



COUNTY OF ROCKLAND

DEPARTMENT OF PLANNING

Building T
50 Sanatorium Road
Pomona, New York 10970
(845) 364-3434
Fax. (845) 364-3435

JUL 08 2009

C. SCOTT VANDERHOEF
County Executive

SALVATORE CORALLO
Commissioner

ARLENE R. MILLER
Deputy Commissioner

July 7, 2009

Mr. Alan Simon
Director of Building and Planning Administration
Town of Ramapo
237 Route 59
Suffern, New York 10901

Re: Patrick Farm

Dear Mr. Simon:

It has come to our attention that the comment period deadline for the Draft Environmental Impact Statement (DEIS) for the proposed amendment to the Town's Comprehensive Plan, the Zoning Code amendment and the zone change petition for the above referenced property is July 23, 2009 not July 8, 2009. This extended review period seems advisable given the amount of information to be considered. As indicated in our letter of June 4, 2009, this department will not be issuing a GML review for the amendment to the Comprehensive Plan or the Zoning Code Amendment before reviewing the DEIS. We believe that the information contained within the DEIS is critical to a thorough GML review. We hope to submit our comments on the DEIS on or before the July 23, 2009 deadline for receipt of public comments.

2.0-17

Please contact Helen Kenny Burrows at 364-3453 if you require clarification or additional information.

Sincerely,

Salvatore Corallo
Commissioner

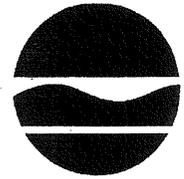
- C: C. St. Lawrence, Supervisor
- M. Klein
- A. Berman
- Village of Pomona
- Village of Wesley Hills
- RC Drainage Agency
- RC Health Department
- RC Sewer District No. 1
- NYS Department of Transportation
- NYS Department of Environmental Conservation
- Palisades Interstate Parkway
- United States Army Corps of Engineers

New York State Department of Environmental Conservation**Division of Environmental Permits, Region 3**

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3000 • FAX: (845) 255-4659

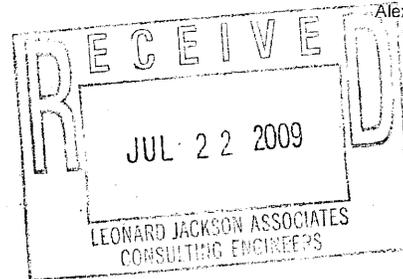
Website: www.dec.ny.gov

Alexander B. Grannis
Commissioner

July 23, 2009

Via Facsimile (845) 357-8513 and U.S. Mail

ALAN SIMON
DIRECTOR OF BUILDING AND PLANNING ADMINISTRATION
TOWN OF RAMAPO TOWN BOARD
237 ROUTE 59
SUFFERN, NY 10901



RE: DEC Pre-Application No. 3-3926-00570/00002
Addendum to Comments on Draft Environmental Impact Statement (DEIS)
Patrick Farm – 497 Residential Units on 208.5 Acres
Town of Ramapo, Rockland County

Dear Mr. Simon:

On July 3, 2009 the New York State Department of Environmental Conservation (DEC or Department) submitted comments on the DEIS for the Patrick Farm Subdivision development project proposed by Scenic Development, LLC. As it is the Department's understanding that the deadline for comments has been extended until July 23, 2009 (based upon the enclosed July 7, 2009 letter issued by the Rockland County Department of Planning), this is to serve as an addendum to those comments:

Water Supply

Appendix B includes a "willingness to serve" letter from United Water New York (UWNY) pertaining to the supply of potable water to the subject development. However, this letter, issued on August 25, 2008 expired nine months from issuance and therefore is no longer valid. An updated willingness to server letter should be provided. 3.6-28

Appendix S of the DEIS includes an "Assessment of United Water New York Water Supply Available for New Projects," ("assessment") apparently provided by the Rockland County Department of Health. However, no cover letter was provided indicating the preparer or date of issuance. All information relating to the development of this document should be included within Appendix S. The assessment indicates that projected peak demand for 2008 was 48.4 million gallons per day (MGD) and that United Water New York's available peak supply capacity, at the time of the report, was 50.5 MGD, indicating a surplus of 2.6 MGD available to serve additional development. However, page 25 (enclosed) of the "Order Approving Merger and Adopting Three-Year Rate Plan," ("order") issued by the New York State Public Service Commission (PSC), dated December 14, 2006, indicates the position of Rockland County is as follows: 3.6-29

- "United Water New York has an immediate problem in satisfying peak demand." and
- "United Water New York has not been able to reliably meet the county's peak demand since 1990."

The assessment provided in Appendix S of the DEIS that references the Rockland County Department of Health seems to be contradictory to the information presented within the order. The DEIS should include a written assessment with all supporting data which discusses the ability of United Water New York to deliver the required 198,800 gallons per day (GPD) to this development and how this project's additional demand may

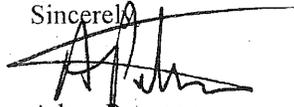
RE: Addendum to Patrick Farm DEIS Comments
July 23, 2009
Page 2 of 2

impact other water users, whom may already experience unreliable water service during peak usage times. The assessment should also include any pertinent information regarding steps taken by UWNY since the drafting of the order in 2006 in an effort to alleviate water shortages during peak demand.

↑ 3.6-29
Con't

DEC thanks you for the opportunity to comment on this project and the DEIS. Please contact me with any questions that you may have at (845) 256-3096.

Sincerely,



Adam Peterson
Environmental Analyst

Enclosures

Cc: Scenic Development, LLC (w/ enclosures)
Dennis Rocks, Leonard Jackson Associates (w/enclosures)
Margaret Duke – R3 Regional Permit Administrator (Via GW)
Lisa Masi, DEC (Via GW)
Brian Drumm, DEC (Via GW)
Natalie Browne, DEC (Via GW)
RCDOH
RCSD #1
United Water New York
USACOE

mechanism, they say, was adopted in 2005 for United Water New Rochelle.

Rockland County states that the new water supply initiative is essential in light of testimony by its witness Miller that, among other things:

- United Water New York has an immediate problem in satisfying peak demand.³⁰
- United Water New York has not been able to reliably meet the county's peak demand since 1990.³¹
- Six projects set forth in a 2000 Master Plan to increase supply by 8.9 mgd yielded only 3.4 mgd.
- A similar but less immediate problem exists with respect to meeting average demand.³²

According to Rockland County, the commitments to increase volumes set forth in Joint Proposal Exhibit 11, and the specific projects to meet short- and intermediate-term commitments set forth in Joint Proposal Exhibit 8, flow directly from independent analyses prepared by the companies and its witness Miller.

Rockland County also emphasizes that the Joint Proposal's terms for a long-term additional supply are neutral as to what project will be selected. Rather, such terms memorialize increased volume commitments that must be met and specific interim milestones that will better ensure the specified in-service date for the new long-term supply will be met as compared to the mere inclusion of a project in a 10-year Master Plan.

The Town of Ramapo and the Fire Chiefs state that they were previously frustrated to the extent they did not know of any plans by the water utility to meet peak demand and average usage growth, and felt that something more specific was needed.

³⁰ Ex. 49, pp. 15-16.

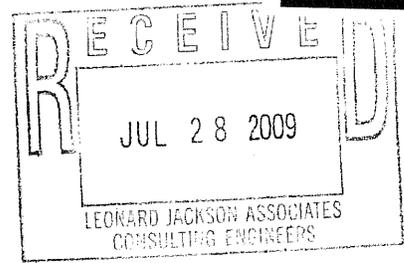
³¹ Id., p. 18.

³² Id., pp. 18 and 25.



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C. SCOTT VANDERHOEF
County Executive

SALVATORE CORALLO
Commissioner

ARLENE MILLER
Deputy Commissioner

July 24, 2009

Town Board
Town of Ramapo
237 Route 59
Suffern, NY 10901

Re: Draft Environmental Impact Statement (DEIS) for Patrick Farm

Dear Town Board:

As an ongoing interested party for the New York State Environmental Quality Review Act (SEQRA) process, our department has reviewed the DEIS for the proposed Patrick Farm development. This project is also subject to our review under Section 239-m 3.(a)(i), (ii), (iv), and (v), and Section 239-n 3.(a)(i), (ii), (iii), and (iv) of the New York State General Municipal Law (GML). The subject site has frontage on Routes 202 and 306, and is immediately adjacent to the Villages of Pomona and Wesley Hills, the Mahwah River, and Harriman State Park. State and Federal wetlands are also located on the property. Our review of the DEIS focuses on the impact of the proposed actions on these GML criteria, as well as community character, infrastructure capacity and other issues of countywide concern. It also considers whether the proposed actions are consistent with the goals and objectives of the Town of Ramapo's 2004 Comprehensive Plan and the County's 2001 River to Ridge Plan.

EXECUTIVE SUMMARY

The proposed amendment to the Town of Ramapo's Comprehensive Plan and the Town's proposed Zoning Law Amendment may be subject to additional review under SEQRA because the proposed density was not envisioned or evaluated in the Town's 2004 Comprehensive Plan or the Generic Environmental Impact Statement prepared for the Town's Comprehensive Plan. Supplemental Environmental Impact Statements (EIS) are addressed in Section 617.9(7) of the SEQRA regulations. Section 617.10.(d)(4) states that "a supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts."

3.4-50

The Notice of Completion of the Draft EIS indicates that the action being considered under SEQRA is the Zone Change Petition for Patrick Farm. The amendment to the Comprehensive Plan and the Zoning Code Amendment are not addressed in the Notice of Completion document. However, on Page 1-3 of the Executive Summary of the DEIS, it states, "the action includes assessment of the potential impact of the development of the project, the proposed zoning map and text amendments in addition to the revision of the Town's 2004 Comprehensive Plan as it relates to the Patrick Farm property." It appears that the Town is considering the environmental impacts of the amendment to the Comprehensive Plan and the Zoning Code Amendment while concurrently assessing the environmental impacts of the proposed zone change and mixed density residential development. A separate supplemental EIS may be a more appropriate approach for the amendment to the Comprehensive Plan and the Zoning Code Amendment rather than incorporating all of the actions into one document. If the amendment to the Comprehensive Plan is revised, it would follow that the Zoning Code amendment and development proposal would also have to be revised. As noted on Page 1-3, "As the SEQRA process continues, the site plan will be refined and revised based on input from the various agencies having review responsibility for the proposal."

3.4-50
Con't

On Page 1-4, in the discussion of sustainability in Section 1.2, the values for total operating energy use per household are indicated for an average single-family lot, an attached townhouse and low-rise apartments. An average single-family lot is considered a higher residential energy use than attached townhouses or low-rise apartments. A comparison of the total operating energy use for the 136 single-family residences allowed under R-40 zoning and the 497 residential units proposed in this mixed-density development should be provided. Even if single-family residences are higher energy users than individual units in multi-family residences, significantly fewer units could be built under the current R-40 zoning. As a result, the proposed rezoning would result in a higher overall consumption of energy resources.

8.0-2

The potential impacts of this project on land use and zoning are discussed in Section 1.4.4 of the Executive Summary. It is stated that "based upon the area of single family houses to encircle the multi-family development, the existing residential character of the adjacent areas to the north, south and east will be preserved." This passage goes on to state, "preservation of areas of open space and significant landscape buffer areas will further reduce the impacts to community character." The conclusion is that no significant adverse impacts to community character and development trends are expected from the proposed action. Introducing a sizable new development with permitted densities of up to eight units per acre where all the surrounding residential densities range from approximately one unit per half-acre to one unit per two acres raises issues of community character. The issue is further raised by the new development's proposed use of townhouses, condominiums and rental apartments as the predominant residential unit types in an area where the surrounding residential type is single-family homes. Since this will be the effect of the proposed re-zoning, we recommend that the Town carefully consider the benefits and detriments of the changes to the community character that will occur as a result of the zone change.

3.4-30

It is incorrectly asserted on Page 1-15 of Section 1.4.4 that the proposed future use of the Patrick Farm is consistent with the Rockland County Comprehensive Plan. The River to Ridge Plan recommended a Rural Residential zoning designation for this property with a minimum lot area requirement of 80,000 SF.

3.4-3P

Transportation issues are summarized in Section 1.4.5. The information about New York State Department of Transportation (NYS DOT) improvement plans for the Thiells-Mt. Ivy Road and Routes 202 and 45 must be updated since it references a 2006 completion date.

3.5-18

The potential impacts on adjacent property values are discussed on page 1-29 of Section 1.4.7 (Fiscal Resources). The proposed development is compared to Crystal Hill, a multi-family development located further east on Route 202. An analysis evaluating the impact of Crystal Hill on property values concluded that market values were not impacted by the large scale multiple residences nearby. This is not a valid comparison for several reasons. The area surrounding Crystal Hill is very different than the residential neighborhoods adjacent to Patrick Farm. Commercial properties are located on the north side of Route 202 and multi-family developments are situated directly east and west of Crystal Hill. A medium density residential neighborhood of single-family dwellings on smaller parcels is located behind the commercial properties on Route 202.

3.7-13

In summarizing the project alternatives, it is stated on Page 1-38 that there would be no increase in the diversity of housing in the Town of Ramapo under the single-family home alternative allowed as-of-right in the R-40 zoning district. The 2004 Comprehensive Plan did not envision diverse housing options in this part of the Town. Multi-family zoning districts were created for several sites in the Monsey area in close proximity to Route 59.

5.0-2

The final section of the Executive Summary is incorrectly labeled. The Permits and Approvals section should be 1.6. The Municipal approvals by the Town of Ramapo Town Board should include the review of the Comprehensive Plan Amendment.

2.0-18

PROJECT DESCRIPTION

The DEIS purports that the proposed rezoning of 61 acres of the 208.5-acre Patrick Farm site from R-40 to MR-8 to allow mixed density residential development is consistent with the goals and objectives of the Town's Comprehensive Plan adopted in 2004. The applicant is relying on a very general housing goal that states, "Address the Town's housing needs and provide for a diversity of housing opportunities for the Town's growing and changing population." The 2004 Plan was very specific about the appropriate placement of multi-family housing developments. On page B-1, it is noted, "... there is still a growing need to significantly increase the variety of housing stock within the unincorporated area of the Town, particularly within certain areas such as Monsey." The recommended criteria for placement within a multi-family district are listed on pages B-5 and B-6. The Patrick Farm site does not meet several of the recommended criteria. The site is not located on Route 59, it is not within an area that contains existing high density residential or commercial development, and it does not have pedestrian access or is not within close proximity to community shopping. The existing sewer infrastructure cannot accommodate this proposal. The site is encumbered by environmental constraints such as steep slopes, wetlands, streams, and floodplains.

3.4-16

The 2004 Plan recommended specific areas for placement within a multi-family district on Page B-6. Based on the placement criteria, the most appropriate locations for multi-family districts were determined to be within and around the Route 59 corridor in central Monsey. Specific properties were identified. Patrick Farm was not amongst these properties.

3.4-7G
Can't

The nine parcels that make up the Patrick Farm site are listed on Page 2-2. Lot 32.11-1-15 is included in the minimum lot area calculation. This 12.1-acre parcel is located on the north side of Route 202 and is not contiguous to the larger site. NYSDEC wetlands comprise 8.46 acres or almost 70 percent of the smaller site. The DEIS must address whether including a non-contiguous parcel is permitted in the Town's Zoning Code.

2.0-19

Table 2-1 on Page 2-4 should include a comparison of the proposed residential density based on the net lot area of the site. Given the environmental constraints and the utility easements on this parcel, the required lot area deductions are significant. Using the net lot area to determine the residential density allows for a more accurate evaluation of the impact of these encumbrances.

2.0-20

The reference to the Rockland County Department of Planning with respect to the coordination of a bus stop location is incorrect. The Rockland County Department of Public Transportation handles these matters. After reviewing the plans, the Rockland County Department of Public Transportation has determined that entering the housing complex would not be feasible. While the TOR 95 bus route passes by the property on Route 306, entering the complex would add too much time to the route. It would also be dangerous for the bus to travel on such narrow roads. However, if a concrete pad were to be placed on Route 306 along the east side of the property, the Department of Public Transportation would provide a permanent bus shelter. A companion stop would also have to be located on the opposite side of Route 306.

2.0-21

The Conceptual Landscape Plan is discussed on Page 2-6. It is stated that the perimeter of the site would be amply landscaped with a mixture of deciduous and evergreen trees to screen the residential development from adjoining properties and roads. The location of the 61.3 acres to be rezoned in the central portion of the site is noted, as well as the fact that the surrounding single-family development and the proposed landscaped areas would visually insulate this area. A Construction Section Schedule is presented on Pages 2-6 and 2-7. Section 1 involves the construction of 49 percent of the multi-family units. Only 19 percent of the single-family residences will be constructed during this phase. The remaining 51 percent of the multi-family units will be constructed during Sections 2 and 3. Another 24 percent of the single-family residential lots will be constructed in Section 4. An additional four sections are proposed to complete construction of the remaining 57 percent of the single-family residences. The only overlap that may occur is grading and landscaping taking place on one portion of the site while construction is going on at another location. This construction section schedule raises a number of issues. How will the ring of single-family residences around the perimeter of the site buffer the view of the multi-family development if the majority of these residences are not constructed until the final phases of construction? Based on the five-year time frame, it is very likely that adjacent property owners will have a clear view of the multi-family housing for several years as clearing and grading precedes construction of the R-40 zoned

2.0-22

area. Interim visual mitigation measures necessary to screen views of this construction activity and the multi-family residences from the adjacent properties must be addressed in the DEIS. In addition, future market conditions may make it economically infeasible to complete the final phases of this proposal, which is planned to provide the transition of multi-family residences to the rural residential areas in the surrounding villages.

2.0-22
con't

The Ramapo Commons Market Analysis is discussed on Page 2-11. It notes that there is a critical need for market and affordable multi-family units to service the region. The Terrace View project is also mentioned. The DEIS implies that sales activity for this development is brisk. The numbers presented in the DEIS indicate that less than one-third of the 140 units actually built have been sold. It is not clearly demonstrated in the DEIS that housing for a wider range of income levels will be provided. Of the 497 proposed units, 19 percent can be considered affordable. Page 2-12 states that "the applicant is not proposing housing wherein the residents must meet affordability criteria set by the Rockland County Housing Coalition or other similar agency." It is therefore not clear how eligibility for the 72 workforce condominium flats or the 24 rental apartments will be determined.

2.0-23

In referencing the Rockland County Comprehensive Plan, the DEIS incorrectly states on page 2-12 that the River to Ridge Land Use Plan specifically designated Route 202 adjacent to the project site as a limited business corridor and that the County Plan envisioned potential light industrial uses at this site. River to Ridge very clearly recommended a rural density zoning district designation for this parcel. A minimum lot area requirement of 80,000 SF was specified. The light industrial zoning was proposed on Route 202 east of Camp Hill Road, almost a mile east of Patrick Farm.

2.0-24

ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND MITIGATION

Geology, Soils and Topography

Soil impacts are discussed on Page 3.1-7. There are development limitations associated with each soil type found on the Patrick Farm site. Significant mitigation is required to deal with the wet soils and the steep, rocky soils. These soil limitations must be properly addressed and mitigated to ensure that future residents are not subject to flooding and drainage issues.

3.1-9

Surface Water Resources

Best Management Practices for soil erosion control are outlined on Page 3.1-12. It is unclear how soon some disturbed areas will be stabilized. If work will not commence in an area for more than 15 days but less than 30 days, will those soils be temporarily seeded or mulched? This section seems to imply that these areas could be unstable for two to four weeks. Significant erosion could occur within such a timeframe. In areas where work will not commence for more than 30 days, will temporary stabilization measures be installed immediately? On Page 3.12-6, a seven-day time frame is discussed. The timing of temporary stabilization measures must be clarified.

3.2-20

Land Use and Zoning

It should be noted within the initial discussion of the Highlands Region Study on Page 3.4-3, that a substantial portion of the Patrick Farm site is designated as having a "moderate" to "higher" resource value according to Rutgers University and the United

3.4-51

States Department of Agriculture Forest Service Highlands Regional Information System database.

↑ 3.4-51
con't

As noted in our GML review of the proposed amendments to the Comprehensive Plan and the Zoning Code, it has not been satisfactorily established that proposed mixed density development would be compatible with the community character and trends of the project's surrounding area. While increasing residential density and the variety of housing opportunities in the Town of Ramapo were general goals of the Comprehensive Plan, very specific areas in Monsey were identified as appropriate locations for multi-family housing. The eight-fold increase in residential density permitted in the MR-8 zoning district will impact the community character of the surrounding area, and will not conform to the existing land use pattern.

] 3.4-1H

The statement on Page 3.4-11 that the proposed development plan incorporates the benefits of a clustered development by providing a balance between accommodating additional population growth and preserving the site's existing natural resources can be questioned. The residential clustering that was recommended for the Patrick Farm site in the Town's Comprehensive Plan did not involve an increase in residential density. The same number of single-family residences would be permitted on smaller lots in a cluster subdivision in order to preserve larger areas of undisturbed open space. The proposal to allow "a greater core density and lower density in the periphery" cannot be compared to average density or a concentric zoning scheme. Traditional concentric zoning results in a gradual change in densities. The location of the MR-8 zoning district immediately adjacent to an R-40 zoning district is not transitional in nature. This area of unincorporated Ramapo was not envisioned as appropriate for multi-family development in either the Town's Comprehensive Plan or the County's River to Ridge Plan. The most appropriate locations for multi-family zoning districts were determined to be within and around the Route 59 corridor in central Monsey.

] 3.4-1I

The proposed action is not consistent with the goals and objectives of the County's River to Ridge Plan despite numerous references to the contrary throughout this document. The County Plan clearly recommended that the existing Rural Residential (RR-80) zoning designation be maintained.

] 3.4-3Q

Transportation

On Page 3.5-24 the discussion of the Site Access at NYS Route 306 incorrectly references US Route 202.

] 3.5-19

As noted above, the Rockland County Department of Public Transportation has determined that it is not feasible for TOR buses to enter the proposed housing complex.

] 3.5-20

Community Services

Table 3.6-1 illustrates demographic multipliers for population projections for this proposal. A total population of 1,932 is projected based on a multiplier of 3.83 for the townhouses and condominium flats, 4.52 for the single-family homes and 2.51 for the rental apartments. These multipliers seem low given that the number of bedrooms in the townhouses and condominium flats is four and in the single-family homes is five. Appendix B contains correspondence between the applicant's consultants and various

] 3.6-30

emergency service and utility providers. A total potential population of up to 2,300 persons is referenced in these letters. The analysis of the potential impacts of this project on the water supply uses a worst-case scenario that translates into a population of 2,650 rather than the projected population of 1,932 residents. This 37 percent difference is significant and perhaps a more accurate population projection. This department used the 2,650 figure to calculate the applicable multipliers for each type of housing. By our calculation, the multiplier for townhouses and condominium flats would be 5.25 and 6.60 for single-family residences. A consistent population projection figure should be used throughout the DEIS.

3.6-30
con 4

The DEIS inaccurately states that the RCSD #1 has adequate capacity to treat the Patrick Farm sewage. Since the Route 202 Pump Station is currently operating at capacity and does not have the capacity to convey sewer discharges generated by Patrick Farm, then the RCSD #1 can only treat the Patrick Farm sewage if required improvements are made to the Route 202 pump station and local sanitary sewer infrastructure "down-gradient" of the Pump Station.

3.6-31

Aesthetic Resources

On Page 3.9-3, the existing visual character of the site is described as rural, consisting of woodland, a large wetland along NYS Route 202, and scattered older single-family residences. The nearby Ramapo Mountains in Harriman State Park are recognized as contributing to the overall rural and scenic character of the area.

3.9-9

It appears that several variances from the Scenic Road District Law may be required. Lot 79 does not meet the double side and rear yard setback requirements. It is difficult to evaluate the extent of this deficiency since the match lines for Section 1 and 2 of the March 17, 2009 maps run directly through Lot 79. This lot is steeply sloped and has a very linear configuration. It is also isolated from the other single-family residences and is in close proximity to multi-family units.

3.9-10

Given that historic resources are located on Lots 8 and 51, it should be clarified that they meet the double side and rear yard setbacks required in Scenic Roads District Law. The DEIS only indicates that an access easement will be provided on Lot 8 for the Elias Conklin cemetery and on Lot 51 for the J. Mather farmhouse stone foundation.

3.9-11

While the common driveways proposed for Lots 1, 2 and 3, 13 and 22, and 67 and 69 do reduce intrusions into the open space areas, they also enable the applicant to create building lots that could not have been accessed individually without great difficulty. The proposed development layout cannot be considered a cluster subdivision which is the preferred residential land development type within, adjacent to, or affecting the character of the Scenic Road District. It is unclear whether the 15 to 120-foot undeveloped area proposed along Routes 202 and 306 meets the requirement to preserve existing vegetation to screen structures from public view within the Scenic Road District. Variances will be required for the removal of all trees exceeding 8" dbh and cutting of contiguous areas of existing woods exceeding 20,000 SF. The extent to which this is required must be quantified.

3.9-12

On Page 3.9-8, the changes in views from nearby locations are discussed. New landscaping, combined with existing trees, is proposed as a means of mitigating the view. A naturalistic or a more manicured landscaping style will be determined during the DEIS review process to be compatible with the natural setting. By definition, manicured landscaping styles are not compatible with the natural setting.

3.9-13

ALTERNATIVES

In the discussion of the No Action, No Zone Change and Adult Student Housing Alternatives, it is repeatedly emphasized that the need for a diversity of housing options in the Town of Ramapo would not be met. Multi-family housing districts were established in the Monsey vicinity to meet the need for a diversity of housing options. Most of these sites have not yet been developed.

5.0-3

The alternatives section should include a thorough evaluation of a clustered subdivision scheme under the R-40 zoning designation. Clustering was recommended for this site in the Town's Comprehensive Plan as a means of preserving and protecting its natural features. This option is not addressed in the Alternative Section of this document. The only references to clustering are when a comparison between the benefits of a clustered subdivision and this mixed-density development are discussed. There are no similarities in these two forms of residential development.

5.04

Thank you for the opportunity to comment on the DEIS for these actions. If you require additional information, please contact the Rockland County Department of Planning at (845) 364-3434.

Sincerely,



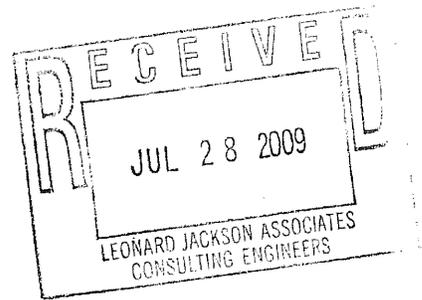
Salvatore Corallo
Commissioner

C: Supervisor Christopher St. Lawrence
Alan Simon
New York State Department of Transportation
New York State Department of Environmental Conservation
United States Army Corps of Engineers
Rockland County Drainage Agency
Palisades Interstate Park Commission
Rockland County Department of Health
Rockland County Sewer District No. 1
Rockland County Office of Fire and Emergency Services
Rockland County Planning Board
Leonard Jackson Associates
Villages of Pomona and Wesley Hills
Tim Miller Associates



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DEPARTMENT OF PLANNING

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Deputy Commissioner

July 24, 2009

Ramapo Town Board
237 Route 59
Suffern, NY 10901

Tax Data:	32.11-1-16	32.11-1-15	32.11-1-14	32.11-1-13	32.11-1-12	32.11-1-4
	32.11-1-3	32.11-1-2	32.14-2-3			

Re: **GENERAL MUNICIPAL LAW REVIEW:** Section 239 L and M

Date Review Received: 5/1/2009

Map Date:

Item: *AMENDMENTS TO RAMAPO'S COMPREHENSIVE PLAN AND ZONING MAP (R-2040C)*

Amendment to the Comprehensive Plan and the Zoning Map to change the zoning designation of a 61.3-acre portion of a 208.5-acre parcel from R-40 to MR-8 to allow a mixed-density residential development consisting of 497 dwellings.

South of the intersection of Route 202 and Route 306; east side of Route 202, west side of Route 306 and north side of Scenic Drive

Reason for Referral:

Route 202, Route 306, Village of Pomona, Village of Wesley Hills, Mahwah River, Harriman State Park, State and Federal Wetlands

The County of Rockland Department of Planning has reviewed the above item. Acting under the terms of the above GML powers and those vested by the County of Rockland Charter, I, the Commissioner of Planning, hereby:

****Recommend the following modifications***

The Town of Ramapo's 2004 Comprehensive Plan recommended that the Patrick Farm property be downzoned from RR-80 and RR-50 to R-40. This department issued a General Municipal Law review of the proposed Comprehensive Plan on December 22, 2003. At that time, we noted that the proposed rezoning of the Patrick Farm property would be inconsistent with the concentric zoning concept that starts with higher densities in urbanized centers such as Monsey and moves to lesser and lesser density as you progress outward from these urbanized areas. This concentric zoning concept was espoused in both the Ramapo Comprehensive Plan and the County's River to Ridge Plan. Our GML recommendation was that the Town either 1.) keep the current zoning on this tract as RR-80 or 2.) if the Town deemed that this property should be rezoned, we noted that a RR-50 designation would be the more appropriate designation. RR-50 would be compatible with the R-50 zoning to the south in the Village of Wesley Hills and would be a transition between the R-40 zones to the east in the Village of Pomona and the RR-80 zones north and west on Route 202. The property was rezoned to R-40.

AMENDMENTS TO RAMAPO'S COMPREHENSIVE PLAN AND ZONING MAP (R-2040C)

With regard to the specifics of the proposed amendments to the Comprehensive Plan and Zoning Map, we offer the following comments.

1 The proposed amendment to the Comprehensive Plan and the Zoning Law amendment required to implement it may be subject to additional review under the New York State Environmental Quality Review Act (SEQRA) because the proposed density was not envisioned or evaluated in the 2004 Comprehensive Plan or the Generic Environmental Impact Statement. Supplemental EISs are addressed in Section 617.9.(a)(7) of the SEQRA regulations. Section 617.10.(d)(4) states that "a supplement to the final generic EIS must be prepared if the subsequent proposed action was not addressed or was not adequately addressed in the generic EIS and the subsequent action may have one or more significant adverse environmental impacts." The Notice of Completion of the April 2009 Draft EIS indicates that the action being considered under SEQRA is the Zone Change Petition for Patrick Farm. The amendment to the Comprehensive Plan and the Zoning Law amendment are not addressed in the Notice of Completion document. However, on Page 1-3 of the Executive Summary of the DEIS, it states, "the action includes assessment of the potential impact of the development of the project, the proposed zoning map and text amendments in addition to the revision of the Town's 2004 Comprehensive Plan as it relates to the Patrick Farm property." It appears that the Town is considering the environmental impacts of the amendment to the Comprehensive Plan and the Zoning Law amendment while concurrently assessing the environmental impacts of the proposed zone change and mixed density residential development. A separate supplemental EIS may be a more appropriate approach for the amendment to the Comprehensive Plan and the Zoning Law amendment rather than incorporating all of the actions into one document. If the amendment to the Comprehensive Plan is revised, it would follow that the Zoning Law amendment and development proposal would also have to be revised. As noted on Page 1-3 of the DEIS, "As the SEQRA process continues, the site plan will be refined and revised based on input from the various agencies having review responsibility for the proposal."

3.4-50

2 This property has a long history of both proposed and enacted changes in its zoning designation during the Comprehensive Plan process and while under the same ownership. Twenty-five percent of the site is subject to environmental constraints and other encumbrances including wetlands, the 100-year floodplain, lands underwater, steep slopes, and overhead utility easements. It is surrounded by rural and low-density neighborhoods. The site is suitable for low-density residential development including a cluster development for the purpose of open space preservation and environmental protection which is consistent with the River to Ridge Plan recommendations for this area. The special resource overlay zone is also appropriate for this property. The proposed amendments will almost quadruple the current allowable residential density on this site.

3.4-52

3 Under the existing Ramapo Comprehensive Plan, multi-family residential zones were created in Monsey in the vicinity of Route 59 to meet the Town's needs for additional housing, including an increased diversity of housing types and price points to meet the needs of the general population. The County's River to Ridge Plan also recommended that denser residential development be located within existing village centers. Permitting denser residential development in outlying areas of the Town may be inappropriate when areas already identified for multi-family housing in the existing Comprehensive Plan, have not been developed.

3.4-15

AMENDMENTS TO RAMAPO'S COMPREHENSIVE PLAN AND ZONING MAP (R-2040C)

4 As discussed above, traditional concentric zoning represents a gradual change in densities. The location of an MR-8 zoning district immediately adjacent to an R-40 zoning district is not transitional in nature or consistent with the community character of the surrounding rural density zones in unincorporated Ramapo or the low density zones in the adjacent Villages of Pomona and Wesley Hills. A ring of single-family residences around the perimeter of the multi-family housing development may not be a sufficient buffer particularly since the majority of single-family homes will not be constructed until the final phases of the project.

3.4-1K

5 While the proposed groundwater recharge system honors the intent of the Special Resources Overlay Zoning, the proposed development is not the best alternative in terms of minimizing impacts to the on-site environmental resources. The proposed mixed density project consisting of 497-units would disturb almost 33 more acres of this site than the 136 single-family residences permitted as of right under the existing R-40 zoning. The proposed construction disturbance would consist of woodlands and areas of steep slopes in excess of 25 percent.

2.0-25

6 A clustered development alternative was not presented in the DEIS for Patrick Farm. An R-40 cluster development would result in far less site disturbance and larger areas of undisturbed open space thereby preserving more of the site's environmental features in a natural setting.

5.0-5

7 The Villages of Pomona and Wesley Hills are two of the reasons this proposal was referred to this department for review. The Pomona municipal boundary is along the southern and eastern property lines of the Patrick Farm site. The municipal boundary for the Village of Wesley Hills is along the southern and western property lines of the site. New York State General Municipal Law states that the purposes of Sections 239-l, 239-m and 239-n shall be to bring pertinent inter-community and countywide planning, zoning, site plan and subdivision considerations to the attention of neighboring municipalities and agencies having jurisdiction. Such review may include inter-community and county-wide considerations with respect to the compatibility of various land uses with one another; traffic generating characteristics of various land uses in relation to the effect of such traffic on other land uses and to the adequacy of existing and proposed thoroughfare facilities; the protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas; drainage; community facilities; official municipal and county development policies, as may be expressed through comprehensive plans, capital programs or regulatory measures; and such other measures as may relate to the public convenience, to governmental efficiency, and to achieving and maintaining a satisfactory community environment. In addition, Section 239-nn was recently enacted to encourage the coordination of land use development and regulation among adjacent municipalities, and as a result, development occurs in a manner that is supportive of the goals and objectives of the general area.

3.4-53

The Villages of Pomona and Wesley Hills have raised objections to this proposal based on community character issues and infrastructure capacity concerns related to traffic, water quantity and quality, drainage, stormwater runoff and sanitary sewer service. The areas of countywide concern noted above that directly impact the Villages of Pomona and Wesley Hills must be considered and satisfactorily addressed, as well as any additional concerns about the proposed amendments to the Comprehensive Plan and the Zoning Map.

2.0-26

AMENDMENTS TO RAMAPO'S COMPREHENSIVE PLAN AND ZONING MAP (R-2040C)

8 The Rockland County Sewer District No. 1 (RCSD No. 1) does not have adequate capacity to treat the Patrick Farm sewage because the Route 202 Pump Station is currently operating at capacity. It does not have the capacity to convey sewer discharges generated by Patrick Farm. The RCSD No.1 can only treat the Patrick Farm sewage if required improvements are made to the Route 202 pump station and local sanitary sewer infrastructure "down-gradient" of the Pump Station. The applicant must address these issues and all other concerns raised in the RCSD No.1's letter of July 7, 2009.

3.6-32

9 Each of the proposed actions has the potential to impact the adjacent state parklands. Therefore, we recommend that Palisades Interstate Park Commission review the proposed amendments to the Comprehensive Plan and the Zoning Map, and the DEIS for the mixed-density residential development proposed for the Patrick Farm site. Their concerns, if any, must be satisfactorily addressed.

3.8-9

10 Given that the site has frontage on two heavily-traveled state highways and site access is proposed via both Routes 202 and 306, the New York State Department of Transportation must review the proposed amendments to the Comprehensive Plan and the Zoning Map to determine how the proposed increase in residential density will impact the carrying capacity of these roadways.

3.5-21

11 The proposed amendments will result in a more extensive subdivision of this property than is permitted under the existing R-40 zoning. As required by the Rockland County Stream Control Act, future subdivision plans must be reviewed and signed by the Chairman of the Rockland County Drainage Agency before the County Clerk can accept the plan to be filed.

3.2-21

12 The proposed amendments must be reviewed by the Rockland County Drainage Agency due to the site's proximity to the Mahwah River and its location within the 100-year floodplain.

3.2-22

13 The proposed amendments must be reviewed by the New York State Department of Environmental Conservation so that they can evaluate the impact of the proposed residential density on the state wetlands.

3.3-18

14 The proposed amendments must be reviewed by the United States Army Corps of Engineers so that they can evaluate the impact of the proposed residential density on the federal wetlands.

3.3-19



Salvatore Corallo
Commissioner of Planning

- cc: Supervisor Christopher St. Lawrence, Ramapo
- New York State Department of Transportation
- New York State Department of Environmental Conservation
- United States Army Corps of Engineers
- Rockland County Drainage Agency
- Palisades Interstate Park Commission
- Rockland County Department of Health
- Rockland County Sewer District #1
- Rockland County Office of Fire and Emergency Services
- Rockland County Planning Board
- Leonard Jackson Associates
- Pomona, Wesley Hills

AMENDMENTS TO RAMAPO'S COMPREHENSIVE PLAN AND ZONING MAP (R-2040C)

Tim Miller Associates, Inc.

Alan Simon, Director of Planning

**NYS General Municipal Law Section 239 requires a vote of a 'majority plus one' of your agency to act contrary to the above findings.*

The review undertaken by the Rockland County Planning Department is pursuant to, and follows the mandates of Article 12-B of the New York General Municipal Law. Under Article 12-B the County of Rockland does not render opinions, nor does it make determinations, whether the item reviewed implicates the Religious Land Use and Institutionalized Persons Act. The Rockland County Planning Department defers to the municipality forwarding the item reviewed to render such opinions and make such determinations if appropriate under the circumstances.

In this respect, municipalities are advised that under the Religious Land Use and Institutionalized Persons Act, the preemptive force of any provision of the Act may be avoided (1) by changing a policy or practice that may result in a substantial burden on religious exercise, (2) by retaining a policy or practice and exempting the substantially burdened religious exercise, (3) by providing exemptions from a policy or practice for applications that substantially burden religious exercise, or (4) by any other means that eliminates the substantial burden.

Proponents of projects are advised to apply for variances, special permits or exceptions, hardship approval or other relief.

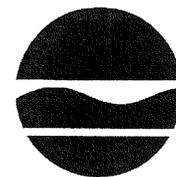
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1620

Phone: (845) 256-3000 • FAX: (845) 255-4659

Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

July 28, 2009

DENNIS ROCKS
LEONARD JACKSON ASSOCIATES
26 FIREMANS MEMORIAL DRIVE
POMONA, NY 10970

RE: DEC Pre-Application #3-3926-00570/00002
Patrick Farm
497 Residential Units on 208 Acres
Town of Ramapo, Rockland County

Dear Mr. Rocks,

On June 16, 2009 the New York State Department of Environmental Conservation (DEC or Department) issued a resource and jurisdictional determination (enclosed) regarding resources located within the above referenced 208 acre parcel located within the Town of Ramapo. Within that determination, the Department indicated that a Protection of Waters permit is required for any disturbance within the bed or banks of the two Class B tributaries to the Mahwah River (Water Index No's NJ 11-12 and NJ 11-14) located within the subject parcel. The Department also indicated that a dam safety permit is required for any proposed modification to the on-site earthen dam, which is located at the outlet of an on site "farm pond." In addition, the Department offers the following:

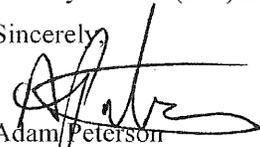
3.3-20

The farm pond referenced above and within the June 16, 2009 jurisdictional determination is located within a tributary to the Mahwah River (NJ 11-12 noted above). As an in-stream pond, it is regulated as part of the Class B stream and therefore any disturbance within the bed or banks of the farm pond requires a Protection of Waters permit from this Department.

Be advised that regulations applicable to the subject location are occasionally revised and the applicant should verify the need for permits if the project is delayed or postponed. It is possible that the DEC permit requirements noted above and within the June 16, 2009 jurisdictional screening may change based upon additional information received or as project modifications occur. This determination regarding the need for permits will remain effective for a maximum of one year unless you are otherwise notified.

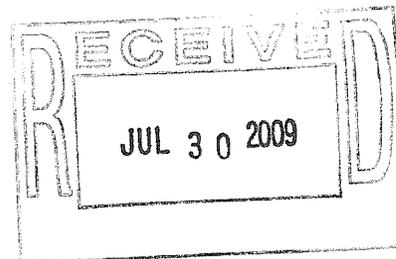
Contact me with any questions or concerns that you may have at (845) 256-3096.

Sincerely,


Adam Peterson
Environmental Analyst

Enclosure

Cc: Scenic Development, LLC (w/enclosure)
Town of Ramapo Town Board (w/enclosure)
Brian Drumm, DEC
USACOE (w/enclosure)





COUNTY OF ROCKLAND
DRAINAGE AGENCY
Division of the Highway Department
23 New Hempstead Road
New City, New York 10956
(845) 638-5081
Fax. (845) 708-7116
Email: highway@co.rockland.ny.us

C. SCOTT VANDERHOEF
County Executive

CHARLES H. VEZZETTI
Superintendent of Highways
Chairman, Drainage Agency

EDWARD F. DEVINE
Executive Director

July 30, 2009

Scenic Development, LLC
3 Achel Street
Monsey, NY 10952
Attention: Yechiel Lebovits

Re: RCDA Permit Application No. 09-14
Patrick Farm
Section 32.11, Block 1, Lots 2, 3, 4, 12, 13, 14, 15 and 16,
Section 32.14, Block 2, Lot 3
Town of Ramapo Tax Map
Resource: Mahwah River

Dear Mr. Lebovits:

The Rockland County Drainage Agency (RCDA) has received and reviewed the following information submitted to the RCDA regarding the above-mentioned permit application:

- A. **“Rockland County Stream Control Act Permit Application” signed by Yechiel Lebovits, dated June 17, 2009,**
- B. **“Patrick Farm Stormwater Pollution Prevention Plan”, report dated August 21, 2008, prepared by Leonard Jackson Associates, signed and stamped by Leonard Jackson, P.E., with the following drawings (not signed and stamped) dated July 18, 2008, unless noted otherwise:**
 - a) **“Erosion & Sediment Control Plan (1 of 3)”, Drawing No. 6, dated August 21, 2008,**
 - b) **“Erosion & Sediment Control Plan (2 of 3)”, Drawing No. 7, dated August 21, 2008,**
 - c) **“Erosion & Sediment Control Details (3 of 3)”, Drawing No. 8, dated August 21, 2008,**
 - d) **“Overall Existing Drainage Area Map”, Drawing No. 2,**
 - e) **“Onsite Existing Drainage Area Map”, Drawing No. 3,**
 - f) **“Overall Proposed Drainage Area Map”, Drawing No. 4,**
 - g) **“Onsite Proposed Drainage Area Map”, Drawing No. 5,**
 - h) **“Onsite Proposed Recharge Map”, Drawing No. 6,**
 - i) **“Soil Types Overlayed on Ex Drain. Area”, Drawing No. 7,**
 - j) **“Soil Types Overlayed on Pr. Drain. Area”, Drawing No. 8,**
 - k) **“Overall WQ & Recharge Basins Location”, Drawing No. 9; and**
 - l) **A Sketch of “Typical Leaching Basin Recharge System for Single Family Lots”.**

C. "Patrick Farm" drawings listed below prepared by Leonard Jackson Associates, signed and stamped by Leonard Jackson, P.E., dated August 21, 2008 and last revised on March 17, 2009:

- a) "Key Map and List of Drawings", Drawing No. 1,
- b) "Grading & Drainage Plan (1 of 2)", Drawing No. 2,
- c) "Grading & Drainage Plan (2 of 2)", Drawing No. 3,
- d) "Utility Plan (1 of 2)", Drawing No. 4,
- e) "Utility Plan (2 of 2)", Drawing No. 5,
- f) "Erosion and Sediment Control Plan (1 of 3)", Drawing No. 6,
- g) "Erosion and Sediment Control Plan (2 of 3)", Drawing No. 7; and
- h) "Erosion and Sediment Control Plan (3 of 3)", Drawing No. 8.

The drawings provided with the permit application appear to be conceptual in support of an application for preliminary approvals from the Town of Ramapo. As such, the level of detail necessary for the issuance of a permit from the RCDA has not been developed. However, the RCDA welcomes the opportunity to provide comments at this time to provide guidance to the applicant as the plans are further developed.

Based on a review of the materials submitted, the RCDA offers the following general comments:

- 1) Please have the Name and License Number of the Professional Engineer and/or Registered Architect printed on all drawings submitted as part of the application for permit. The drawings included in the Stormwater Pollution Prevention Plan (SWPPP) are not signed and stamped or sealed by a Professional Engineer and/or Registered Architect licensed in the State of New York as required.] 3.2-23
- 2) The "Plan Components" section of the Stormwater Pollution Prevention Plan (SWPPP) report indicates that the maximum disturbance for construction at any one time is 5 acres, however, no phasing plan has been provided. Please provide the construction-phasing plan as referenced in the SWPPP demonstrating that no more than 5 acres will be disturbed at any given time with phase specific erosion and sediment control measures in accordance with the New York State Standards and Specifications for Erosion and Sediment Control.] 3.2-24
- 3) In accordance with Section 6.1.1 of the New York State Stormwater Management Design Manual (NYSSMDM), "Stormwater wetlands shall not be located within jurisdictional waters, including wetlands." Contrary to this, an ACOE wetland has been proposed as a detention pond to control the increase in stormwater quantity due to the proposed impervious surfaces. Please review and revise as necessary.] 3.3-21
- 4) Please provide the RCDA with a soil permeability field test location map and test data for review.] 3.1-10
- 5) Please provide a copy of the acknowledgement letter from the New York State Department of Environmental Conservation indicating that the applicant has filed the Notice of Intent for Stormwater Compliance.] 3.2-25
- 6) In accordance with Chapter 846, Rockland County Stream Control Act, please provide the RCDA with an environmental impact statement for the proposed project that provides sufficient information and details of the upstream and downstream impact of the proposed project with respect to the impact on aquatic life and habitat, fauna, biota, vegetation and wetlands. The environmental impact statement should also identify and describe any mitigating measures that will address the potential environmental impacts of the proposed project.] 3.2-26

7) Please provide certification from the Floodplain Administrator for the Town of Ramapo that the proposed construction is in compliance with Chapter 196, "Floodplains Local Law No. 8-1987", Town of Ramapo Town Code, as adopted by the Town of Ramapo.

3.2-27

8) The drawings indicate that the site contains both state and federal wetlands. Permits and approvals for the proposed project may also be required from the New York State Department of Environmental Conservation and the U.S. Army Corps of Engineers for wetland disturbances. The RCDA recommends that the applicant check with consultants to determine the status of any permits and reviews that may also be required by the aforesaid agencies concerning the proposed project. Please submit to RCDA any future correspondence between the applicant and these agencies regarding jurisdictional determinations and/or permits issued by New York State Department of Environmental Conservation and/or U.S. Army Corps of Engineers.

3.3-22

The information provided indicates that the project design and methodology is in general compliance with the New York State Stormwater Management Design Manual, with exceptions noted above. The calculations indicate that water quality and quantity measures are proposed for the Phase II stormwater compliance. The calculations also indicate that the intent is to ensure there are no net increases in stormwater runoff from the site. However, the RCDA is unable to perform a comprehensive review at this time as the details of supporting information have not been provided. As discussed in a meeting with the RCDA and the applicant on June 18, 2009, the additional information is to be supplied by the applicant to the RCDA when available.

3.2-28

Please note that all drawings and calculations must be signed and stamped or sealed by a Professional Engineer or a Registered Architect licensed in the State of New York.

3.2-23
con't

As set forth in the permit application guidelines, please provide the requested information in **triplicate**. Please provide the requested information at your earliest convenience in order for the RCDA to continue processing the above-referenced application. Please contact the undersigned if you have any questions or comments regarding this matter.

Very truly yours,



Shajan Thottakara, P.E.
Rockland County Drainage Agency

cc: Charles H. Vezzetti
Kent Rigg, PE
Leonard Jackson Associates
Floodplain Administrator, Town of Ramapo
Town of Ramapo Planning Board

FREDERICK P. CLARK ASSOCIATES, INC.
Planning/Development/Environment/Transportation
Rye, New York and Fairfield, Connecticut

350 Theodore Fremd Avenue
Rye, New York 10580

(914) 967-6540 • FAX (914) 967-6615

David H. Stolman, AICP, PP
Michael A. Galante

Joanne P. Meder, AICP

David J. Portman, FAICP

MEMORANDUM

To: Michael Klein – Town Attorney

Date: October 15, 2009

Subject: **Patrick Farms DEIS Review – Final Review Comments:**

General Review Comments:

It is acknowledged that the proposed layout is a conceptual plan for a zone change and is not intended for site plan review. It will be subject to full subdivision and site plan review by the planning board.

The Patrick Farm development (the proposed action), would consist of 497 residential units including 87 single family homes, and 410 multifamily homes composed of 314 market rate townhouse units, 72 workforce condominium flats and 24 rental apartments which would be set aside for community service workers. The project sponsor's intention is to address a need for an increase in the diversity of the housing options in the Town and in the metropolitan region. The project sponsor believes this project addresses the need for multifamily dwellings in an area where the supply is limited.

The proposed action would include a map change to re-zone a portion of the site (approximately 61.3 acres) from R-40 to MR-8. The single family component would remain in the R-40 zone. The project was designed with the single family component set around the perimeter of the site to reflect the character of the existing nearby neighborhoods, while the multifamily housing would be located in the center portion of the site. The perimeter of the site would be landscaped with a mixture of deciduous and evergreen trees to screen the residential development from adjoining properties and roads. Native vegetation is proposed for landscaping plantings wherever practical. Existing vegetation is proposed to be retained around most of the perimeter and in areas of the interior of the site including wooded wetland and stream corridor areas.

The project site is located east of US Route 202 and west of NYS Route 306, in the Town of Ramapo. The project site has direct access to US Route 202 and NYS Route 306. US Route 202 is a major east/west route and provides direct access to the Palisades Interstate

Parkway less than 2 miles from the project site. NYS Route 306 is a major north/south route from Route 202 to Route 59 in Monsey. Access to the major interstate Route 87/287 is via the Palisades Interstate Parkway.

This is a Town Board action. The action includes assessment of the potential impacts of this development for the sake of evaluating the request for rezoning of the property and the proposed zoning map amendments in addition to revision of the Town's 2004 Comprehensive Plan as it relates to the Patrick Farm property.

This review focuses on the environmental impacts of the project and comments on the site plan review will be limited to site plan issues that address environmental concerns.

General Comments:

- 1. The Comprehensive Plan recommended clustering for this parcel. Is there a way to cluster to preserve additional open space on the single family homes?] 2.0-27
- 2. Cut and fill figure 3.1-7 shows that most of the site is either cut or fill. It is noted that the DEIS notes the sensitive nature of the site with streams, ponds and wetlands. It would appear that the design for the site should follow the contours – stepping up or down slopes as appropriate instead of such substantial grading. This is a major impact that can be mitigated. Please demonstrate why designs with less cut and fill could not be utilized.] 3.1-11

Land Use Comments:

The applicant indicates that the proposed use fits into the character of the neighborhood. Additional background information should be provided to support this contention.] 2.0-28

Infrastructure:

- 1. Water – the applicant should show the Rockland County Department of Health water status. Does the website show sufficient water for this development in its allowable capacity?] 3.6-33
- 2. Sewer – please show map of required improvements for Pump Stations and force mains] 3.6-34

Visual:

- 1. There are visual impacts associated with the design as proposed. The private roads and buildings are aligned with long double sided perpendicular parking spaces. This proposed garden apartment style design would be partially visible from the site's proposed single family neighborhood and Route 202. Although this would mostly affect the interior site aesthetic, it may also be visible from] 3.9-14

outside the site. The applicant may wish to consider revising parking areas where practicable. The visualizations show large trees surrounding the multifamily dwellings where the site planning maps show that these trees have been removed.

3.9-14
con't

2. Blasting as noted on top of high points should be avoided as should any destruction of the ridgeline. The ridgeline should be treated sensitively and avoided where possible. It is noted that the Applicant has included project modifications to preserve the top of the ridgeline and that the rest of the ridge in the southwest portion of the site remains undisturbed.

3.9-15

3. The visual impacts were assessed in terms of the Scenic Roads District restrictions as required. Approvals for any impacts to this area would be subject to approval during the site review process. Existing stone walls and fences have been preserved where feasible, again subject to site plan review.

3.9-16

4. The photographs shown of the site from the Scenic Overlooks in Palisades Park should show more clearly the impact of removing 60 acres of trees. The image renderings of the views did not appear to show the large cleared areas that will result from the project. Some simulation work was completed from the Scenic Overlooks. Once the multifamily buildings are constructed and that portion of the site is cleared, a clearing of 60 acres as proposed may be visible.

3.9-17

5. Internal visuals were provided which do not appear to adequately assess the loss of mature trees as planned. Significant plantings including large and diverse trees will be required.

3.9-18

6. Although a number of cross sections are provided showing site lines from outside the site additional illustrations of internal views should be needed for this aspect of visual assessment. Large and long parking lots with residences behind are not in keeping with the character of the area. The cross sections should show the view planes more clearly. Vertical differentiation will help to soften the geometry thus reducing the visual impact.

3.9-19

7. Applicant should consider alternate layouts for stepped building designs in an effort to preserve mature trees and minimize impacts to slopes.

3.9-20

Site Circulation:

The comprehensive plan addressed key circulation issues facing the Town of Ramapo including the unnecessary endings of streets with and without cul-de-sacs. Road connections should be completed and cul-de-sacs should be proposed only where no other solution was available. This plan has five cul-de-sacs, two of which are designed to avoid the on-site wetlands and two which are designed to preserve the ridgeline.

3.6-35

Drainage:

The drainage system has been designed in accordance with standard engineering practices. What is missing is a less structural design which would seek to provide a series of water amenities which reflect the sensitive nature of this site. These amenities could be fed with non-structural systems such as rain gardens and underground storage tanks to provide waters for other uses. The basins as proposed do not provide an amenity to enhance the site. They have been designed as a standard add-on which provides a facility for detention instead of designing the detention into the site in a series of visually appealing amenities. It is not that the design is not correct, but that detention could be used as a design feature to supplement the visual environment instead of simply providing an engineered basin for detention. This site offers the capacity for more sensitive treatment of stormwaters which would contribute to the more sensitive design of the overall proposal. Although noted later, there is an opportunity to recoup the energy of the streams to offset the energy consumption of the development. There is an opportunity to enhance the sustainability of the development.

3.2-29

Scenic Roads Local Law: The Scenic Roads district boundary should be shown on all site plans to identify impacts and to guide the site plan. As mentioned earlier, the response to the Scenic Roads provision was limited to doubling of the setback requirements along Route 202. The applicant should provide additional mitigating measures.

3.4-54

Housing Diversity: In terms of diversity of housing, providing the isolated site for workforce housing is not the preferred way to provide more affordable components. Providing lower cost units within a mix of townhouse units including 1, 2, 3 and 4 bedroom communities would be the most effective way to contribute to housing diversity. Inclusion of workforce housing alternatives within the primary development area is the preferred method.

3.4-55

Sustainability: The scoping outline requires an assessment of the sustainability of the proposed development. The work required for this part should include the descriptions of the efforts made to reduce the energy demands of the proposed development. The provision of wind power, solar power or hydro generation efforts should be considered as well as solar hot water heating and geothermal alternatives. The pending SEQR draft recommendations discuss the need to consider these issues.

8.0-3

For example, the first way to reduce the energy footprint of the development is to minimize the size of the individual structures. According to the initial submission, the smallest townhouse is 3,348 square feet while the largest was 3525 square feet. Revisions to the DEIS indicate a reduction in the size of the market rate townhouses to 3000 square feet and a reduction to 1800 square feet for other units.

The energy consumption /sustainable factors to be evaluated should include:

- Additional insulation and energy efficiency
- Smaller footprints and buildings

- Energy producing or reducing techniques (solar/wind/hydro)
- Water re-use; Water saving devices; water heating efficiencies (solar or instant hot water systems)

8.0-3
Con't

The applicant has proposed supplemental solar hot water in the multifamily units and consideration of geothermal heating and cooling in the 24 rental apartments.

The Town has set the tone for these efforts within its own buildings including solar electric for the Town Hall and geothermal heating and cooling of the new public works building.

Design Sensitivity:

The design of the project should be refined to the extent practicable to more closely reflect the sensitive nature of the land of Patrick Farms capitalizing on the site's natural assets and overcoming its liabilities. The assets of this site to focus the design on are:

- Water features including ponds, streams and wetlands
- Slope changes and elevation changes and ridgelines
- Significant forested areas
- Natural vistas
- Archaeological assets

2.0-29

The liabilities that must be overcome are:

- High pressure gas main
- Overhead utility lines
- Slopes in excess of 25%

Growth Inducing Aspects: Pump station increased capacity and force main replacements have been sized to correct the under capacity of the existing pump station as well as to meet the needs of the Patrick Farm project. No additional capacity was included beyond the Patrick Farm requirements.

7.0-1

Miscellaneous Comments

Page 3.4-8 The Comprehensive Plan recommends clustering wherever possible to provide the maximum amount of usable open space. How does this plan respond to the comprehensive plan recommendation? How will open space be maximized by this approach? The DEIS should describe the purpose of the proposed open spaces.

3.4-56

Page 3.4-9 States: "The design concept applies the principles of new urbanism in providing a greater core density and lower density in the periphery. The project's proposed layout is not a clustered design per se but is designed to provide a balance between accommodating additional population growth and preserving the site's existing natural resources, specifically on site wetland and the underlying Ramapo River Aquifer." The question is how this responds to the Comprehensive Plan

3.4-57

recommendations? Cluster and density provisions are defined in the Comprehensive Plan. This proposal does not provide a design based upon the new urbanism philosophy. At a minimum, the comments should be couched with the comment that these are "in the opinion of the applicant". The development provides only two densities, multifamily homes and single family homes.

3.4-57
Con't

The DEIS indicates that development would be located in close proximity to local community shopping – It is noted that there is no shopping within reasonable walking distance which will necessitate using automobiles. This impacts sustainability as well.

3.4-58

The DEIS discusses a "concentric design" However, there is no commercial development in the center – as concentric rings and theory would support; there is no significance to the concentric design in terms of circulation, sustainability and mitigation of impacts.

3.4-59

DEIS states that the design and scale of the proposed action are expected to be compatible with respect to the existing buildings, streets and amenities, and the project's surrounding area. This statement requires further support and explanation as this is certainly not compatible with neighborhoods of single family only homes.

3.4-60

The DEIS should describe how the proposed open space areas provide balance to the developed areas of the site. Effective open spaces provide paths, (other than roads) to link different areas, lead to scenic vistas, and recreation areas as well as vegetated areas to buffer residential developments. The applicant may wish to consider providing community recreation facilities such as a club house, tennis courts, basketball courts and meeting rooms.

2.0-30

The area west of Route 202 is zoned for 80,000 square foot lots and is better than 50% wetlands and wetlands buffer. The DEIS should provide the rationale for using this land area to compute additional density east of Route 202.

3.4-61

Affordability

The term affordable is used, but is not defined as to how affordability was determined. Without the detailed descriptions of how affordable is calculated, there can be no effective analysis of the benefits or appropriateness of the affordable constructs. Please provide the proposed parameters for the pricing or rent level of the housing units and reference any pertinent local or regional standards or examples.

3.7-14

Evaluation of Alternatives:

The DEIS should provide the rationale for selecting the chosen alternative. The applicant should insure that the selected option has the least environmental impacts, or at least that the impacts have been mitigated to a sufficient degree.

5.0-6

This office offers these comments while reserving the right to make additional comments as the design proceeds.

Should you have any questions regarding these comments, please feel free to contact this office.

Kind regards,

John F. Lange
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