



GARLING ASSOCIATES

COMMUNITY AND DEVELOPMENT PLANNERS

MEMORANDUM

TO: Town of Goshen Planning Board, Ralph Huddleston, Jr., Chairman
Neal Halloran, Town of Goshen Building Inspector
Sean Hoffman, P.E.
Richard Golden, Esq, Kelly Naughton, Esq.

CC: Kristen O'Donnell, Turner-Miller Group (for applicant)

FROM: Leslie Dotson, AICP

RE: Maplewood– Review of DEIS dated January 12, 2012

DATE: February 15, 2012

The following are our acceptance comments regarding the Maplewood DEIS, dated January 12, 2012. The submission was reviewed in accordance with the final scoping document adopted November 8, 2010. Review comments were made with regard to the matter of addressing the document's acceptability under SEQR as to *scope, content and adequacy* in order to begin the public review process. However, in places these comments do address matters that may go beyond the strict limits of scope, content and adequacy, where we feel it may be more helpful or more productive to mention an item earlier rather than later.

The proposed action has been revised to reduce the total number of proposed dwelling units from what had been the subject of the final scoping document and the June 11, 2010 court stipulation. Instead of the maximum of 103 dwelling units, with 48 single family detached units and 55 condominium units as part of a Planned Adult Community (PAC), the project proposes only 96 units, including the 48 single family detached units and only 48 PAC condominium units. While the ceiling of 103 remains as per the stipulation, the applicant has voluntarily chosen to reduce the number of units.

I have attempted to avoid duplicating any comments already submitted by Riddick Associates. Though there will be some unavoidable areas of overlap, I have tried to avoid duplication as much as possible.

The following review follows the adopted scope:

- A) **Cover Sheet:** An additional line will need to be added to provide the location where the accepted document will be posted online, as required. Whether that is the Lead Agency's website or the applicant's does not matter, but this will need to be agreed upon before acceptance, and a line should be provided for this item on the cover sheet.

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B) **Table of Contents:** Appendix B, SEQR documentation should instead read “Final Scoping Document”.

C) **Body of Document**

I) **Executive Summary:**

2) List of Involved Agencies: Although the scope lists the items, acceptance of dedication of open space lands, formation of Town lighting district, and determination regarding the integration of the proposed water supply with the existing Hambletonian Park water supply system, the document does not explicitly address these.

5) Project Description Overview: this section does not address the utility infrastructure component as requested, and this is a key component of the project. This should also include a brief summary of the history of the project and particularly the zoning matters and legal stipulation.

6) Summary of Existing Conditions: This section is focused strictly on the site itself, without discussing the adjacent area and uses. This is an important omission because it strips the proposal from its context.

II) **Description of the Proposed Action:** this section does not address the utility infrastructure component. This should also include a brief summary of the history of the project and particularly the zoning matters and legal stipulation. This should specifically call out the zoning non-compliance as regards the court stipulation. Graphical representation of the improvements is not included, as requested.

III) **Existing Conditions, Anticipated Impacts, Proposed Mitigation Measures:**

1) Land Use, Zoning, Public Policy: Existing zoning is not discussed, and also cemetery regulations. The ROW connection from the cemetery is not adequately addressed. From a substantive standpoint, even the document itself admits (see also II-2) that the distance and grade of their proposed 20-foot wide cemetery access ROW is a problem due to grade and distance. My understanding is that a meaningful access way was anticipated, which would mean that proposing something that is known to be inadequate at the outset will be a problem. While it is not the Lead Agency’s role to interpose itself between the sponsor and the County in this regard, it seems that what is proposed and discussed in the DEIS is not an adequate means of addressing the matter to satisfy the scope. This comment speaks not only existing conditions but also to impacts and mitigation measures regarding the above items.

b) Potential Impacts: With respect to the relationship of the project to the

County's Open Space Plan, the document does not directly address the critical habitat areas, where the County Open Space Plan indicates the site as being a critical habitat area; specifically in the case of this site, for wood turtles, which are a species of special concern. While the natural resources assessment does speak to a limited extent to wood turtles, it is insufficient. While the document speaks further to the subject at III-C at page III-15, it does not directly address the matter in adequate detail. See further below at item 3.

The lighting impacts of the project are not adequately addressed, and seem to be the result of some confusion as to what is meant by dark sky friendly lighting (page III-10). It is not lighting that is dimmed over the night hours, but rather lighting that does not illuminate the sky or produce glare or light trespass, and its effects are achieved by fixture using a combination of a properly shielded or recessed bulb, with proper lens placement, bulb size and type.

The document addresses only the light from the PAC component of the project, and does not speak to any light and other impacts from the single family detached component on surrounding properties on both sides but particularly on the Coleman Road side. Where either the proposed new road intersections may have lighting, and where individual dwellings may have unshielded lights that are not dark sky friendly, there may be additional impacts that the document has not addressed.

c) The document does not address feasibility and cost to create and maintain pathways to Craigville and Coleman Road.

3) Vegetation and Wildlife: The document does not address the County's mapping indicating the site as part of a larger wood turtle habitat area and a reason that the Southern Wallkill Biodiversity Plan labels the site as an area important for biodiversity. Consideration given to this subject is not in adequate detail. This factor should also be considered as a part of the evaluation for any impacts of the proposed connection of the PAC roadway to Coleman Road, including impacts of road salt on water quality and increased likelihood of wildlife mortality resulting from a through road connection over the wetland.

The description of onsite vegetative communities does not discuss the overall role of the site's habitat in the specific geographic context of the site and surrounding uses, nor does it discuss the global and state ranking of the vegetative communities according to Edinger.

The document states at III-15 that no invasive species were identified as present, but the analyst's own report in App. C lists several that are on the state's interim list of invasive plant species, including garlic mustard, spotted knapweed, purple loosestrife, tatarian honeysuckle, Japanese

barberry, and multiflora rose. It is puzzling that the text relates the presence of invasives to previous development, where in fact invasives readily spread by wind and/or by animal dispersion or other means, regardless of human intervention. The particular health and condition of the specific site for general habitat purposes is not addressed. Nor does the document address any invasive species proposed after construction as requested. I note that the landscape plan has not yet been submitted; it would be easier to address the effects of introduced species simply by adhering to native species in such a plan, with close attention being paid to species that are less attractive to deer which are likely to be a tremendous problem on the site when complete. And while a landscape plan will be proposed to address the PAC, it will not address any plantings that are done on the single family homesites.

With respect to impacts on larger trees, I note that the utility easement running along the west boundary of the cemetery disturbs some larger trees, where it appears possible to avoid at least some of these by shifting the easement slightly farther west, outside of the wetland buffer but away from the trees. This was not considered as a mitigation measure. This may not be an acceptance issue, but I mention it now nevertheless because it appears that it may be at least partly an avoidable impact. Further regarding impacts on larger trees, it would be helpful (though this is not an acceptance issue) if the document paid some attention to the actual (specific or general) condition of the larger trees that would be removed by way of the plan. Size alone is not the only factor that should be considered in evaluating the potential impacts of removing the said trees.

Potential impacts on lighting as discussed above should be correctly addressed; in regard to the correct definition of dark sky friendly lighting and that the lighting in the PAC only has been addressed.

4) Wetlands and Surface Water Hydrology: this section fails to address the mitigation measures/possibilities indicated in the scope for wetland crossing.

5) Groundwater: in regard to municipal water supply and the feasibility of connecting, the text (see III-20) is written more from a Village than a Town perspective. Discussion of the expansion of the Hambletonian Park public water system is summarily dismissed without consideration of the elements mentioned in the scope. My understanding is that circumstances may have changed to make this alternative more feasible than represented in the text.