atlas Security Services Inc.
2002 Rt 17M Suite 6
Goshen, NY 10924

01/03/2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Atlas, as a Goshen business strongly supports the proposed LEGOLAND NY project. The economic benefits that the project will offer Goshen are unmatched. This is the sort of opportunity that comes around very rarely, and we hope that you will work with the applicant to address any concerns and make it a reality.

The LEGOLAND project will bring much needed stimulus to the area, and will likely create new opportunities in the form of tourism and new visitors to our terrific Town and Village. Please approve this project.

Sincerely,

Matthew Ventura, President
Atlas Security Services Inc.

WAINCO Realty, L.L.C.
Real Estate Professionals

75 South Orange Ave
Suite 218
South, Orange, NJ 07079

Tel: (973) 821-5131
Fax: (973) 275-3895

January 9, 2017

Township of Goshen

41 Webster Ave.
Goshen, N.Y. 10924
Attention: Planning Board Members
Township Board Members

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Dear Members of the Goshen Town Board and Planning Board:

We are writing to you in strong support of the proposed Legoland project in our capacity as the owner of the Village Place At Goshen, a 48-unit luxury apartment rental complex located on Clowes and West Main Street in Goshen (www.villageplaceatgoshen.com). We chose to invest in Goshen because of the high quality of life that Goshen and Orange County offer our tenants. We have family in neighboring communities and appreciate why so many people choose to make Orange County their home. We have also been active in the shopping center development industry for over 30 years and appreciate that all communities need to have non-residential development to help stabilize and strengthen their tax base. All communities need to invest in education, police, life safety and many other services while simultaneously fostering economic growth so they can remain affordable for their residents. Following the great recession of 2009 and the closing of the County government offices in Goshen it became apparent that businesses in the Village of Goshen and the surrounding communities were struggling to survive. They need strong leadership to help guide the community towards a more secure financial future so they can remain a viable part of the community. With this in mind, we sincerely believe that Legoland will greatly strengthen the tax base of the community and bring new opportunities in education, recreation and entertainment that will enhance the quality of life for everyone in Goshen and in Orange County.

We believe that Legoland is a "once in a lifetime opportunity" to secure the economic future of the community. Legoland will employ 500 year-round full time employees, 300 part time employees, and 500 seasonal employees. All these people will be spending money in Goshen! Legoland will create 800 construction jobs and will hire local construction labor. The project is an economic boon to Goshen and Orange County with an ultimate investment of $500 million.

As developers, we are confident that Merlin Entertainment will fully address all issues you might have with its application including its environmental impact review. We further believe that Merlin and Legoland will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity – SO PLEASE VOTE YES and approve this project!

Respectfully,

Wainco Goshen, LLC
BY: _____
Stuart E. Wainberg, Managing Member

December 19, 2016

Douglas Bloomfield, Supervisor
Town of Goshen Town Board
Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

Dear Supervisor Bloomfield and Chairman Bergus,

I am sorry that I am unable to attend the DEIS meeting this evening but wanted to express my support for the Legoland New York project. I am President of a New York State MWBE certified small business, Jellybean Promotions, an executive officer of the Orange County Chamber of Commerce, a member of the Goshen Chamber of Commerce and a resident of the Town of Goshen.

The project will bring much needed jobs and tax revenue to the Goshen area and Orange County. The positive economic impact that Legoland will bring to our town, county and the entire region is tremendous and will benefit all of us.

Merlin Entertainment, the parent company of Legoland, has already demonstrated a commitment to the local community, setting up a welcome center, contributing to numerous non-profits and joining business organizations. As a small business owner, I appreciate their efforts getting involved in the local community.

They provide programs to promote STEM curriculum and have education specialists ready to work with our schools. As a parent, I applaud these efforts to help our children. Legoland has shown that they are interested in a collaboration for our town and county and are taking all the steps needed to be great neighbors.

We are very fortunate that Legoland New York is looking to build their theme park and hotel in Goshen and I support the project. It is a win-win for all of us!

Sincerely,

Sharon B. Warantz

President,

Jellybean Promotions

22 Colonial Drive

Goshen, NY 10924

845-294-8000

Sharon@jellybeanpromotions.com

RECEIVED
DEC 2 4 2016
TOWN OF GOSHEN
TOWN CLERK

December 19, 2016

Douglas Bloomfield, Supervisor
Town of Goshen Town Board
Lee Bergus, Chairman
Town of Goshen Planning Board
41 Webster Avenue
Goshen, New York 10924

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Sincerely,

Sharon B. Warantz

President,

Jellybean Promotions

22 Colonial Drive

Goshen, NY 10924

845-294-8000

Sharon@jellybeanpromotions.com

DEC 2 4 2016

WGNY-AM | WGNY-FM | WJGK-FM

Date: 12/19/16

To: Goshen Planning Board
Fr: Bob DeFelice – General Manager FOX Radio – WGNY-AM/WGNY-FM/WJGK-FM

Re: LEGOLAND Project

We are in favor of the proposed LEGOLAND NY project in Goshen. In reviewing the concerns voiced by the opponents of the project as well as the benefits enumerated by LEGOLAND – the LEGOLAND project to us ... just makes sense.

Clearly it makes sense from an economic standpoint – both in terms of "NEW Tourism Dollars" generated from inside the County (*that would have left to be spent elsewhere*) and "NEW Tourism Dollars" coming in from outside Orange County. These "Tourism Dollars" wouldn't be coming to us at all without a project such as LEGOLAND to attract them!

This project also makes sense in terms of the new "diverse" jobs it will create. We all know that job creation is vital to create sustainable economic growth in a region – and as other communities have learned over the years (Poughkeepsie and IBM/Rochester and Kodak) – diversity in job creation is of paramount importance.

We are in favor of this project for many other reasons – too many to enumerate here – so for the sake of time – I'll leave you with just one more reason. I'm looking forward to someday being able to bring my Grandkids to LEGOLAND – it will be for me a more affordable trip then a trek to Disney Land ... I'll drive over, park quietly – pay all the necessary admissions with glee - enjoy the day and gladly stop on the way home at one of my favorite Goshen restaurants to treat the whole family to dinner afterward!

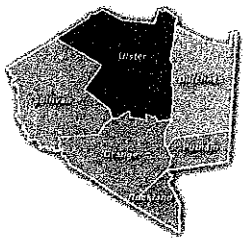
In other words - I'll keep it local ... and that – in the end is good for all of us!

DEC 2 4 2016

Sunrise Broadcasting - 661 Little Britain Road, New Windsor NY 12553 | Office: 845.561.2131 | Fax: 845.561.2138
721 Media Center, 721 Broadway, Kingston NY 12401
Newburgh | Poughkeepsie | Kingston | Middletown
www.foxradio.net

ACE MENTOR PROGRAM
ARCHITECTURE • CONSTRUCTION • ENGINEERING

ACEMentorHudsonValley.org
845-346-0010
HudsonValleyNY@ACEMentor.org



LEGO
LEGOLAND
NEW YORK

Dear Town of Goshen Planning Board and Town Board,

On behalf of the ACE Mentor Program of the Hudson Valley, the board of directors are writing this letter to express our support for the proposed Legoland New York project.

ACE Mentor Program is a nationwide, 501(c)3 non profit that mentors high school students in the fields of architecture, construction and engineering. This fall, a local chapter of the program was started. Since the beginning of the school year, 80 students representing over 20 school districts are participating in this program. Like any other mentorship program, the biggest challenge is recruiting mentors. On numerous occasions, Legoland (Phil Royle) has helped increase our mentorship. This involvement has directly helped the program grow, which in turn has immersed the students with a larger and diverse mentorship.

In addition to the direct help of the local Legoland team, Lego has been used as part of the ACE curriculum for throughout the country for many years. Regarding the STEM learning process, Legoland NY will be a great public- private partner with ACE and the local school systems. From early ages through high school and beyond our local workforce development in a much needed industry will see a positive impact of Legoland in our backyard.

Sincerely,

Erik Collier

Erik Collier - Chairman

Katie Chevalier - CS Arch - Vice Chair

Tom Ritzenthaler - CS Arch - Treasurer

Adam Ramli - Hudson Valley Digital Marketing - Secretary

Walter Moran - Facilities Director Cornwall Schools

DEC 2 4 2016

RECEIVED
JAN 05 2017
TOWN OF GOSHEN
TOWN CLERK

Robert Wolfson, MD
45 Lower Reservoir Road
Goshen, NY 10924
914-584-9469
rwolfson@mkmg.com
January 1, 2017

Dave Gawronski
Town of Goshen Planning Board
41 Webster Avenue
Goshen, NY 10924

Dear Dave Gawronski:

I am writing in strong opposition to the proposed Legoland Project. My primary concern is not the project itself, but the current chosen location off of Harriman Drive.
As a physician living very close to the site, I have particular health concerns that will be provoked by this venture. Air pollution is a silent killer that has not been adequately addressed by the DEIS.

Particulate matter from all types of motor vehicles is not just confined to outdoors but also infiltrates houses and gets easy access to our unsuspecting lungs. That they directly cause and exacerbate lung problems like asthma, COPD, and cancers have long been documented, but even worse they contribute to a more common malady in our society-- Cardiovascular disease, in the form of heart attacks, heart failure, and strokes.

The basic science behind this is becoming clearer. Inhaled particulate matter migrate through the body and cause vasoconstriction of blood vessels, activate platelets which stimulate unwanted harmful clotting, and also trigger endothelial (lining of blood vessels) dysfunction to name but a few mechanisms. Not too many years ago, most people had no idea that passive smoking was harmful. Now it is a known fact, just as damage from air pollution due to fossil fuels like gasoline is finally getting more awareness.

The World Health Organization and others have defined a safety standard of 10 micrograms per cubic millimeter or less as being below threshold of harm. Although most of the United States is now within that standard, it fails near crowded roadways.
It is now well documented that the closer one lives to busy roads, the higher the incidence of Cardiovascular disease. I can cite these studies if you wish.

Therefore, I would like to know what the particulate matter count is estimated to be in the radius around the site, where many of our surrounding homes sit. Because for those of us living nearby, Legoland is more than just a potential annoyance-- it is a danger to our health that is unfair and irresponsible to ignore.

I have so many other concerns regarding this proposed project, a development of huge magnitude in our small town that has managed to keep its identity for more than 300

years. The DEIS does not adequately address our limited water supply, destruction of the surrounding environment, and many other things that I will leave for many others to criticize. I take exception to the fact that you have fast tracked the process and gave us minimal time to examine a long but vague and incomplete DEIS.

What cannot be disputed is a fear for my family's safety. As a resident of Lower Reservoir Road, I regularly bicycle and jog this area that includes Conklington, Arcadia, and South Street. Given the ridiculous increase in car flow coming through all of these roads (not just the highway, as GPS will dictate), I ask you how I can safely continue to do this with my family (we can number up to 10 on some days)? These secondary roads lack any kind of adequate shoulders. What about a trip to the grocery store on a Saturday or to Church on Sunday? The park will be open every day and every weekend and every holiday from April through October, the "outdoor" season here.
How can you tell us in this town, especially those of us near the site, that life will not change for the worse? Please remember that we chose to live here for a reason.

For all of my years here, I have felt protected by our zoning laws, knowing that I would not have to look out from my property on to high density housing, shopping malls, or amusement parks. How can the Board betray us in this manner? I noticed that most of the "Pro" Legoland speakers at your recent two meetings were business and union people that live outside of Goshen. That is quite a different perspective. But the vast majority of the speakers that live in Goshen were the "Against" group, with many dwelling very close to the proposed site. Is it fair to condemn them in the name of some perceived or real economic benefit for others?
I don't believe a Town Board that represents ITS PEOPLE should act that way.

Even if I assume that your goals are noble ones, there is no disputing that the Legoland Project has divided our town, causing much ill will amongst us. Other towns have wisely turned the project down, and for this reason alone I believe this to be the best argument for rejecting Legoland at this site. I am very supportive of children, unions, business, and progress when it is done appropriately. I would support a Legoland elsewhere in Orange County or another part of New York State.

Please consider my questions and comments above. I am certainly far from being alone in feeling this way.

Sincerely,

Robert Wolfson, MD

RECEIVED
JAN 05 2017
TOWN OF GOSHEN
TOWN CLERK

Donna Wolfson
45 Lower Reservoir Road
Goshen, NY 10924
914-419-7345
svelte14@aol.com
January 1, 2017

Douglas Bloomfield
Town of Goshen Town Board
41 Webster Avenue
Goshen, NY 10924

Dear Douglas Bloomfield:

After attending the last Board meeting, I would like to respond to some of the comments made by others that pertains to the DEIS and the Legoland project in general. On Thursday, someone said- " We don't want to be the town where cars just pass by and not stop". Well, we certainly don't want to be the town where thousands of people, in thousands of cars descend upon us daily for 7 days a week, 7 months a year- causing traffic jams and pollution on their way in and out. I guess if all you care about is business and not the other aspects of this town, such as the quality of life of the residents here, maybe that's how you would feel. But for those of us who actually live here, this is A MAJOR PROBLEM!

Another person stated: "When a project is being put forth there's always a few people who get in the way. They should just step aside and be sacrificed for the COMMON good."
I resent those who think that it shouldn't be a personal issue, when you are talking about peoples lives and homes!!- - and there are many of us who feel this way, not just a few. COMMON decency, let alone COMMOM sense, should guide the Board in being fair to all of its citizens regardless of the perceived "COMMON good". YOU can move Legoland to another site in Orange County or N.Y. State, but WE can't move our homes to another place.

Other people talked about the great job opportunities that Legoland would provide. First of all, we have low unemployment in this area. Secondly, I have serious doubts about the value of seasonal low paying jobs.
And, we lack affordable housing to accommodate the hired workers. What are the implications for our water supply if we have to build housing for them?

Another theme I heard in regard to Union workers was jobs, jobs, jobs. If you want to give these folks construction jobs, then build it somewhere appropriate in the county or the state, not in the bedroom community of Goshen and on this fragile land site! Another person said, "this property is going to become something else sooner or later, so why not do it now and develop Legoland?"
I would respond that neither a mega theme park nor a high-density housing project is appropriate for the location selected. There indeed maybe a good use for it in the future, perhaps

a business or park that better conforms to the site, on a scale that doesn't swallow up it's surroundings.

I heard someone say a Master Plan is written to be changed. I agree that nothing lasts forever, but this last Master Plan specifically forbade amusement parks; and the zoning change that would be required, makes a mockery of the intent of the recent plan. We all know that this Board defended the Master Plan as recently as this past April. What happened-- that you are trashing it now?!! I also, heard someone say that "the anti-Legoland group opposes everything that represents change in the community". My response to him and the job creators out there is: I am not anti job, or anti growth. I'm not an agitator and I have never opposed ANY other cause in the 35 years that I've lived here.

This proposed project is so intrusive and polarizing to the citizens of Goshen that I feel I must take a strong stand. Now, regarding the DEIS, some people praised it and said it was the most thorough and complete DEIS that they have seen. Even as a lay person, I feel that I must have been reading a very different document; woefully inadequate. Some additional questions that I have are: Are there any studies about the effect of the quality of life in a town after an amusement park is built next to it?

Has anyone estimated the amount of pollution that will reach the houses within a two mile radius of the site? What is the estimated traffic on roads NOT addressed by the DEIS, such as, Pulaski Highway, the Sarah Wells Trail, Scotchtown Avenue, and Craigville Road? How will a terrorist attack be handled?

The DEIS talked a lot about the animals and insects in that area, but what EXACTLY is going to be done to protect their well-being? I demand the Board consider the implications of the entire project and avoid the tunnel vision that many of its proponents exhibit.

Sincerely,

Donna Wolfson

Donna Wolfson

RECEIVED
JAN 17 2017
TOWN OF GOSHEN
TOWN CLERK

January 13, 2017

A note from Phyla Wright

Dear Sirs:

I would like you to know that I feel strongly that you should vote yes for Legoland.

Having lived in Goshen 58 years, my husband, Paul, and I have been active in the community and well aquinted with the area and it's problems and beauty, etc. I cannot imagine a better fit for this large parcel.

Sincerely
Phyla Wright

HUDSON VALLEY
RENEGADES

TAKE ME OUT WITH THE CROWD

January 4, 2017

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Eben Yager
Executive Vice President & General Manager
Hudson Valley Renegades

P.O. BOX 661, FISHKILL, NY 12524 | P: 845-838-0094 | F: 845-838-0014 | @HVRENEGADES

RECEIVED
JAN 13 2017
TOWN OF GOSHEN
TOWN CLERK

January 3, 2017

Town of Goshen
Planning Board and Town Board
41 Webster Ave.
Goshen, N.Y. 10924

Dear Goshen Town Board and Planning Board members:

Approving the proposed LEGOLAND New York project is critical because of the tremendous tourism and economic development impacts it will offer Goshen and the greater Orange County community.

This project is a once in a lifetime opportunity to bring tax ratables to Goshen, create jobs for Goshenites and others, provide new revenue to the Goshen School District and have Goshen (and beyond) be the beneficiary of the untold economic multipliers.

Also, please remember:

LEGOLAND New York will employ **500 year-round full time employees, 300 part time employees, and 500 seasonal employees.** ***All these people will be spending money in the Goshen community!***

LEGOLAND New York will create **800 construction jobs and** will hire local construction labor.

The project is an economic boon to Goshen. As you know, LEGOLAND New York's initial investment prior to opening day will be **$350 million** with its investment reaching **$500 million** in its fifth year of operation.

I am confident Merlin Entertainments will address all issues you might have in its environmental impact review and I believe Merlin and LEGOLAND New York are committed to being transparent in this process. I also believe LEGOLAND New York will be an outstanding member of the Goshen community and will do whatever it takes to support the quality of life in Goshen.

We need to take advantage of this opportunity!

PLEASE VOTE YES and approve this project!

Respectfully,

Cathi A. Zeno
Property Manager
Mid Hudson Park Management Corp.
D/b/a Bottini Properties
A/a/f Carriage Hill Apartments
A/a/f Woodhills Fletcher Apartments

Statement to Goshen Planning Board in reference to the Legoland DEIS
December 19, 2016

My name is Gretchen Zierick and I represent Circle Z LLC, the owner of 120 Conklingtown Road in Goshen and WillsWay Equestrian Center, the boarding and lesson operation located at the farm.

At Willsway, we are seriously concerned about the issue of water and the effect of additional development on the water table in the area. We are also very concerned about the impact of additional traffic on the region and increased noise affecting our property.

But I'd like to speak tonight about the economic effects of development as that has been a major subject for many of the speakers at this hearing.

Goshen - and other Orange County residents are concerned about jobs. We all need to be concerned about GOOD jobs. While Legoland's presentation told us to expect 500 full-time jobs, those are divided among technical trades, management, administration, retail and food and beverage. Then there are 300 part-time jobs and 500 seasonal jobs. The big question is how many of those are GOOD jobs.

Logically, I expect that most of the full-time, all of the part-time and all of the seasonal jobs are of the "would you like fries with that?" variety, minimum wage, unskilled jobs.

Goshen's Comprehensive Plan (Appendix A) calls for developing a strong and BALANCED economic base (Goal #4). That comes after Protect and enhance the agricultural activities and rural character of the town (Goal #1), Support existing Village center and foster Town clusters (Goal #2) and Provide a range of housing alternatives that will meet the housing needs for a range of socio-economic groups (Goal #3) and before Protect and enhance open space and public space (Goal #5), Ensure a development pattern that will provide for sustainable water use (Goal #6) and Encourage appropriately sited development and protect environmental assets (Goal #7). These are wonderful goals and should be used to evaluate any proposed development.

I believe that encouraging the location of more small businesses would benefit Goshen much more than the location of a large, seasonal amusement park that is part of an international network of companies. According to the Small Business Administration (Appendix B), small businesses make up 99.7% of US employer firms. Small businesses are defined as those with less than 500 employees.

I will admit my bias; I am the third generation running a manufacturing company founded by my grandfather in 1919. We are a manufacturer of electronic connectors, employing about 65 people in New York state. Manufacturing jobs are GOOD jobs.

How do we define a good job? There is the average wage paid but there are also the

multipliers. Multipliers estimate the ripple effect of an economic activity. Manufacturing jobs are good for the local economy by either measure.

Let's look at wages first. According to the Bureau of Labor Statistics report for November 2016 (Appendix C), manufacturing jobs pay an average of $20.62/hour. Leisure and hospitality pay an average of $13.01. That's a gap of nearly $16,000 per person per year. I think the residents of Goshen would prefer the higher wages they could earn in manufacturing.

Then there are the multipliers. According to the State of New York Department of Labor (Appendix D), the employment multiplier for manufacturing in New York is 3.04 while leisure and hospitality have a multiplier of only 1.50. Thus for the 500 jobs created by Legoland, 750 additional jobs could be created in New York. Those same additional jobs could be created by half as many jobs in manufacturing. There is also the dollar multiplier, which measures output from other sectors in response to output in one. According to the Manufacturing Institute (Appendix E), every dollar of sales of manufactured products supports $1.33 in output from other sectors, the largest multiplier of any sector. Arts, entertainment and recreation support only $0.81, retail trade on $0.66. Agriculture, an important part of Goshen's economy, comes in second to manufacturing at $1.11.

Many union members have come to speak about the value of the union construction jobs. They have a point but once construction is finished, the jobs are over and gone. A well thought out plan to attract and grow Goshen's industrial park can provide sequential construction jobs and small businesses that grow often need to expand, providing future construction jobs as well.

I urge the Planning Board to consider the total impact of this proposed development on the town and taxpayers of Goshen before making a final decision. There are many other projects that could be of better benefit to Goshen and Orange County.

Now to my concerns about water. When I purchased the farm 1 year ago, we had our well evaluated for flow, to determine if we needed an additional well to support the 15 stalls to be constructed on the property. The farm already had an existing 15 stall barn. A dependable supply of clean water is critical to the care of horses.

Our well company quickly determined that the existing well was barely able to supply the water needed for the barn. We had to drill deeper. Our well was at 500 feet but only supplied 1-1/2 gallons per minute. We had to drill an additional 200 feet and obtained a flow of 7 gallons per minute. That gave us one well to support the 15 stall barn and its one bathroom.

Less than a year later we had to dig a second well for the new barn. This time we drilled to 700 feet but were only able to obtain a flow of 5-1/2 gallons per minute.

I have been reading the report from Farr Engineering on the water and sewer. The

report says that, even with the Legoland demand, there is enough capacity. It is only when additional growth is factored in that additional water resources are required.

But this doesn't match what we've been hearing for months. At one of the early meetings I heard that the town was already close to using all the water we have available and that the addition of the then-panned brewery would take the town to its limit. According to Planning Board Minutes, Amy's Kitchen will be getting its water from Middletown. Why is that if Goshen has more than enough capacity? Which numbers are true?

Further, this doesn't take into account the effect on the aquifer and the area's private wells, such as those on our farm, of using more of our current water capacity. The additional development of the land and paving of land that currently moves rainwater to the aquifer, will affect all the area wells. I believe this issue requires more investigation and analysis.

My WillsWay partners have spoken or written about our concerns regarding traffic and noise.

APPENDIX A

3.0 COMPREHENSIVE PLAN

3.1 Goals and Objectives

This subsection articulates seven (7) goals and the coinciding objectives to be achieved through the implementation of this Plan.

Goal #1 Protect and enhance the agricultural activities and rural character of the Town.

- Encourage the preservation of viable agricultural properties.
- Identify farmland for use in a Purchase of Development Rights (PDR) program. [NOTE: A Town-wide referendum was passed in 2004 to protect farmland through PDR's]
- Actively work with farmers to promote best farming practices.
- Maintain farm-friendly practices in agricultural areas.
- Encourage appropriate rural residential development.

Goal #2 Support existing Village center and foster Town clusters

- Promote subdivision designs and layouts that create connected street patterns where appropriate.
- Allow cluster development in order to encourage open space preservation, pedestrian activity and the reduction of car dependence for all trip generated activity.
- Allow group water and wastewater systems in cluster developments in order to maintain environmental stability where appropriate.
- Encourage development that strengthens the development of the Village of Goshen as the development center of the Town.

Goal #3 Provide a range of housing alternatives that will meet the housing needs for a range of socio-economic groups.

- Provide for the development of affordable/multi-family and senior/adult housing units at appropriate locations.

Goal #4 Develop a strong and balanced economic base.

- The Town must attract tax positive commercial development to offset existing tax exempt lands and to help pay for services required by the growing population.
- Encourage a diverse economic base that provides tax ratables as well as necessary local services.
- Permit small scale neighborhood commercial use by special permit in cluster developments where appropriate.

Goal #5 Protect and enhance open space and public space.

- Actively utilize conservation easements through zoning and the purchase of farmland and other open space.
- Ensure that land designated for public open space requirements is primarily high-quality, usable space and not wetland or steep slopes.
- Preserve the Town's mature forests and natural terrain to the greatest extent practicable.

Goal #6 Ensure a development pattern that will provide for sustainable water use.

- Ensure that residential development does not exceed the groundwater recharge capacities of existing watersheds as outlined in the Town-Wide Potable Water Study.
- Maintain and enhance the groundwater capacities of watersheds through the public or private provision of infrastructure and through the adoption of water conservation policies.
- Ensure the preservation of water quality throughout the community.

Goal #7 Encourage appropriately sited development & protect environmental assets

- Ensure that development proposals are appropriately sited considering the surrounding and natural topography (including factors such as soil type, elevation, natural terrain and adjacent development) and available/appropriate infrastructure.
- Protect wetlands, including, but not limited to, DEC and Army Corps Wetlands.

3.2 Key Elements

Revise Hamlet Residential (HR) and Hamlet Mixed-Use (HM) Districts

Over the past several years the Town has experienced difficulties with the locations of the mapped HM and HR districts, their inability to fully comply with some of the required criteria for Traditional Neighborhood Development (TND) patterns, and the likely development of disparate hamlets detracting from the Village of Goshen as the development center of the Town that should be reinforced. The concept of Hamlet Residential and Hamlet Mixed-Use districts should be revised to reflect development more appropriate to the rural character of the Town of Goshen, rather than a high density urban-type development.

It is necessary to revise the development and design criteria associated with the existing Hamlet districts and consider cluster developments with low to medium density, as opposed to high density hamlet developments.

APPENDIX B

SBA Office of Advocacy
www.sba.gov/advocacy

Frequently Asked Questions

Advocacy: the voice of small business in government

Small businesses comprise what share of the U.S. economy?

Small businesses make up:

- 99.7 percent of U.S. employer firms,
- 64 percent of net new private-sector jobs,
- 49.2 percent of private-sector employment,
- 42.9 percent of private-sector payroll,
- 46 percent of private-sector output,
- 43 percent of high-tech employment,
- 98 percent of firms exporting goods, and
- 33 percent of exporting value.

Source: U.S. Census Bureau, SUSB, CPS; International Trade Administration; Bureau of Labor Statistics, BED; Advocacy-funded research, Small Business GDP: Update 2002-2010, www.sba.gov/advocacy/7540/42371.

How many small businesses are there?

In 2010 there were 27.9 million small businesses, and 18,500 firms with 500 employees or more. Over three-quarters of small businesses were nonemployers; this number has trended up over the past decade, while employers have been relatively flat (figure 1).

What is a small business?

The Office of Advocacy defines a small business as an independent business having fewer than 500 employees. For the small business definition by industry used in government programs and contracting, see www.sba.gov/content/small-business-size-standards.

What percent of small businesses operate as . . . ?

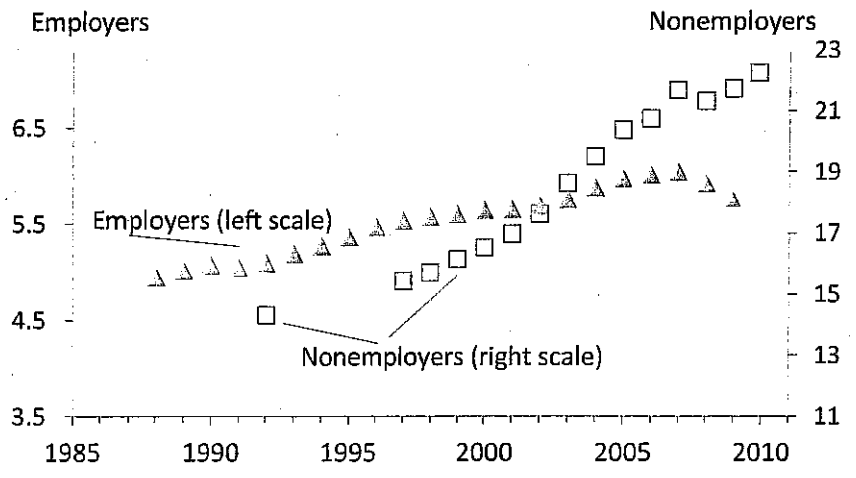
The many kinds of small businesses are shown in table 1. The definitions overlap so the shares total more than 100.

Table 1: Small Business Shares

Kind of Business	Share (percent)
Home-based business	52.0
Franchise	2.0
Sole proprietor	73.2
Corporation	19.5
Employer business	21.5
Nonemployer (business without employees)	78.5

Source: U.S. Census Bureau, SBO, SUSB.

Figure 1: Number of Businesses (millions)



Source: U.S. Census Bureau, SUSB and Nonemployer Statistics.

What is small businesses' share of net new jobs?

Small firms accounted for 64 percent of the net new jobs created between 1993 and 2011 (or 11.8 million of the 18.5 million net new jobs). Since the latest recession, from mid-2009 to 2011, small firms, led by the larger ones in the category (20–499 employees), accounted for 67 percent of the net new jobs.

Source: Bureau of Labor Statistics, BED. For the latest employment statistics, see Advocacy's quarterly reports, www.sba.gov/advocacy/10871.

How can small businesses' share of net new jobs be larger than their share of employment, yet their share of employment remains steady?

As firms grow, they change employment size classes. So as small firms grow, their growth counts toward small firm job gains; but if they pass the 500-employee mark, their employment is classified as large firm employment.

Do the unemployed become self-employed?

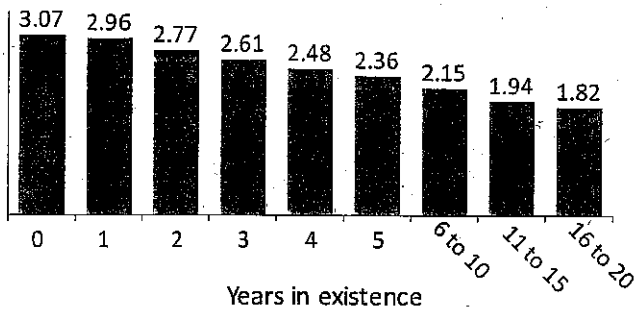
When finding work is difficult, starting a business can be just as difficult if not more so. But in March 2011, a significant number of the self-employed, 5.5 percent or about 900,000, had been unemployed in the previous year. This figure was up from March 2006 and March 2001, when it was 3.6 and 3.1 percent, respectively.

Which businesses create more jobs—startups or existing businesses?

In the last two decades about 60 percent of the private sector's net new jobs have been created by existing establishments and about 40 percent from the churn of startups minus closures. While firm births account for many new jobs, job losses from firm closures are equally important in accounting for net effects to employment levels.

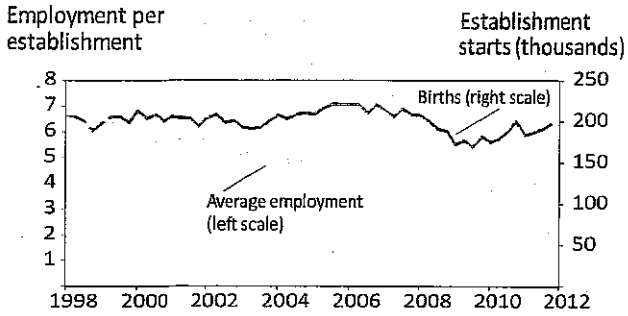
Source: Bureau of Labor Statistics, BED.

Figure 2: Mean Employment Level for Firm Birth Year, 1995–2010 (millions)



Source: U.S. Census Bureau, BDS.

Figure 3: Number and Size of Establishment Births



Source: Bureau of Labor Statistics, BED.

What happens to the jobs created by startups?

The total employment from a group of startups is highest at birth and declines as the firms age. Put another way, employment gains from growing businesses are less than employment declines from shrinking and closing businesses (figure 2).

What is the status of the startup market?

While the number of new employer businesses has recovered from the recessionary dip, the average employment of these businesses has been declining over the past decade (figure 3).

How many businesses do women own?

While women-owned firms have increased as a share of total businesses over the years, their size still remains smaller than national averages. The 7.8 million women-owned firms averaged $130,000 in receipts in 2007 (table 2).

How many businesses do minorities own?

Asian-owned businesses numbered 1.6 million in 2007 and have average receipts of $290,000. African-American-owned businesses numbered 1.9 million in 2007 and have average receipts of $50,000. Hispanic-American-owned businesses numbered 2.3 million in 2007 and have average receipts of $120,000. Native American/Islander-owned businesses numbered 0.3 million in 2007 and have average receipts of $120,000 (table 2).

How many businesses do veterans own?

Veteran-owned businesses numbered 3.7 million in 2007, with average receipts of $450,000 (table 2).

Source: U.S. Census Bureau, SBO.

Is youth entrepreneurship increasing?

Self-employment among younger age groups has been dropping. From 2005 to 2010, self-employment among individuals age 25 and under decreased 19 percent (compared to a 7 percent drop in the overall population). In contrast, self-employment among those age 65 and over increased 24 percent over this period as their population grew. Self-employment rates increase with age; for example, they were 2 percent for those 25 and under and 23 percent for those 65 and over in 2010.

Source: Office of Advocacy calculations using U.S. Census Bureau, CPS data.

Table 2: Number of Firms and Receipts by Demographic, 2007

Business Owner Demographic	Firms (millions)	Receipts per firm ($1,000)
All businesses	27.1	1,070
Male	13.9	570
Female	7.8	130
Equally male/ female	4.6	240
African-American	1.9	50
Asian	1.6	290
Hispanic	2.3	120
Native American/ Pacific Islander	0.3	120
Veteran	3.7	450
Publicly held	0.8	23,860

Source: U.S. Census Bureau, SBO.

What are the home-based business trends?

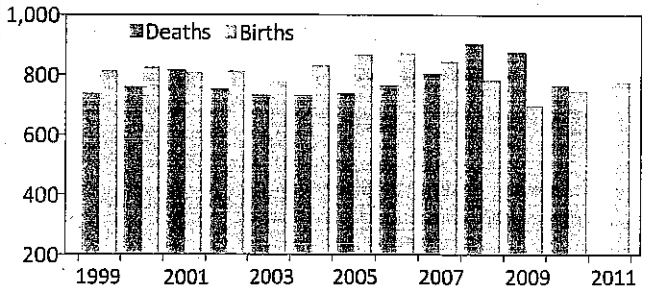
The share of firms that primarily operate out of the home was unchanged from 2002 to 2007 at 52 percent (the latest figure available). Employers had a lower share than nonemployers, 24 percent vs. 63 percent, respectively, in 2007. Of the major industries, construction had the highest share of home-based businesses, 70 percent. (Being home-based is not synonymous with working at home.) It is interesting to note that retail trade went from 49 percent home-based in 2002 to 44 percent in 2007 while the share of Internet retail sales went from 1 percent to 3 percent of total retail sales.

Source: U.S. Census Bureau, SBO and Quarterly E-Commerce Report.

How does franchise survival compare with independent business survival?

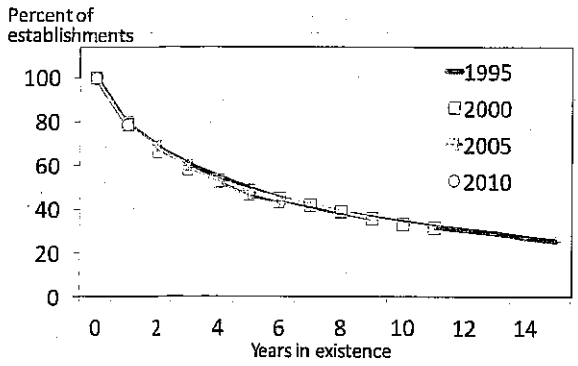
Survival among independent businesses and franchises appears to be similar, as they have similar age distributions. Of course each potential business owner debating an independent business or franchise arrangement will have unique factors to weigh, such as their managerial talent and sales abilities.

Figure 4: Startups and Closures
(thousands of establishments, seasonally adjusted)



Source: Bureau of Labor Statistics, BED.

Figure 5: Cumulative Survival Rates for Establishments by Birth Year



Source: Bureau of Labor Statistics, BED.

Table 3: Employer Firm Births and Deaths*

	1999-2000	2004-2005	2007-2008	2008-2009
Births	574,300	644,122	597,074	518,500
Deaths	542,831	565,745	641,400	680,716

*Figures are March to March.
Source: U.S. Census Bureau, SUSB.

Source: Advocacy research, Do Business Definition Decisions Distort Small Business Research Results? http://archive.sba.gov/advo/research/rs330tot.pdf. *Note that about half of the franchises in the data were nonemployers, which may not be the stereotypical franchise that individuals imagine.*

How many businesses open and close each year?

About 10-12 percent of firms with employees open each year and about 10-12 percent close (table 3). Employer firm births were down and deaths were up in the most recent available data because of the downturn. But establishment birth figures from 2011 show gains (figure 4). Nonemployer firms have turnover rates three times as high as employer firms, mostly because it is easier for nonemployers to start and stop, as they tend to be smaller than employer firms. Business bankruptcies numbered 48,000 in 2011, a decline of the about 60,000 over the previous two years. Note that not all firm deaths are business bankruptcies, and many business owners file personal bankruptcy instead of business bankruptcy.

What is the survival rate for new businesses?

About half of all new establishments survive five years or more and about one-third survive 10 years or more. As one would expect, the probability of survival increases with a firm's age. Survival rates have changed little over time (figure 5).

How do small and large businesses compare on innovation?

Of high patenting firms (15 or more in a four-year period), small businesses produced 16 times more patents per employee than large patenting firms. Research also shows that increasing the number of employees correlates with increased innovation while increasing sales does not.

Source: Advocacy-funded research, An Analysis of Small Business Patents by Industry and Firm Size, http://archive.sba.gov/advo/research/rs335tot.pdf; Innovation in Small Businesses: Drivers of Change and Value Use, www.sba.gov/sites/default/files/rs342tot_0.pdf.

How are small businesses financed?

Small businesses are financed through owner savings; loans from family, friends, and commercial lenders; bonds; stocks; ownership stakes; and other arrangements. For detailed financing information, see Advocacy's *Frequently Asked Questions about Small Business Finance*, www.sba.gov/advocacy/9601.

How are credit conditions for small firms?

For up-to-date statistics, see Advocacy's quarterly reports, www.sba.gov/advocacy/10871.

What is small businesses' share of federal government procurement?

In fiscal year 2011, 21.7 percent of federal government small-business–eligible purchases went to small businesses. The Department of Defense accounted for the majority of small business procurement.

Source: Small Business Goaling Report, 2012, www.fpdsng.com/downloads/top_requests/FPDSNG_SB_Goaling_FY_2010.pdf.

How are business churn and the economy related?

Business churn (the sum of the firm birth and death rates) tends to follow the change in GDP with a six-quarter lag (figure 6). Recently, churn has been down, which may be a response to the general decline in output.

What are the effective tax rates for small businesses?

The average effective tax rate for businesses organized as sole proprietorships was 13.3 percent in 2004, with small S corporations facing the highest rates (table 4). (An effective tax rate is usually defined as the amount of tax paid as a fraction of net income or profit.)

Table 4: Effective Tax Rates, 2004

Legal form of business ownership	Effective tax rate (percent)
Non-farm sole proprietorship	13.3
Partnership	23.6
S corporation	26.9
C corporation	17.5

Source: Advocacy-funded research, Effective Federal Income Tax Rates Faced By Small Businesses in the United States, www.sba.gov/sites/default/files/rs343tot.pdf.

What legal form of organization are small businesses?

Sole proprietors and partnerships constituted 94 percent of nonemployers in 2010 and of the corporations, most were likely S corporations which are taxed at personal rates. Twenty-two percent of small employers were C corporations in 2009, with 71 percent taxed at personal rates and 7 percent nonprofits (figure 7).

Do you have any newer data?

For updates of many quarterly small business indicators, see www.sba.gov/advocacy/10871. For more details and information, visit Advocacy's general website, www.sba.gov/advocacy. Two of the most comprehensive pages are the Data Resources page and the Firm Size Data page. Both are accessible from www.sba.gov/advocacy/849. Two other often visited pages are the Banking Study (www.sba.gov/advocacy/7540/173967) and the State Small Business Profiles (www.sba.gov/advocacy/848). Additional questions may be emailed to advocacy@sba.gov.

Abbreviations & Sources

BED Business Employment Dynamics. U.S. Department of Labor, Bureau of Labor Statistics, www.bls.gov/bdm.

BDS Business Dynamics Statistics. U.S. Department of Commerce, Census Bureau, www.census.gov/ces/dataproducts/bds.

CPS Current Population Survey. U.S. Census Bureau, and U.S. Department of Labor, Bureau of Labor Statistics, www.census.gov/cps.

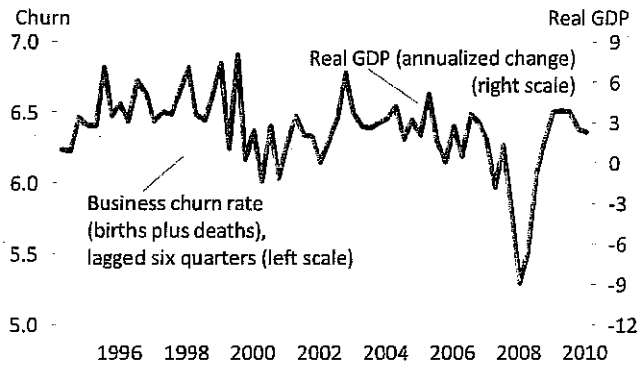
SBO Survey of Business Owners. U.S. Census Bureau, www.census.gov/econ/sbo.

SUSB Statistics of U.S. Businesses, U.S. Census Bureau, www.census.gov/econ/susb.

About the Office of Advocacy

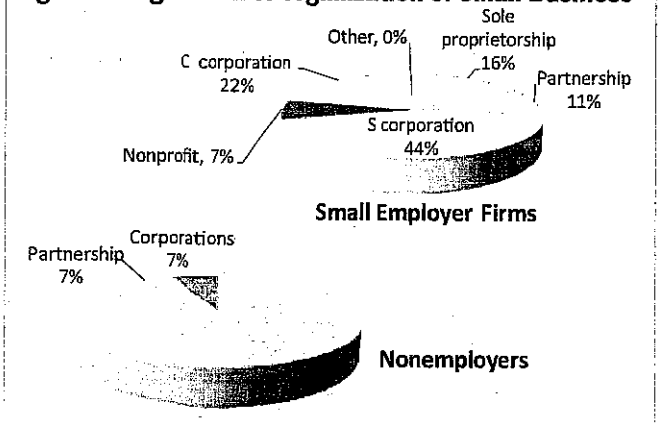
The SBA's Office of Advocacy was created by Congress in 1976. Part of the office's mission includes conducting policy studies and economic research on issues of concern to small businesses. The office also publishes data on small firm characteristics and contributions. For further data and research information, visit the Office of Advocacy's website at www.sba.gov/advocacy/847.

Figure 6: Business Churn versus Output (percent)



Source: Bureau of Labor Statistics, BED (churn); Bureau of Economic Analysis (GDP).

Figure 7: Legal Form of Organization of Small Business



Source: U.S. Census Bureau, SUSB and Nonemployer Statistics.

APPENDIX C

Economic News Release

Table B-8. Average hourly and weekly earnings of production and nonsupervisory employees on private nonfarm payrolls by industry sector, seasonally adjusted(1)

ESTABLISHMENT DATA

Table B-8. Average hourly and weekly earnings of production and nonsupervisory employees on private nonfarm payrolls by industry sector, seasonally adjusted(1)

Industry	Average hourly earnings				Average weekly earnings			
	Nov. 2015	Sept. 2016	Oct. 2016(p)	Nov. 2016(p)	Nov. 2015	Sept. 2016	Oct. 2016(p)	Nov. 2016(p)
Total private	$21.23	$21.67	$21.71	$21.73	$715.45	$728.11	$729.46	$730.13
Goods-producing	22.16	22.75	22.80	22.80	912.99	937.30	939.36	939.36
Mining and logging	26.61	27.03	27.13	26.96	1,213.42	1,235.27	1,242.55	1,229.38
Construction	25.43	26.21	26.24	26.24	1,012.11	1,043.16	1,039.10	1,044.35
Manufacturing	20.07	20.56	20.64	20.62	836.92	859.41	866.88	861.92
Durable goods	21.10	21.57	21.64	21.63	888.31	910.25	917.54	912.79
Nondurable goods	18.39	18.93	19.02	18.99	757.67	778.02	785.53	780.49
Private service-providing	21.03	21.45	21.49	21.50	681.37	692.84	696.28	694.45
Trade, transportation, and utilities	18.79	19.07	19.10	19.11	633.22	636.94	639.85	638.27
Wholesale trade	23.75	24.33	24.37	24.33	914.38	941.57	945.56	941.57
Retail trade	14.94	15.03	15.03	15.07	449.69	444.89	446.39	446.07
Transportation and warehousing	20.87	21.11	21.13	21.17	811.84	819.07	815.62	817.16
Utilities	34.66	35.42	35.86	35.35	1,476.52	1,508.89	1,552.74	1,484.70
Information	29.52	30.32	30.39	30.41	1,050.91	1,082.42	1,081.88	1,070.43
Financial activities	25.61	26.31	26.33	26.26	950.13	970.84	968.94	966.37
Professional and business services	25.05	25.59	25.63	25.69	889.28	903.33	907.30	906.86
Education and health services	22.27	22.59	22.63	22.67	714.87	727.40	728.69	732.24
Leisure and hospitality	12.55	12.97	12.98	13.01	313.75	322.95	323.20	325.25
Other services	19.14	19.30	19.38	19.38	587.60	594.44	596.90	596.90

Footnotes

(1) Data relate to production employees in mining and logging and manufacturing, construction employees in construction, and nonsupervisory employees in the service-providing industries. These groups account for approximately four-fifths of the total employment on private nonfarm payrolls.

(p) Preliminary

NOTE: Data have been revised to reflect March 2015 benchmark levels and updated seasonal adjustment factors.

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Last Modified Date: December 02, 2016

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APPENDIX D

EMPLOYMENT in New York State

George E. Pataki, Governor | April 2005 | Linda Angello, Commissioner

How Jobs Create More Jobs...

Understanding the Multiplier Effect

Among the most powerful tools used in regional economic analysis are economic multipliers (related story on page 2). However, they are often misused or misunderstood. Recent business news shows these multipliers have been used to estimate the regional economic contributions of everything from the Indian Point Nuclear Plants to artist Christo's exhibit "The Gates" in Central Park.

Multipliers, which measure the interdependence or linkage between industry sectors within a region, provide an estimate of the "ripple effect" due to a local change in economic activity. They connect the initial effect of a change in demand—due to purchases made by households or government or due to foreign trade, but not part of an industrial production process—to the total effect of that change on the regional economy. The total effect is reported here in terms of jobs, but it also could be measured in terms of output, sales, income or value added.

Total effect has three main parts: direct, indirect, and induced effects. Direct effects are the immediate employment impacts associated with a change in demand for a particular industry. For example, a $1 million increase

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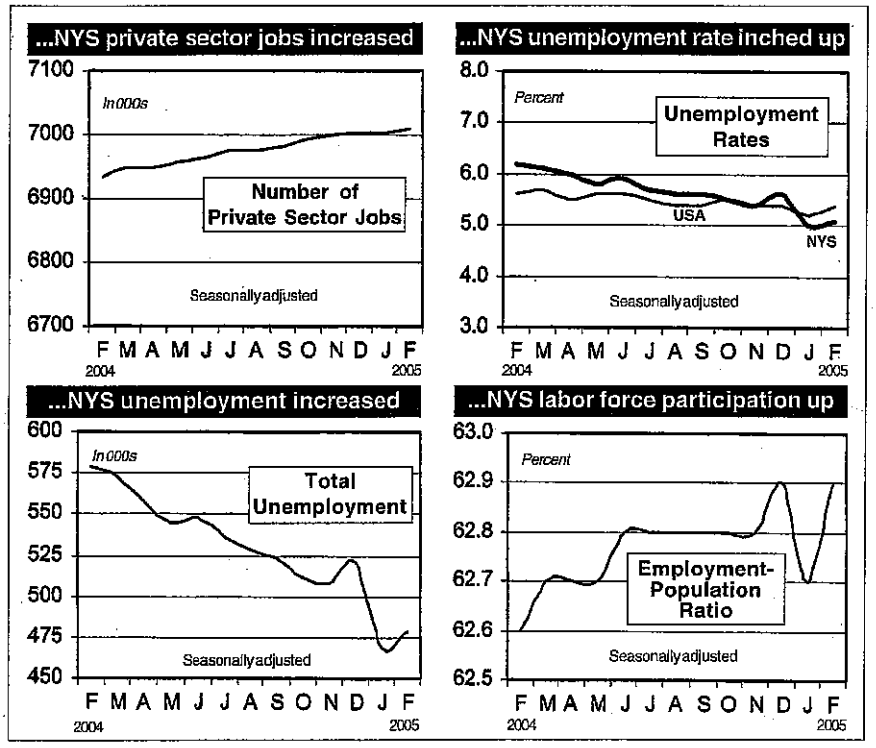
IN FEBRUARY...



At a Glance

In February 2005, New York's seasonally adjusted unemployment rate was 5.1 percent, up from 5.0 percent in January. (The nation's unemployment rate was 5.4 percent in February.) In February 2005, the state had 8,491,200 nonfarm jobs, including 7,009,400 private sector jobs, after seasonal adjustment. The number of private sector jobs in the state increased by 0.1 percent from January. (The nation's private sector job count increased 0.2 percent over the month.) From February 2004 to February 2005, the number of private sector jobs increased by 1.2 percent in the state and increased by 2.0 percent in the nation (not seasonally adjusted.) In addition, New York's employment-population ratio, a measure of labor force participation, increased slightly in February.

Change in Nonfarm Jobs
Feb. 2004 - Feb. 2005
(Data not seasonally adjusted, numbers in thousands)

	Net	%
Total Nonfarm Jobs	81.8	1.0
Private Sector	81.1	1.2
Goods-Producing	-9.1	-1.0
Nat. res. & mining	0.4	8.7
Construction	3.0	1.1
Manufacturing	-12.5	-2.1
Durable gds.	-2.3	-0.7
Nondurable gds.	-10.2	-4.0
Service-providing	90.9	1.2
Trade, trans., & util.	18.1	1.3
Wholesale trade	0.1	0.0
Retail trade	15.5	1.9
Trans., wrhs., & util.	2.5	1.0
Information	0.5	0.2
Financial activities	9.1	1.3
Prof. & bus. svcs.	12.7	1.2
Educ. & health svcs.	25.0	1.6
Leisure & hospitality	19.6	3.2
Other services	5.2	1.5
Government	0.7	0.0

Focus on the Hudson Valley

Hudson Valley Experiences Broad-based Growth

by Sean MacDonald, Labor Market Analyst, Hudson Valley

The Hudson Valley continues to enjoy one of the strongest regional economies in New York State. Contributing to this strength has been the region's burgeoning population, which grew by 122,000, or 3.4 percent, between July 1, 2000 and July 1, 2004, as people with jobs in the New York City area have sought more affordable housing.

Due to redrawn metropolitan statistical area (MSA) boundaries from the U.S. Office of Management and Budget, the Hudson Valley now has two new MSAs: Poughkeepsie–Newburgh–Middletown (Dutchess and Orange counties) and Kingston (Ulster County). In addition, there is one new labor market area (Putnam-Rockland-Westchester) as well as one non-metropolitan county (Sullivan).

Over the 12-month period ending February 2005, the Hudson Valley's private sector job count increased 16,700, or 2.3 percent, to 728,100, a new record for the month. The region's expansion was broad-based with all major industry sectors, except information and manufacturing, adding jobs over the year.

Educational and health services (+5,000) added by far the most jobs, due in large part to expansion of a large number of medical facilities including Crystal Run Health Care (Sullivan County), St. Francis Hospital (Dutchess County), Orange Regional Medical Center, St. Luke's Cornwall Hospital and Wallkill Medical Arts Building in Orange County. Due to ongoing and anticipated demand for health services, the region's local Workforce Investment Boards applied for a federal High Job Growth Training Initiative grant focused on increasing the supply of nursing faculty at area colleges. This is seen as a critical first step to increasing the number of trained nurses in the region. Moreover, White Plains Hospital Center and several other institutions in Westchester County recently received federal and state grants for recruiting and training nurses and physicians.

"Our region's economy is vibrant. During April and May, the Department of Labor is holding five job fairs that will include 700 businesses trying to fill nearly 3,000 job openings. Our job bank includes thousands of current job opportunities."

Frank Surdey, Regional Administrator, Hudson Valley

Over the year, trade, transportation and utilities added 3,000 jobs, driven in large part by robust population growth and the region's close proximity to major population centers. Large chains continue to open new stores throughout the region; for example, Wal-Mart will open in the city of White Plains in the fall of 2005. Overnite Transportation Co., a national trucking company, is building a new facility in the Town of Montgomery (Orange County) that will employ 150 workers when completed later this year.

The region's leisure and hospitality sector also grew by 3,000 jobs over the year, with both Sullivan County and the Putnam-Rockland-Westchester area adding 1,100 jobs due to the opening of a number of hotels and restaurants. While the sector had suffered a prolonged decline in Sullivan County, a newly expanding market for second homes, the recent opening of a ski resort and a new "racino" (video gaming center) at Monticello Race Track herald a turnaround. Additionally, the former Concord and Grossingers properties which were acquired by Empire Resorts, are being renovated and updated.

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Real-World Multipliers

Economic multipliers are used extensively throughout the economic development field to assess the potential employment impacts of a change in final demand on a regional economy.

The value of multipliers vary considerably across industry groups and even among industries within the same broad group. The table shows statewide *total* ("Type II") employment multipliers for selected private sector industry groups in New York. These range in value from a high of 3.41 for information to a low of 1.50 for leisure & hospitality. (Data come from the IMPLAN software package.)

It is instructive to look at an actual economic impact report to see the types of conclusions that may be drawn using multipliers. One such report, recently released by Colgate University, focused on the economic contributions of the Oneida Indian Nation's enterprises to the Central New York economy.

The report's authors, economics professor Jill Tiefenthaler and senior Chris Brown, found that in fiscal year 2004, direct employment by the Oneida Nation totaled 4,215. Data from the *Central New York Business Journal* cited in the report indicate that this made the Nation the third largest employer in the three-county (Onondaga, Oneida and Madison) region, trailing only Upstate Medical Center and Syracuse University.

When a multiplier was factored in, an additional 3,570 jobs in the three-county region were attributable to the Oneidas. As outlined in the report, these additional jobs were specifically due to: the Nation's increased demand for goods and services in the region; spending by employees of the Nation at vendors in the three-county area; and the Oneidas' capital spending budget, which totaled $175 million in fiscal year 2004.

Employment Multipliers, Selected Private Sector Industry Groups, New York State

Industry Group	Multiplier
Information	3.41
Management of Companies	3.16
Financial Activities	3.06
Manufacturing	3.04
Prof., Sci. & Tech. Services	2.25
Construction	2.24
Transportation & Warehousing	2.03
Health Services	1.78
Wholesale & Retail Trade	1.71
Admin. & Support Services	1.64
Leisure & Hospitality	1.50

Source: IMPLAN

Unemployment Rates in New York State

Data Not Seasonally Adjusted

	FEB '04	FEB '05		FEB '04	FEB '05		FEB '04	FEB '05
New York State	**6.7**	**5.6**	**Hudson Valley**	**4.9**	**4.2**	**Southern Tier**	**6.4**	**5.6**
Capital	**5.1**	**4.5**	Dutchess	4.9	4.2	Broome	6.4	5.6
Albany	4.6	4.0	Orange	5.2	4.5	Chemung	7.3	6.4
Columbia	5.3	4.5	Putnam	4.1	3.6	Chenango	7.3	6.2
Greene	6.2	5.4	Rockland	4.5	3.9	Delaware	5.7	4.9
Rensselaer	5.5	4.7	Sullivan	6.6	5.7	Otsego	6.2	5.4
Saratoga	4.6	4.1	Ulster	5.5	4.7	Schuyler	7.9	7.3
Schenectady	5.0	4.5	Westchester	4.8	4.0	Steuben	8.2	7.2
Warren	6.7	5.8	**Mohawk Valley**	**6.9**	**6.1**	Tioga	6.3	6.0
Washington	5.8	5.7	Fulton	6.9	6.5	Tompkins	4.0	3.3
Central	**6.3**	**5.6**	Herkimer	7.4	6.6	**Western New York**	**6.8**	**6.0**
Cayuga	6.4	5.5	Madison	7.2	6.4	Allegany	7.7	6.9
Cortland	7.3	6.7	Montgomery	8.0	7.1	Cattaraugus	7.4	6.4
Onondaga	5.6	5.0	Oneida	6.4	5.6	Chautauqua	7.0	5.7
Oswego	8.8	7.7	Schoharie	7.3	6.3	Erie	6.5	5.8
Finger Lakes	**6.6**	**5.8**	**North Country**	**8.4**	**7.2**	Niagara	7.7	6.6
Genesee	7.3	6.5	Clinton	7.2	6.1	**Long Island**	**5.3**	**4.6**
Livingston	7.9	6.7	Essex	7.1	6.6	Nassau	5.1	4.4
Monroe	6.1	5.3	Franklin	8.4	7.3	Suffolk	5.5	4.8
Ontario	6.7	6.4	Hamilton	8.7	7.6	**New York City**	**7.9**	**6.5**
Orleans	8.5	7.6	Jefferson	9.4	8.0	Bronx	10.3	8.3
Seneca	6.8	6.0	Lewis	10.2	8.9	Kings	8.5	6.9
Wayne	7.5	6.7	St. Lawrence	8.6	7.2	New York	6.9	5.7
Wyoming	9.0	7.3				Queens	7.3	6.0
Yates	5.9	5.6						

Hudson Valley... *from page 2*

Job growth in the financial activities (+2,200) sector was fueled by expansion in the sub-prime (higher risk consumers) mortgage industry and at regional banks. The region was further boosted by the 2004 relocation from Manhattan of nearly 2,000 workers from Morgan Stanley and 1,000 from New York Life Insurance Co. Future demand for financial services in the region should be sustained by the Hudson Valley's continued population growth and strong housing market.

The information sector lost 800 jobs over the year. Based on published reports, much of this loss was due to the closing of Verizon's call center in Rockland County. Despite this closing, Verizon plans to compete against cable and satellite providers for the high-speed Internet access market, hiring workers to expand its fiber optic network. At the same time, Westchester-based Bridgecom International has teamed up with Broadview Network Holdings of New York City to increase market share in voice, data and Internet services. Lightpath, a division of Cablevision, has been expanding throughout Westchester County. Additionally, Nokia is moving 300 employees into its permanent new headquarters in Harrison.

Although manufacturing lost 700 jobs over the year, a big bright spot is the opening of IBM's expanded chip fabrication facility later this year. The project may result in the hiring of an additional 500 workers.

Multiplier Effect... *from page 1*

in computer purchases will cause manufacturers to produce $1 million more worth of computers, hiring extra workers in the process. Indirect effects would be hiring by industries that supply goods and services to the expanding computer industry (e.g. chipmakers). Induced effects occur as firms in all sectors of the local economy add staff due to spending of the additional income of employees in the directly (computer) and indirectly (chipmakers) affected industries.

Multipliers based on direct, indirect and induced effects are called total or "Type II" multipliers, and are the ones most often cited in economic impact studies. They are calculated as:

$$\frac{\text{(Direct+Indirect+Induced Effects)}}{\text{Direct Effects}}$$

Using New York data, the $1 million increase in final demand for the computer industry should generate 2.09 jobs in direct effects, 2.56 jobs in indirect effects, and 4.04 jobs in induced effects, making for a total economic impact of 8.69 jobs. Putting these data into the equation above:

$$\frac{(2.09+2.56+4.04)}{2.09} = 4.16$$

Thus, for every direct effects job created in the computer industry due to increased demand, we could see a total of 4.16 jobs created in New York.

Multipliers have some key limitations and certain errors are common. Most importantly, multipliers only measure short-term economic changes. They do not account for long-term impacts on an area's economy. In addition, multipliers assume that surplus economic resources, including labor, are in ready supply—thus not allowing for labor shortages.

A common mistake is to add the direct effect to the total effect; this results in double-counting. Another typical problem involves using the wrong multiplier; you can't count jobs using an income multiplier. A less obvious problem is unrealistic direct effects estimates that result in total economic impacts being overstated.

by Kevin Jack

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NORTH COUNTRY
ALAN BEIDECK 518-891-6680

Private sector employment in the North Country region increased over the year by 2,300, or 2.1 percent, to 109,900 in February 2005. The largest gains were in trade, transportation and utilities (+1,300), educational and health services (+800), and natural resources, mining, and construction (+400). Losses were centered in information (-300) and leisure and hospitality (-200).

CENTRAL NY
ROGER EVANS
315-479-3388

Private sector employment in the Syracuse metro area rose 2,900, or 1.1 percent, to 257,700 over the 12-month period ending February 2005. Job creation was concentrated in professional and business services (+1,000), educational and health services (+900), leisure and hospitality (+900), and trade, transportation, and utilities (+700). Manufacturing (-1,000) lost jobs over the year.

MOHAWK VALLEY
MARK BARBANO
315-793-2282

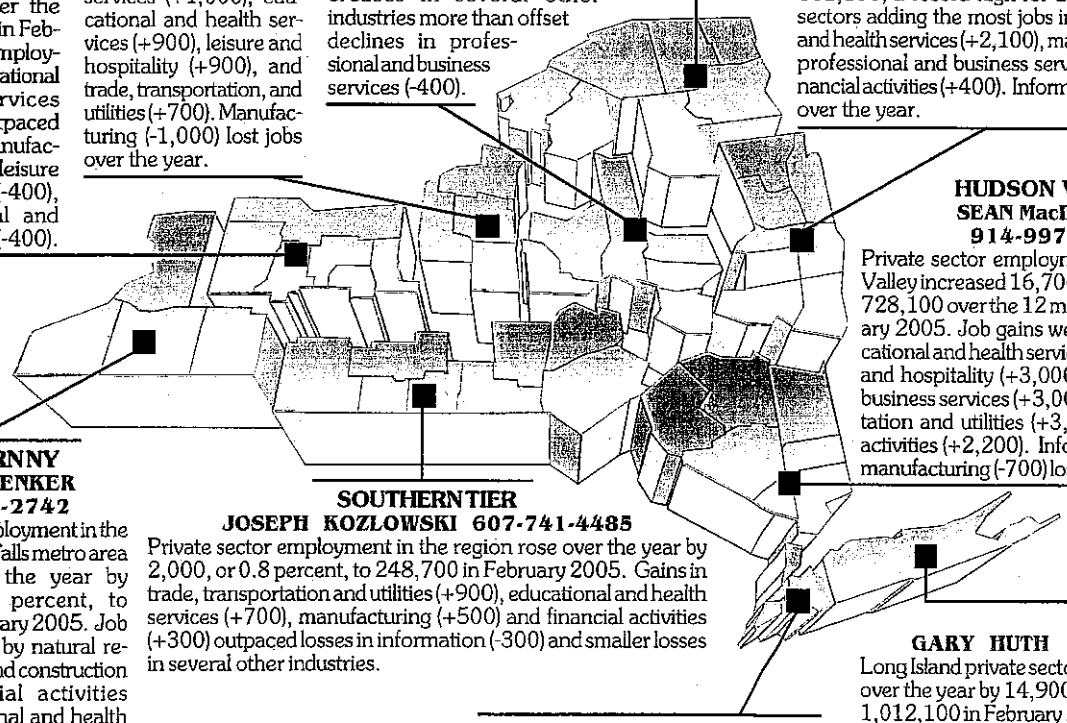
Private sector employment in the Utica-Rome metro area rose over the year by 700, or 0.7 percent, to 97,200 in February 2005. Job gains in educational and health services (+700), manufacturing (+200), and smaller increases in several other industries more than offset declines in professional and business services (-400).

CAPITAL DISTRICT
JAMES ROSS
518-462-7600

From February 2004 to February 2005, the number of private sector jobs in the Albany-Schenectady-Troy area increased by 3,900, or 1.2 percent, to 331,100, a record high for the month. Industry sectors adding the most jobs included educational and health services (+2,100), manufacturing (+700), professional and business services (+600), and financial activities (+400). Information (-400) lost jobs over the year.

FINGER LAKES
WILLIAM RAMAGE
585-258-8870

Private sector employment in the Rochester area declined 6,000, or 1.4 percent, over the year to 416,000 in February 2005. Employment gains in educational and health services (+300) were outpaced by declines in manufacturing (-4,400), leisure and hospitality (-400), and professional and business services (-400).



HUDSON VALLEY
SEAN MacDONALD
914-997-8798

Private sector employment in the Hudson Valley increased 16,700, or 2.3 percent, to 728,100 over the 12 months ending February 2005. Job gains were centered in educational and health services (+5,000), leisure and hospitality (+3,000), professional and business services (+3,000), trade, transportation and utilities (+3,000), and financial activities (+2,200). Information (-800) and manufacturing (-700) lost jobs over the year.

WESTERN NY
JOHN SLENKER
716-851-2742

Private sector employment in the Buffalo-Niagara Falls metro area increased over the year by 1,300, or 0.3 percent, to 442,500 in February 2005. Job gainers were led by natural resources, mining and construction (+700), financial activities (+600), educational and health services (+500), and professional and business services (+400). Manufacturing (-1,300) lost jobs over the year.

SOUTHERN TIER
JOSEPH KOZLOWSKI 607-741-4485

Private sector employment in the region rose over the year by 2,000, or 0.8 percent, to 248,700 in February 2005. Gains in trade, transportation and utilities (+900), educational and health services (+700), manufacturing (+500) and financial activities (+300) outpaced losses in information (-300) and smaller losses in several other industries.

LONG ISLAND
GARY HUTH 516-934-8533

Long Island private sector employment rose over the year by 14,900, or 1.5 percent, to 1,012,100 in February 2005, a record high for the month. Job gains were centered in professional and business services (+3,900), educational and health services (+3,500), leisure and hospitality (+3,500), trade, transportation and utilities (+1,600), natural resources, mining and construction (+900), and other services (+800).

NEW YORK CITY
JAMES BROWN 212-621-9353

The City added 36,700 private sector jobs for the 12-month period ending in February 2005, a gain of 1.2 percent. Three sectors – leisure and hospitality, educational and health services, and trade, transportation and utilities – each added more than 10,000 jobs. The financial activities sector gained strength, while manufacturing was the only sector to lose jobs over the year.

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Appendix E

Institute

Manufacturing's Multiplier Effect is Stronger than Other Sectors'

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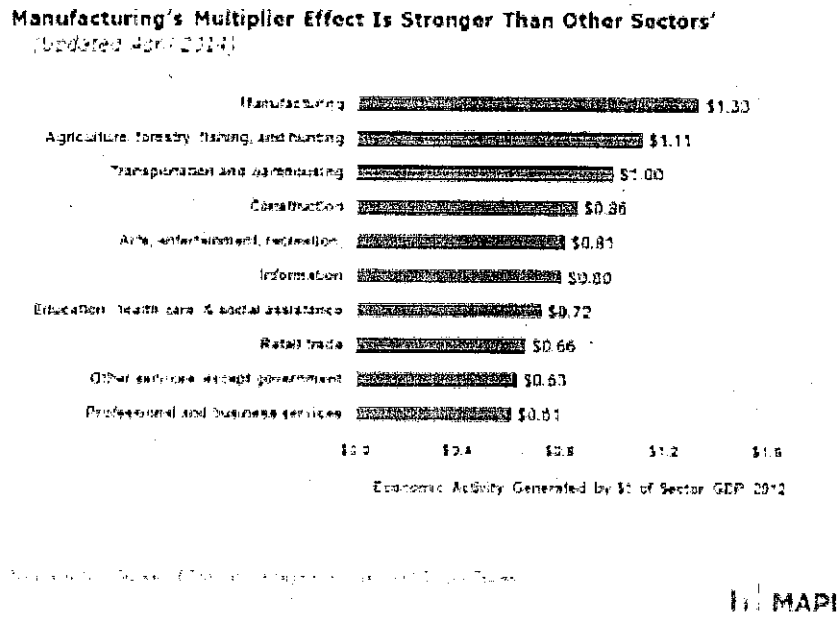

Manufacturing is complex and its production processes increase the demand for raw materials, energy, construction, and services from a broad array of supplying industries. Additionally, many functions previously completed within manufacturing companies—from back-office operations and accounting to some types of logistics—are now contracted to other service providers and hence not counted as part of the manufacturing sector.

A measure of the breadth of the supply chain is the backward linkage in the input-output structure of the economy. For an industry with a larger backward linkage, growth in its output induces more production—both directly and indirectly—from other sectors. A mapping of relationships in the economy reveals that manufacturing has the highest backward linkage among the major sectors. As the demand for manufacturing grows, it in turn spurs the creation of jobs, investments, and innovations elsewhere.

The backward linkage (or multiplier effect) shows how much additional output is generated by a dollar's worth of final demand for each industry. Every dollar in final sales of manufactured products supports $1.33 in output from other sectors—this is the largest multiplier of any sector. Manufacturing plants, therefore, have a powerful and positive impact on economic development.