

1
2 At a Regular Meeting of the Town Board of the Town of Ramapo, held on February __, 2020,
3 the following resolution was
4 **moved by Councilperson [_____]**,
5 **seconded by Councilperson [_____]**, and
6 adopted by a Roll Call **Vote of *-***;
7 **with[absentions]; [absences]:**

8
9 **RESOLUTION NO. 2020 - *****

10
11 **ADOPTING SEQRA FINDINGS STATEMENT ON**
12 **AMENDMENTS TO 2004 COMPREHENSIVE PLAN AND TOWN ZONING MAP**

13
14 **WHEREAS**, the Town Board received petitions from Monsey Lumber & Building Supply Inc.,
15 submitted in 2013, and 171 N. Pascack Road Corp, submitted in 2014, to change the zoning
16 classification of certain parcels of land in order to allow the development of multifamily housing,
17 and the Town Board, on its own motion, subsequently added additional property to the areas
18 proposed for the Comprehensive Plan Amendment and Zone Change;

19 **WHEREAS**, the Town Board conducted its SEQRA review of the proposed Comprehensive
20 Plan and Zoning Map amendments (the “Proposed Action”) by taking the following steps:

- 21 1. Directing an initial referral of the proposed Comprehensive Plan and zoning
22 amendments to the Rockland County Planning Department (RCPD) pursuant to General
23 Municipal Law 239-m (GML 239-m) on or about October 2014.
- 24 2. Holding multiple public hearings on the proposed Comprehensive Plan and zoning
25 amendments to assure full opportunity for citizen participation in the preparation of the
26 Proposed Comprehensive Plan Amendments, pursuant to Town Law Section 272-a(6),
27 beginning with its initial public hearing, opened in October 2014, and continued to
28 November 12, 2014, December 10, 2014, January 14, 2015, and February 11, 2015, for the
29 purpose of soliciting public comments regarding amendment of the Comprehensive Plan.
- 30 3. In February, 2015, assuming SEQRA Lead Agency status, and acting as Lead Agency
31 to conduct a comprehensive environmental review of the Proposed Action pursuant to the
32 New York State Environmental Review Act (“SEQRA”).
- 33 4. On February 11, 2015, issuing a positive declaration pursuant to SEQRA, requiring the
34 preparation of an environmental impact statement (“EIS”) to analyze in-depth the potential
35 significant environmental impacts and practicable mitigation measures in connection with
36 the proposed Comprehensive Plan and zoning amendments.
- 37 5. On May 13, 2015, holding a public scoping session pursuant to SEQRA in order to
38 solicit public and agency comment on the scope, content, and methodologies for the EIS
39 for the proposed Comprehensive Plan and zoning amendments.

40 6. On June 10, 2015, adopting a scoping document, setting forth the scope, content and
41 methodologies for preparation of a draft EIS (“DEIS”) on the proposed action being
42 considered by the Town Board, including the proposed Comprehensive Plan and zoning
43 amendments.

44 7. On April 25, 2018, accepting the Pascack Ridge DEIS, prepared by the Monsey Lumber
45 applicant and including proposed Comprehensive Plan and zoning amendments as an
46 appendix, as complete for the purposes of commencing public review on it.

47 8. Circulating the DEIS to involved and interested agencies, including the Rockland
48 County Department of Planning, which provided comments upon the DEIS and the
49 proposed Comprehensive Plan and zoning amendments in letters, dated, respectively,
50 August 14, 2018 and August 27, 2018, which the Town Board reviewed and considered.

51 9. On August 15, 2018, holding public hearings on the DEIS and the proposed
52 Comprehensive Plan and zoning amendments, in order to further assure full opportunity
53 for citizen participation in the preparation of the proposed Comprehensive Plan
54 amendments, and,

55 10. At the conclusion of those hearings, extending the period for the submission of written
56 comments on the DEIS and the Proposed Comprehensive Plan Amendments until August
57 27, 2018.

58 11. On April 8, 2019, accepting the final EIS (“FEIS”) on the proposed action, including
59 the proposed Comprehensive Plan and zoning amendments and directing it be made
60 available on the Town website, circulated to involved and interested agencies and be made
61 available to the public, and directed that in doing so notice be given that the Town would
62 accept written comments on the FEIS. Although SEQRA does not require that a lead
63 agency provide the opportunity to comment on a FEIS, the Town Board notes it elected to
64 surpass the basic procedural requirements of SEQRA in order to ensure even further
65 opportunity for public participation in the preparation and environmental review of the
66 proposed Comprehensive Plan amendments.

67 12. Thereafter extending the comment period on the FEIS to May 24, 2019.

68 13. On July 9, 2019, receiving a Technical Addendum (TA) prepared by Monsey Lumber
69 that responded to certain comments submitted on the FEIS to ensure that the record
70 reflected the seriousness with which the Town Board has considered the potential
71 significant adverse environmental impacts related to the proposed Comprehensive Plan and
72 zoning amendments.

73 14. On July 24, 2019, on receiving a draft of the Proposed Comprehensive Plan
74 Amendment from its planning consultants with a memorandum explaining their
75 recommendations, and on introducing a draft local law to amend the Town Zoning Map
76 (the “Zoning Map Amendment”), the Town Board set a public hearing on the Proposed

77 Comprehensive Plan Amendment on August 15, 2019, as required by Town Law 272-a, to
78 afford opportunity for public comment on the proposed Comprehensive Plan amendments.

79 15. On that date, also directing that notice of the hearings be published, posted on the
80 Town website and at Town Hall, and be given to the municipal clerks of adjoining
81 municipalities; that the Proposed Comprehensive Plan Amendment, Zoning Map
82 Amendment, and the TA be made available on the Town website, circulated to involved
83 and interested agencies and be made available to the public; and further directing that in
84 doing so notice be given that the Town Board invited comment on the TA.

85 16. Thereafter, the Proposed Comprehensive Plan Amendments, Zoning Map Amendment
86 and Technical Addendum were circulated to all involved and interested agencies, with
87 notice of the hearing and that written comment would be accepted until August 30, 2019.

88 17. The Proposed Comprehensive Plan Amendments, Zoning Map Amendment and
89 Technical Addendum were also made available for public review at the Office of the Town
90 Clerk, the Town Building Department, and the Finkelstein Public Library.

91 18. On August 6, 2019, the Town delivered those documents to the RCPD with its GML-
92 239 referral of the Proposed Action.

93 19. On August 15, 2019, the Town Board held duly noticed concurrent public hearings on
94 the Proposed Comprehensive Plan Amendments and Zoning Map Amendment, at which
95 hearings the Town Board also invited and accepted oral and written comment on the
96 Technical Addendum.

97 20. On that date, after providing opportunity for all present to be heard, the Town Board
98 closed the public hearings, but extended the time for written comment on the Proposed
99 Comprehensive Plan Amendments, Zoning Map Amendment and Technical Addendum
100 until September 3, 2019.

101 21. On August 30, 2019, extended that written comment period to September 9, 2019
102 ensure that there would be opportunity to consider any GML 239 comments from RCPD
103 on the Proposed Comprehensive Plan Amendments, Zoning Map Amendment, or
104 Technical Addendum.

105 22. Thereafter, on reviewing and considering all comments from the public and agencies,
106 including the RCPD GML-239 review comments received on August 30, 2019, directed
107 that the Proposed Comprehensive Plan Amendments be revised to incorporate updated
108 Census information on housing need; to clarify the nature of the housing opportunities
109 needed by residents of the Town to reduce the burden of housing costs; and to clarify that
110 the scope of the area considered for multifamily zoning was limited to Pascack Ridge.

111 23. On reviewing the revised draft of the Proposed Comprehensive Plan Amendments,
112 prepared on November 22, 2019, directed that the revised Amendment be referred to
113 RCPD for GML-239 review, together with a traffic report and sewer capacity study

114 prepared by the Monsey Lumber Applicant to address specific comments raised during the
115 public hearing, so that RCPD would have a full statement, including all materials required
116 by and submitted to the Town Board as an application for the proposed Comprehensive
117 Plan and Zoning Map amendments, including all materials required by the Town Board in
118 order to issue its SEQRA Findings.

119 24. On December 6, 2019, the Town delivered those documents to the RCPD.

120 25. On December 24, 2019 the Town mailed a completed referral form to RCPD, with a
121 traffic signal warrant study prepared by the Applicant’s traffic consultant and the analysis
122 of that study prepared by the Town traffic consultant, to ensure that RCPD would continue
123 to have a full statement including all materials required by and submitted to the Town
124 Board..

125 26. On January 17, 2020, the Town received GML review letters from RCPD on the
126 proposed Comprehensive Plan and Zoning Map amendments, which the Board has reviewed
127 and considered, including comments on the Proposed Comprehensive Plan Amendment,
128 recommending that it consider the suitability of the proposed action to address the housing
129 needs of the Hillcrest area.

130 27. On February 12, 2020 the Town received the recommendation of its consulting planner,
131 advising that (1) certain parcels, generally on the east side of the Pascack Brook, described in
132 his memorandum dated February 12, 2020, retain their existing single family zoning
133 designation and not be included in the proposed MR-12 Zoning District; and (2) the parcel
134 designated as S/B/L 50.19-1-46, identified as open space on the 2004 Comprehensive Plan
135 map, be included in the proposed MR-12 Zoning District, subject to the filing of a restrictive
136 covenant that prohibits the construction of residential buildings on that lot, restricts the use of
137 that parcel to open space, recreation and/or community facilities, subject to Town consent,
138 and allows the zoning density to be used on other portions of the owner’s property in the MR-
139 12 zoning district, if feasible, subject to all applicable land use and environmental restrictions
140 on the proposed use.

141 28. On February 12, 2020, the Town accepted a draft Findings Statement prepared by its
142 planning consultants, with the assistance of its special counsel for land use matters.

143 **WHEREAS**, the Town Board has had opportunity to review and consider that Findings
144 Statement, which considers the relevant environmental impacts presented in the EIS, proposed
145 mitigation that addresses those impacts, weighs and balances such impacts with social, economic
146 and other essential considerations, and provides the basis on which the Town Board may certify
147 that the SEQRA requirements have been met; and

148 **WHEREAS**, the Town Board finds that the SEQRA Findings Statement for the Proposed
149 Action complies with the requirements of 6 NYCRR 617.11(a), in that more than ten days has
150 passed since the adoption of the resolution accepting the FEIS; and

151 **WHEREAS**, the SEQRA Findings Statement, annexed hereto, sets forth the Town
152 Board’s reasoned elaboration as to the facts and conclusions as developed in the DEIS, FEIS, the
153 Technical Addendum, dated July 9, 2019, and supplemental traffic and sewer capacity
154 information provided by the Applicant on December 4, 2019, and December 18, 2019, in
155 response to public and involved/interested agency comments, and correspondence, and the
156 comments of the Town’s independent consultants and special counsel for land use and zoning
157 matters, all received as part of the review process relating to the potential environmental impacts
158 of the Project; and

159 **WHEREAS**, the SEQRA Findings Statement sets forth the Town Board’s requirements,
160 conditions and/or mitigation measures related to the Proposed Action pursuant to SEQRA; and

161 **WHEREAS**, the SEQRA Findings Statement was considered by the Town Board at a
162 public meeting held on February 19, 2020;

163 **NOW THEREFORE BE IT RESOLVED** that the Town Board finds, after
164 consideration of the final EIS, that the proposed action is approvable, and that the action chosen
165 is the one that avoids or minimizes adverse environmental impacts presented in the EIS, and
166 weighs and balances such impacts against social, economic and other essential considerations;
167 and

168 **BE IT FURTHER RESOLVED** that the Town Board hereby adopts the attached
169 SEQRA Findings Statement for the Proposed Action as its official written findings statement
170 pursuant to 6 NYCRR §617.11(c) of the SEQRA implementing regulations, and authorizes the
171 Town Clerk to file and distribute this Findings Statement in accordance with the requirements of
172 6 NYCRR 617.12, and to take such other steps as may be necessary to discharge the lead
173 agency’s responsibilities on this action.

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Sara Osherovitz
Town Clerk

CC: Town Board
Town Attorney
Special Counsel
Finance
Building, Planning & Zoning
Assessor

NEW YORK STATE
ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

FINDINGS OF FACT AND CONCLUSIONS
PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

Implementing Regulations: This Findings Statement has been prepared pursuant to SEQRA, and its implementing regulations, which are set forth at 6 NYCRR 617. The Town Board of the Town of Ramapo, as the Lead Agency, makes the following findings:

Name of Proposed Action: Pascack Ridge Comprehensive Plan Amendment and Zone Change

Description of Proposed Action: The project proposes a Comprehensive Plan Amendment and a Zone Change for the purpose of rezoning 27.6 acres from R-15 Residential District (15,000 square feet per lot) to MR-12 Multifamily (maximum 12 dwelling units per acre). In order to comply with its SEQRA obligations, the Town Board required preparation of an Environmental Impact Statement that considered the potential significant adverse environmental impacts of a conceptual development of a theoretical maximum full buildout of the Site of 290 multifamily dwelling units on the subject property.

Location of Proposed Action: The Proposed Action is located in the eastern portion of the Town of Ramapo on the southwest corner of the intersection of North Pascack Road and Ewing Avenue. It adjoins the Village of Spring Valley to the west and the Town of Clarkstown to the south. The location of the Proposed Action is more particularly known and designated on the Tax Map of the Town of Ramapo as S/B/Ls 50.19-1-44; 50.19-1-45; 50.19-1-52; 50.19-1-51; 50.19-1-50; 50.19-1-49; 50.19-1-48; 50.19-1-47; 50.19-1-46; 50.19-1-71; 50.19-1-72; 57.07-1-3; 57.07-1-4; 57.07-1-2; 57.07-1-5; 57.07-1-7; 57.07-1-8; 57.07-1-8.1; 57.07-1-9; 57.07-1-10; 57.07-1-19; 50.19-1-61; 50.19-1-60; 50.19-1-59; 50.19-1-58; 50.19-1-57; 50.19-1-56; 50.19-1-55; 50.19-1-53; 50.19-1-68; 50.19-1-69; 50.19-1-70; 50.19-1-67; 50.19-1-66; 50.19-1-65; 50.19-1-64; 50.19-1-63 and 50.19-1-62, together with the right-of-way of Christa Lynn Drive, a private road.

Lead Agency: Town Board of the Town of Ramapo
Town of Ramapo
235 Route 59
Suffern, New York 10901

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

44 **Contact Person for**
45 **Additional Information:** Dennis Lynch, Esq., Town Attorney
46 Town of Ramapo
47 235 Route 59
48 Suffern, New York 10901
49 Telephone: 845-357-5100
50

51 **SEQRA Classification:** Type I 53 **Date FEIS Accepted:** April 8, 2019
52 **Date DEIS Accepted:** April 25, 2018 54 **Date Findings Adopted:** _____, 2020

55 56 **Glossary of Terms**

57
58 Applicants – Petitioners Monsey Lumber and Union Collins Realty (also known as “Monsey
59 Lumber”) and 171 North Pascack Corp. (also known as “Collishaw”).

60
61 Proposed Action – A Comprehensive Plan Amendment and a Zone Change for the purpose of
62 rezoning 27.6 acres from R-15 to MR-12 Multifamily (maximum 12 dwelling units per acre).
63 Accompanying discussions of the Proposed Action is the theoretical full buildout of 290 units.

64
65 Area of the Proposed Action – The Proposed Action (defined above) would affect approximately
66 27.6 acres of land which are identified on the Tax Map as 50.19-1-44 through 50.19-1-53; 50.19-
67 1-55 through 72; 57.07-1-2 through 10; 57.07-1-19; and the right-of-way known as Christa Lynn
68 Drive (also known as the “Site” or “Study Area”).

69
70 Project – A conceptual development proposal submitted by the Monsey Lumber Applicant for the
71 portion of the Proposed Action owned or controlled by the Applicant. Accompanying discussions
72 of the Monsey Lumber Project are based on the theoretical full buildout of 224 units on that
73 portion of the Site.

74
75 Project Area – The area of the Project, as it is defined above, is 21.83 acres of land which are
76 identified on the Town of Ramapo Tax Map as 50.19-1-44 through 53; 50.19-1-55 through 71;
77 57.07-1-2; 57.07-1-19; and the right-of-way known as Christa Lynn Drive.

78
79 Surrounding Area - The area within one thousand (1,000) feet of the Area of the Proposed Action,
80 as it is defined above.

81 82 **I. INTRODUCTION**

83
84 This Findings Statement has been prepared in accordance with Article 8 of the New York State
85 Environmental Conservation Law (the State Environmental Quality Review Act or “SEQRA”) and

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

86 its implementing regulations set forth at 6 NYCRR Part 617. It has been prepared by the Town
87 Board of the Town of Ramapo (the “Town Board”), the Lead Agency for the coordinated
88 environmental review of the proposed Comprehensive Plan Amendment, dated July 20, 2019,
89 and last revised February 12, 2020, and the proposed Zone Change (the “Proposed Action”).
90 This Findings Statement relies on the information and analyses contained in the Draft
91 Environmental Impact Statement (“DEIS”) and Final Environmental Impact Statement (“FEIS”),
92 the Technical Addendum, submitted by the Applicant by cover letter dated July 9, 2019,
93 supplemental information responding to comments on the Action provided by the Applicant by
94 cover letters dated December 4, 2019, and December 18, 2019, and all of the comments on
95 these document.

96 97 **A. Description of Proposed Action**

98
99 The Proposed Action involves an amendment to the Comprehensive Plan of the Town of
100 Ramapo (“Comprehensive Plan Amendment”) and a zoning map amendment to rezone
101 approximately 27.6 acres from its present R-15 Residential District (15,000 square feet per lot)
102 to MR-12 Multifamily (maximum 12 units per acre¹) (“Zone Change”) and the conceptual
103 development of a theoretical full buildout of 290 multifamily dwelling units on the Site. Monsey
104 Lumber (“Monsey Lumber”) was the initial project Sponsor and Applicant for the Pascack Ridge
105 Comprehensive Plan Amendment and Zone Change, and the Town Board, on its own motion,
106 subsequently added additional property to the areas proposed for the Comprehensive Plan
107 Amendment and Zone Change.

108
109 In making the herein Findings, the Town Board has considered the potential environmental
110 impact that could result from a full build-out of the Site under MR-12 zoning, which could permit
111 a theoretical full buildout of 290 multifamily units.

112
113 While neither Monsey Lumber nor any other party is seeking site plan approval at this time,
114 Monsey Lumber prepared conceptual site plans (the “Concept Plans”) to allow for a
115 comprehensive evaluation of the potential impacts of the Proposed Action on a portion of the
116 Site (the “Project Area”). The Project consists of approximately 16 buildings with the ground
117 floor consisting of two-bedroom units and the upper floors consisting of a maximum of five-
118 bedroom units, comprising, in total, approximately 224 units (the “Project”). The buildings are
119 arranged to create six small neighborhoods in a setting that promotes units at different price
120 ranges.

¹ The permitted density is subject to the provisions of Section 376-42.A of the Town Code.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

121
122 The Concept Plans of the Project, along with the community benefits and facilities that it offers,
123 has been revised to take into consideration many of the substantive comments that were
124 received from the different Town and County agencies, adjoining municipalities as well as the
125 public during the SEQRA review process, which included three public hearings.

126
127 The Concept Plans propose to preserve substantial open space, including the environmentally
128 sensitive areas, utility easements and areas on the Site that will remain undeveloped and open.
129 The Site can accommodate 8,000 square feet of playground space, which is more than is
130 required for the Project under the MR-12-district bulk requirements, developed as smaller
131 parcels located in different areas near building clusters. The Concept Plans for the Project show
132 open space in and around the Orange & Rockland easement area, which can include community
133 recreation and stormwater management facilities. Other features of the Concept Plans are
134 community facilities for Project residents, parking, stormwater management areas, pedestrian
135 circulation, improvements such as sidewalks, landscaping, bike lanes and internal roadways,
136 along with a Town dedicated roadway. Other than the Town-dedicated road, those facilities will
137 be maintained by one or more Master Homeowners Associations or similar entities, which will
138 be responsible for maintenance and operation of those facilities in a manner consistent with all
139 applicable laws and regulations, including the conditions of any site plan or land use approval.

140 141 **B. SEQRA Review and Procedural History**

142
143 The New York State Environmental Quality Review Act (6 NYCRR Part 617) requires that
144 agencies considering discretionary actions, such as the Proposed Action here, assess the
145 potential adverse environmental impacts that could result from a given action.

146
147 As a first step in the SEQRA process, a Short Environmental Assessment Forms (EAF) were
148 prepared and submitted to the Ramapo Town Board by the Applicants in 2014 and 2015. .
149 Those EAFs provided basic data on the Proposed Action and its potentially significant adverse
150 environmental impacts. The Town Board duly circulated the EAF to the various identified
151 Involved Agencies, together with notice of the Town Board's intent to serve as Lead Agency for
152 the coordinated SEQRA review of the Proposed Action in order to establish the SEQRA Lead
153 Agency. Without objection from any other involved agency, the Town Board thereafter assumed
154 SEQRA lead agency status.

155
156 Upon review of the EAFs, a Determination of Significance, requiring the preparation of a Draft
157 Environmental Impact Statement (DEIS) was adopted by the Town Board on February 5, 2015,
158 based on the potential of the Proposed Action to result in potentially significant adverse
159 environmental impacts. The Town Board then noticed A public scoping session, which was

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

160 conducted by the Town Board on May 13, 2015. The Scoping Outline, as adopted, is included
161 in Appendix A of the Pascack Ridge DEIS.

162
163 The DEIS, as required by the Lead Agency for the Proposed Action, provided (among other
164 things) the description of the Proposed Action, including the need for and benefits of the project,
165 environmental impact analyses related to the action, an analysis of reasonable alternatives to
166 the Proposed Action, and identification of potential measures to mitigate potentially significant
167 adverse impacts.

168
169 The DEIS was submitted to the Lead Agency and, after being found complete, was circulated
170 for review and comments to the required DEIS distribution list. A Notice of Acceptance of DEIS
171 and public hearing was published on the New York State Department of Environmental
172 Conservation (NYSDEC) Environmental Notice Bulletin (ENB) on August 8, 2018. Among other
173 things, the notice provided a brief description of the project and information on locations where
174 copies of the DEIS was available.

175
176 The public hearing on the DEIS was held on August 15, 2018 at 7:00 PM at the Ramapo Town
177 Hall. Public hearings on the Comprehensive Plan and Zoning Map amendments being
178 considered by the Town Board were also held at that time.

179
180 The FEIS, which responded to all substantive comments on the DEIS, was accepted by the
181 Lead Agency on April 8, 2019 and distributed to all agencies and interested parties and was
182 also posted on the Town website. Although not contemplated by SEQRA, the Town Board
183 provided an extended period to receive written public comments on the FEIS until May 24, 2019.

184
185 The Town Board received a draft of Comprehensive Plan amendments prepared by its
186 consulting planner and introduced a local law rezoning the Project Area for consideration. The
187 Applicant thereafter submitted a Technical Addendum, which responded to certain comments
188 on the FEIS. The Town Board scheduled public hearings on the Comprehensive Plan and
189 zoning map amendments for August 15, 2019.

190
191 The Town Board circulated the Technical Addendum with notice of the public hearings to
192 involved and interested agencies, as well as adjacent municipalities. Although not required by
193 SEQRA, the Town Board also gave notice that it invited comment from all involved and
194 interested agencies and the public on the Technical Addendum on August 15, 2019. Following
195 the close of the hearings, the Town Board provided another extended written comment period
196 until September 9, 2019.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS

PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

198 On considering the comments received on the Comprehensive Plan, the Town Board directed
199 that the amendments be revised. These revised amendments are an attachment to the cover
200 memorandum from Frederick P. Clark Associates dated November 22, 2019. Supplemental
201 information pertaining to discrete comments on traffic and sewer service was provided by the
202 Applicant with a letters dated December 4, 2019 and December 18, 2019.

203
204 The following is the timeline of the SEQRA process for the Pascack Ridge Comprehensive Plan
205 Amendment and Zone Change to-date:

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

Date	Action
October 22, 2014	Public Hearing - Proposed local law amending Law No. 10-2010 (zoning), as amended, to change the Zoning Map of the Town of Ramapo (petition of 171 N. Pascack Road Corp. and Monsey Lumber Company) and an amendment to the Comprehensive Plan of the Town of Ramapo.
November 12, 2014	Continuation of Public Hearing.
December 10, 2014	
January 14, 2015	
February 11, 2015	Continuation and closing of Public Hearing and Adoption of Positive Declaration for the Proposed Action.
May 13, 2015	Public Scoping Session held and closed on the Draft Scope for the Pascack Ridge project.
June 10, 2015	Ramapo Town Board adopts Final Scope for the Draft Environmental Impact Statement.
April 25, 2018	Draft Environmental Impact Statement accepted as complete by the Ramapo Town Board.
August 15, 2018	Three Public Hearings held simultaneously on Draft Environmental Impact Statement, Comprehensive Plan Amendment and Zone Change.
August 27, 2018	Period to receive written public comments closes.
April 8, 2019	Final Environmental Impact Statement (FEIS) accepted as complete by the Ramapo Town Board. 21-day comment period established to receive written comments on the FEIS.
May 24, 2019	Extended period to receive written comments on FEIS closes.
August 5, 2019	Applicant submits Technical Addendum to the FEIS, which was circulated to involved and interested agencies with the notice of public hearing required by GML 239-nn.
August 15, 2019	Two Public Hearings held simultaneously on the Comprehensive Plan and zoning law amendments, including the FEIS comments and Technical Addendum to the FEIS submitted by the Applicant.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

September 9, 2019	Written comment period on the CP and zoning amendments as well as the Technical Addendum closes.
November 22, 2019	Revised Comprehensive Plan amendments and Memorandum submitted.
December 4, 2019	Supplemental information provided by Applicant.
December 6, 2019	Revised CP Amendments and supplemental information referred to RCPD for GML-239 review.
December 18, 2019	Supplemental information provided by Applicant.
December 24, 2019	Referral form and supplemental information referred to RCPD for GML-239 review.

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II. SUMMARY OF IMPACTS, PROPOSED MITIGATION AND SPECIFIC FINDINGS

Following, as identified in the Draft EIS, Final EIS, the Technical Addendum, and the supplemental information provided by the Applicant, are descriptions of the anticipated impacts and benefits resulting from the Proposed Action, the proposed mitigation measures that the Town Board has identified and will require to be incorporated into the Proposed Action, and the findings of the Ramapo Town Board based on the record before it.

II.1 Geological Resources

As reflected in Table 17 of the DEIS, which is based on the United States Department of Agriculture Soil Survey for Rockland County, the Site consists predominantly of Wethersfield gravelly soil loam, which occupy more than 50% of the Site. These are very deep, well drained soils. Approximately 30% of the Site is occupied by Rippowam sandy loam, which are very deep, nearly level and poorly drained soils. The remaining portion of the site consists of mostly CuB, Cheshire-Urban land complex, and WuB, Wethersfield-Urban land complex (2-8%) and very small portions of CrB, Cheshire gravelly fine sandy loam.

The existing topographic slopes of the Site, which are shown in DEIS Figure 16 ("Slope Map"), show that the approximately 27.6-acre Study Area is split by slopes under 10%, which take up approximately 14.8 acres, and approximately 10.9 acres by slopes of 10 to 25%, with only about 1.9 acres being in excess of 25%. The areas of steep slope are concentrated along the banks of the Pascack Brook, which are steeply but not extensively sloped, and at two narrow bands that parallel the Brook, but which immediately blend into lesser slopes. Land elevations on the Site range from 100 feet near the Pascack Brook on the southern portion of the Site, to a plateau of approximately 500 feet in the western portion of the Site.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

234 The Study area is predominantly composed of soils that have a depth to bedrock greater than
235 5 feet and a depth to the water table of 0.5 to over 6 feet.

236
237 Potential Impacts

238
239 The soils on the Site are suitable for development with few limitations, and the Applicant
240 intends to balance all phases of construction so that all excavated soils will be used for the
241 purposes of landscaping. With the incorporation of the erosion and sediment controls and
242 stormwater management plan discussed below, no significant adverse impacts are
243 anticipated relating to soil. The estimated disturbance from the Proposed Action is 12.3 acres
244 or approximately 45% of the Project Area.

245
246 Grading will be required to build access roads, install site utilities, prepare level areas for
247 dwellings and install drainage improvements. In the absence of appropriate measures, the
248 Proposed Action could cause erosion and sedimentation during construction and, post-
249 development, a deterioration of stormwater quantity and quality as compared to pre-
250 development conditions. Disturbing the slopes and grading of the site could lead to increased
251 erosion and runoff as vegetation will be temporarily removed in some areas. Increased dust
252 could be generated in dry weather conditions. These impacts will be temporary, and when
253 Project construction is complete, the Project Area will be revegetated.

254
255 Mitigation Measures

256
257 As represented by the Monsey Lumber Applicant, all construction in the Study Area in
258 connection with the Proposed Action will be subject to the requirements of the NYS SPDES
259 General Permit for Discharge of Storm Water from Construction Activities, which incorporates
260 the NYSDEC Stormwater Management Design Manual. The General Permit will require
261 preparation of a Stormwater Pollution Prevention Plan (SWPPP) for the Project, which must
262 include a Sediment and Erosion Control Plan designed and installed in accordance with the
263 New York State Soil Erosion and Sediment Control Manual.

264
265 In addition, the Town of Ramapo is an MS4 community. Chapter 237 of the Town Code
266 requires preparation of a Storm Water Pollution Prevention Plan that conform to the Town
267 Code and the requirements of the DEC SPDES General Permit, provides for bonding of
268 improvements, inspections during construction, escrow and enforcement of the SWPPP to
269 ensure that it is properly implemented during construction, and that adequate post-
270 construction measures are in place and maintained pursuant to a written agreement between
271 the property owner and the Town, as discussed more fully in Section II.3 herein.

272

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

273 Both the Erosion Control Plan and the SWPPP must be designed to address water quality
274 and stormwater management conditions on the Site and must be approved by the Town of
275 Ramapo Department of Public Works or the Town's engineering consultant before the
276 Applicant can obtain coverage under the General Permit. Temporary and permanent
277 stabilization methods must be implemented before construction begins and must be
278 continuously modified throughout construction to ensure that best methods for stormwater
279 management and pollution prevention are provided.

280
281 The SWPPP must ensure that all runoff is qualitatively and quantitatively managed.
282 Implementation of the SWPPP must include the Applicant's inspection of controls and the
283 Town's monitoring and enforcement as required by all applicable local, County and State
284 laws, and the NYSDEC Permit Requirements.

285
286 The Applicant is required to hire a qualified inspector to perform weekly SWPPP inspection
287 during all phases of the construction. The inspection report will be circulated to all involved
288 parties including the MS4 officer. The inspection log will be maintained on the Project Area
289 in a SWPPP mailbox. At the same time, inspectors from Town will oversee the
290 construction, reviewing the reports from qualified inspector, and monitor the Site as per the
291 report and ensure that any necessary corrective action is taken.

292
293 Best Management Practices (BMPs) that must be followed in the development of the erosion
294 control plan are diverting clean surface water before it reaches any active construction area,
295 and decelerating and distributing stormwater runoff through natural vegetative buffers or
296 structural means before discharging it to off-site areas. Silt fences must be used to define the
297 limit of work and wooded and wetland areas that will not be regraded and will be retained in
298 their existing condition until the developed areas are completed and stabilized. Sediment
299 runoff which occurs on the Project Area must be trapped prior to reaching critical areas like
300 wetlands. Because some of the major improvements for the Project, such as parking areas,
301 access roads and buildings, will require disturbance of the existing topography, the following
302 engineering standards shall be implemented as appropriate in the development of the site
303 specific SWPPP during site plan review: silt fences, retaining walls, inlet protection,
304 temporary sediment basins, temporary swales, vegetative measures, site disturbance,
305 construction entrance, temporary stockpile, dust control measures and slope stabilization.

306
307 Permanent stormwater management systems must be installed in conjunction with
308 residential construction and the DEC General Permit requires that a stormwater management
309 agreement with the Town be in place before construction coverage can be terminated. That
310 agreement must bind all future property owners to maintain the stormwater controls on their
311 property, including the permanent storm water basins, and provide that a thorough

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

312 inspection, maintenance and repair program must be in place which will be regularly
313 monitored by the Town of Ramapo and the Applicant in accordance with Chapter 237 of the
314 Town Code.

315
316 Findings

317
318 The Town Board has considered those comments that express concern that rezoning this
319 property for the development of multifamily housing would necessarily impact the
320 environmentally sensitive areas on the property and finds that the Proposed Action's potential
321 impacts to soils, topography, and geology can be mitigated through the implementation of an
322 Erosion and Sediment Control (ESC) Plan to address potential soil erosion and dust that
323 could occur during construction and a Storm Water Pollution Prevention Plan (SWPPP) to
324 ensure that, post-development, all runoff is qualitatively and quantitatively managed. Chapter
325 237 of the Town Code provides the necessary means to monitor and enforce implementation.

326
327 The Town has also considered those comments that suggest a detailed SWPPP and the
328 details of a site development plan should be provided before the Town Board considers
329 action on the Comprehensive Plan amendments and rezoning, and finds that compliance
330 with the regulatory requirements of the Town Code and other regulatory requirements
331 applicable to any proposed site plan, when site specific details are identified, considered and
332 addressed, is appropriate. As with any use allowed by zoning, the Town Board recognizes
333 that the submission of a detailed site plan prepared in accordance with the Town Code may
334 require additional SEQRA review of that plan.

335
336 II.2 Vegetation, Wildlife and Wetlands

337
338 The Study area is located within the Triassic Lowlands ecological zone. The Lowlands lie within
339 the oak-northern hardwood and natural vegetation zone. Most of the land in this zone supports
340 forests. The forested land and general ecosystem of the Study area is depicted in Figure 18,
341 Ecosystem Habitat provided in the DEIS.

342
343 Per the United States Geological Survey, the ecosystem habitat of the Site is comprised of
344 Northeastern Interior Dry-Mesic Oak Forest, Appalachian Hemlock-Hardwood Forest, Central
345 Appalachian Pine-Oak Rocky Woodland and Central Interior and Appalachian Swamp Systems.

346
347 All the land on this property shows signs of having been utilized for agriculture in the past. None
348 of the land appears to have been continuously forested. All of the areas contemplated for
349 development are on previously disturbed land.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

351 The Study area does not contain any designated significant natural community. It also does not
352 contain any species of plant or animal that are listed by the federal government as endangered,
353 threatened or rare, nor does it contain any areas identified as habitat for an endangered or
354 threatened species (per the New York Natural Heritage Program and the EAF Mapper, and as
355 confirmed in a Wildlife Habitat Assessment, prepared by Ecological Analysis, dated June 27,
356 2019). Although there was no evidence of habitation by the only “species of concern” that could
357 potentially inhabit the Site, the Eastern hognose snake, this snake is known to be adaptable to
358 the suburban environment such as is being proposed for this property (Technical Addendum
359 Section IV – Ecology). The Study area does not contain all or part of, nor is it substantially
360 contiguous to, a registered National Natural Landmark. It is also not located in, or adjoining, a
361 state or locally listed Critical Environmental Area (per EAF mapper provided in the DEIS).
362

363 The principal landforms at the area are upland successional southern hardwood forest and the
364 Pascack Brook, a streambed with a narrow area of freshwater wetlands along its banks that
365 collects the runoff from both this area and adjoining contributing watershed areas. The forest of
366 the area is mostly composed of early successional, light-loving species (hickories, oaks, elm,
367 tulip, poplar, etc.) and contains such elements as old stone walls and abandoned lanes.
368

369 Field reconnaissance was conducted, which noted geological features, vegetation structure,
370 plant species and abundance, animals, human impacts, etc. (DEIS Section 4.3 – Vegetation,
371 Wildlife and Wetlands). These results remain the same as no changes to the findings or soil
372 disturbance has occurred. Two distinct ecological communities were identified on-Site:
373 Successional Southern Hardwoods and Red Maple or Hardwood Swamps. As confirmed in a
374 jurisdictional determination dated October 9, 2018, the United States Army Corps of Engineers
375 has jurisdiction over wetlands that generally occupy the lower portion of the Site below the paper
376 street denominated the Ewing Avenue Extension within the Orange and Rockland utility
377 easement and within and along the Pascack Brook, which will remain undisturbed (FEIS,
378 Appendix G).
379

380 As part of site plan review, the Applicant may be required to obtain an Environmentally Sensitive
381 Area (ESA) grant condition waiver from the Environmental Protection Agency and NYSDEC, in
382 order to allow certain parcels to be served by the Project’s connection to the sanitary sewer. As
383 the ESA designation was placed on parcels with wetlands, and as the conceptual development
384 plan does not propose to impact wetlands, it is anticipated that an ESA waiver will be granted
385 prior to site plan approval.
386

387 The ecological communities on-Site are all common and this Study area reflects hundreds of
388 years of human impact. All the land on this Site shows signs of being utilized for agriculture. No
389 parcels of land seem to have been continuously forested, nor were there any endangered or

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

390 threatened plant or animal species found. All of the areas to be developed are on previously
391 disturbed land (DEIS Section 4.3 – Vegetation, Wildlife and Wetlands). The existing power line,
392 the existing sewer line and an on-site network of rock walls all constitute existing development.
393

394 Pascack Brook within the boundaries of the Pascack Ridge area is a low gradient watercourse
395 composed of a rocky bottom with a substrate of mostly fine sand-sized particles. The
396 watercourse flows through a forested wetland along its entire course through the property. The
397 watercourse has a dense canopy cover throughout most of its length on the property. The cover
398 probably plays an important role in decreasing summer water temperatures to ranges that are
399 suitable for fish survival, although the stream is too shallow over the majority of its length through
400 this Site to support any fish. None of the fish that may be found in Pascack Brook would be
401 classified as endangered, threatened, or species of special concern (Technical Addendum
402 Section C.IV - Ecology). There is adequate riparian vegetation that helps stabilize the
403 watercourse bank. Deeper runs, pools and complex structures such as deadfalls and boulders
404 are also present in the watercourse to a limited degree. The wetlands around the Study area
405 typically occur in valleys with slow, seeping streams. These areas may have been pastureland
406 long ago but are now mainly a red maple wetland located along the stream corridor.
407

408 Pascack Brook contains a diverse macroinvertebrate community, whose composition of species
409 could be greatly influenced by watercourse habitat. No fish, mayflies, stoneflies, or caddisflies
410 were observed. Macroinvertebrate sampling found the presence of a few macroinvertebrates
411 that included aquatic insects (Insecta), snails (Gastropoda), clams (Bivalvia), sow bugs,
412 blackflies, crane flies, and dragonflies.
413

Potential Impacts

414
415
416 The proposed Project contemplates the preservation of sensitive areas on the Project Area,
417 including the Pascack Brook and the surrounding freshwater wetlands. The proposed
418 development will not disturb the wetlands on the Project Area. The 100-foot wide Orange and
419 Rockland utility easement, which will not be encumbered with impervious surfaces,
420 effectively provides a substantial buffer between the proposed development and the Pascack
421 Brook.
422

423 The design proposed for the Project Study Area demonstrates that it is possible to avoid any
424 significant adverse impact to the wetlands, floodplains or waterbodies on site, directly or
425 indirectly, reflecting the opportunity multifamily development generally allows for greater
426 flexibility in the provision of needed housing. The Applicant has represented that any
427 proposed development on the Project Area will maintain perimeter trees to the maximum
428 extent possible.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

429
430 Development of the Pascack Ridge area will require removal of existing vegetation and
431 accompanied habitat disturbance. Impacts to geological resources on site could result in the
432 alteration of drainage patterns for the Pascack Brook due to increased runoff if not addressed
433 by the required stormwater management practices. Similarly, water quality conditions such
434 as dissolved oxygen levels and substrate composition could also be affected by watercourse
435 velocity and nutrient loading if not addressed by the required stormwater management
436 practices. The NYSDEC Design Manual requires at least 40% nutrient removal (Total
437 Phosphorus (TP)) to address water quality mitigation at the discharge outlet. The proposed
438 infiltration basins will be designed to achieve this goal, and the Applicant has represented
439 that the Master Homeowners Association(s) or similar entities will avoid or minimize the use
440 of landscaping fertilizers on landscaped areas.

Mitigation Measures

- 441
442
443
- 444 1A. Construction. The site plan for development in the project area will include measures,
445 including a soil and erosion control plan governing construction activities, and a Storm
446 Water Pollution Prevention Plan to protect the Pascack Brook and the wetlands on
447 the Project Area. A soil and erosion control plan and a SWPPP must be prepared
448 during site plan review for all areas proposed for development. The SWPPP must
449 comply with applicable NYSDEC requirements and requirements of Chapter 237 of
450 the Town Code.
 - 451
452 1B. Post Construction. As noted, any site plan must also include a SWPPP that complies
453 with all applicable NYSDEC requirements and the requirements of Chapter 237 of
454 the Town Code, including post-construction storm water and water quality facilities
455 and practices maintained pursuant to the terms of a storm water management
456 agreement between the Applicant and the Town.

457
458 At a minimum, drainage facilities and the infiltration basin will be built in the first
459 stages of the Project to protect the existing natural habitat and areas on the Project
460 Area. When the construction is completed and all the proposed stormwater
461 management facilities are installed, the qualified inspector will perform a final
462 inspection and certify that the Project Area has gained at least 80% stabilization and
463 that all of the post development stormwater management facilities are installed as
464 per the approved plan. Then a Notice of Termination (NOT) will be filed upon approval
465 from the MS4 officer and submitted to NYSDEC for project completion.
466

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

- 467 1C. Detention ponds must be designed to provide and maintain water quality measures
468 and to manage peak flow runoff effectively.
469
- 470 1D. The post-construction stormwater quality basins must have a forebay to initially treat
471 the stormwater by allowing settling out of any particulate matter and a planted basin
472 that will filter any undesirable pollutants before discharging the treated water into
473 Pascack Brook. After the installation of the infiltration basins, they will be periodically
474 inspected and maintained in accordance with the filed maintenance agreement
475 executed in accordance with Section 237-14 of the Town Code.
476
- 477 1E. The Planning Board must ensure during site plan review that any proposed use of
478 the Orange and Rockland utility easement for recreational purposes does not
479 compromise the easement's ability to provide buffering function for the Pascack
480 Brook.
481
- 482 1F. Since the Site has no identified species or plant species categorized as threatened
483 or endangered, no wildlife mitigation is required.
484

Findings

485
486
487 Based on the record set forth in Section 4.3 of the DEIS, Section 4.3 of the FEIS, and Section
488 IV of the Technical Addendum, as well as the review and consideration of information
489 provided by members of the public, the Board finds that the adverse impact on species
490 occupying or using the Site would not be significant in that the Site was originally disturbed
491 by agricultural activities, more recently by installation of the Central Hudson transmission line
492 and maintenance road, as well by the development of Christa Lynn Drive and several parcels;
493 the record indicates that the Site has since been occupied by typical urban-suburban species
494 that are anticipated to find suitable habitat in the general area of the Site. The Board notes
495 that the Applicant's Concept Plans show that a substantial portion of the Site not being
496 disturbed, and that the utility right-of-way provides some opportunity to maintain north-south
497 connectivity of habitat areas. Further:

- 498
499 1A. The Proposed Action will not adversely impact threatened or endangered species
500 inasmuch as the Site is not home to any identified wildlife species categorized as
501 threatened or endangered.
502
- 503 1B. The Proposed Action will also not significantly adversely impact species of concern
504 since the only "species of concern" that could potentially inhabit the Site, the Eastern

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505 hognose snake, is known to be adaptable to suburban environment such as is being
506 proposed for this property.

507
508 2. The mitigation specified above is required to ensure that that the development of the
509 Project Area does not adversely impact drainage patterns for the Pascack Brook due
510 to increased runoff or deteriorated water quality.

511
512 3. The mitigation specified above is also required to ensure that the development of the
513 Site does not adversely impact the function of the wetlands adjacent to Pascack
514 Brook by filtering sediments and nutrients from runoff before it reaches the Brook and
515 in retaining stormwater as prescribed in the New York State Standards and
516 Specifications for Erosion and Sediment Control.

517

518 II.3 Ground Water and Surface Water Resources

519

520 Pascack Brook, 865-171, is classified by DEC as a Standard C, Class C water body. The
521 standards refer to the Official Compilation Code, Rules, and Regulation of the State of New
522 York, Chapter X – Division of Waters. These values govern water quality standards for taste,
523 color, odor-producing and toxic deleterious substances. The water quality should be suitable for
524 primary and secondary contact recreation. The Site is not located in a Total Maximum Daily
525 Load (TMDL) Watershed.

526

527 The New York State Department of Environmental Conservation (NYSDEC) Freshwater
528 Wetlands Map of the Park Ridge NJ-NY Quadrangle, Rockland County Map indicates that no
529 State regulated wetlands are located on the Site. As confirmed in a jurisdictional determination
530 dated October 9, 2018, the United States Army Corps of Engineers has jurisdiction over
531 wetlands on the Site, which are largely located in the lower portion of the Site below the paper
532 street denominated the Ewing Avenue Extension within the Orange and Rockland utility
533 easement and within and along the Pascack Brook. The Applicant represents that all Army
534 Corps wetlands will remain undisturbed (FEIS, Appendix G). The Site is located within a FEMA
535 Flood Insurance Rate Map (FIRM) Zone AE. The floodplain boundaries on the Site essentially
536 track the Pascack Brook. No construction will occur in the FEMA 100-year floodplains. See DEIS
537 Figure 19: Wetlands Map and Figure 20: Flood Hazard Map.

538

539 The soils on the Site belong to Hydrological Soil Groups “B” and “C,” which generally possess
540 satisfactory infiltration characteristics, and therefore are suitable for water quantity and quality
541 mitigation. The soil condition was provided based on the USDA Soil Survey Map. As discussed
542 in Section I.I of the Technical Addendum (“Stormwater”) adequate areas exist on the Site for
543 stormwater management for the scale of development that is being proposed, to ensure that the

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544 rate of stormwater runoff will be the same or less, and the quality of stormwater runoff will be
545 the same or better in the post-development condition as compared to the pre-development
546 condition.

547
548 Pascack Brook is a County waterbody and applicable standards and procedures in the County
549 Code will apply to development in the Brook or any adjacent regulated area.

550
551 During site plan review, when the ultimate locations for stormwater management practices are
552 evaluated, the Applicant will perform infiltration and deep hole tests pursuant to the
553 requirements of the NYSDEC. The stormwater management design plan will be finalized based
554 upon soil test report. The NYSDEC requires that the proposed stormwater infiltration basins be
555 located in areas with slopes less than 15%. The proposed development plan for the Project
556 Area will be in compliance with NYSDEC regulations and will include infiltration basins designed
557 to infiltrate the entire water quality volume through the basin floors to recharge groundwater
558 aquifers as per the NYSDEC's green infrastructure practice.

559
560 The proposed Concept Plans for development under the MR-12 zone would result in a
561 grading/disturbance that is similar to the amount of grading/disturbance associated with
562 development under the existing zoning regulations. [Source]

563 564 Potential Impacts

565
566 Development of the Pascack Ridge area will result in an increase in impervious surface area
567 and associated removal of vegetative cover. These factors have the potential to alter the
568 natural sediment and stormwater storage capabilities of the site causing pollution of on-site
569 wetlands and watercourses if not managed properly. This increase in impervious surfaces
570 will result in an increase in peak runoff from the post development Project Site requiring the
571 implementation of a stormwater management plan.

572
573 As discussed in II.1 – Geological Resources, the SWPPP will provide construction and post
574 construction management practices that comply with the NYSDEC General Permit and
575 Chapter 237 of the Town of Ramapo Code. The conceptual stormwater management plan in
576 the Technical Addendum shows how certain areas on the Project Area could be allocated as
577 stormwater management basins adequate to manage the volume and water quality of
578 stormwater runoff from the developed areas shown on the Concept Plans. It is understood
579 that the final locations and sizes of stormwater management basins that meet the
580 requirements of the DEC General Permit for Discharge of Stormwater from Construction
581 Activities and Chapter 237 of the Town Code will be developed as part of a stormwater

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582 pollution prevention plan during site plan review and approved for filing with DEC by the
583 Town's MS4 official, in consultation with the Town engineer.

584
585 Pascack Brook is a County waterbody. While the Project does not propose any regulated
586 activity in the regulated areas of the Brook, the standards and procedures in the County Code
587 for development will apply in the event any development is proposed in the regulated areas
588 of the Brook.

589 Mitigation Measures

591
592 The review and approval of any site plan for development of the Project will be conditioned
593 on the development of an ESC Plan that minimizes soil erosion and sedimentation during
594 construction, and a SWPPP that ensures that the rate of stormwater runoff will be the same
595 or less, and the quality of stormwater runoff will be the same or better in the post-development
596 condition as compared to the pre-development condition. The SWPPP must include Best
597 Management Practices to treat water and limit peak runoff rates and include temporary and
598 permanent erosion and sediment control measures. To mitigate the increased runoff from
599 impervious surfaces, infiltration basins shall be designed per the NYSDEC Design Manual
600 during the site plan review process. Peak flow for larger storm events must be controlled with
601 an outlet structure to maintain or reduce peak flow rates from the Project Area during a storm
602 event. Smaller storms will be infiltrated with no runoff leaving the Project Area.

603
604 The construction will be done in phases and a detailed phasing plan will be prepared as per
605 the Sediment and Erosion Control Plan, in accordance with the New York State Standards
606 and Specifications for Erosion and Sediment Control. A detailed operation, inspection and
607 maintenance measures for the proposed stormwater management practices will be included
608 as a part of the full SWPPP report, which will be reviewed by the Town's MS4 official for
609 consistency with the requirements of the DEC General Permit for Discharge of Stormwater
610 from Construction Activities and the Town Code before it can be filed with DEC to obtain
611 coverage under the General Permit for any site development activities.

612
613 As required by the DEC General Permit, site preparation activities shall be planned to
614 minimize the area and duration of soil disruption.

615
616 Temporary and permanent erosion and sediment control measures that must be applied
617 during construction include minimizing soil erosion and sedimentation by stabilizing the
618 disturbed areas, removing sediment from construction site discharges, and preservation of
619 existing vegetation, especially in designated buffers and/or in proximity to wetlands and
620 Pascack Brook, to the maximum extent practical. The Planning Board must include site plan

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621 approval conditions that will require preconstruction conferences with Town staff and
622 contractors, installation of construction fencing and signage to clearly mark limits of
623 disturbance and Town inspections to ensure that site activities take place in accordance
624 within the limits of disturbance on the approved plans and that environmentally sensitive
625 areas are protected.

626
627 After construction, site soils must be restored by deep ripping and decompaction as part of
628 the SWPPP requirements. Soil stabilization will be conducted in the stabilization phase of the
629 project. Areas subject to topsoil stripping without grade change must be aerated with either
630 a coulter making narrow strips, spiked rollers, or prongs functioning as a mini subsoiler. Areas
631 that experience cutting and filling or heavy construction traffic will be fully restored per the
632 NYSDEC Design Manual.

633
634 Upon completion of construction activities in any portion of the Project Area, the site
635 contractor will notify Town staff of its intent to permanently stabilize that portion of the Project
636 Area, and its schedule for filing the General Permit Notice of Termination of Coverage, if
637 applicable, so that appropriate inspections may be scheduled. All temporary controls will be
638 removed and permanent vegetation shall be established on all exposed soils.

639
640 Pursuant to Section 237-14 of the Town Code, the Applicant must, prior to site plan approval,
641 execute a maintenance easement that shall be binding on all subsequent landowners, which
642 shall provide for access to the stormwater management facilities for periodic inspection by
643 the Town of Ramapo to ensure that the facilities are maintained in proper working condition.
644 The maintenance agreement establishes procedures for routine inspection and maintenance
645 of the facilities, which will be reviewed and approved by the Town Attorney and MS4
646 Engineer.

647 648 Findings

649
650 The Project Area can be developed without significant adverse impacts to the quality or
651 quantity of water leaving the Project Area through the development and implementation of a
652 SWPPP that conforms to the requirements of the DEC General Permit and Chapter 237 of
653 the Town Code. There are adequate areas on the Project Area to provide infiltration basins
654 for the scale of development that is being proposed to ensure that the rate of stormwater
655 runoff will be the same or less, and the quality of stormwater runoff will be the same or better
656 in the post-development condition as compared to the pre-development condition, as
657 required by the DEC General Permit and Chapter 237. The locations for stormwater practices
658 must be developed during the site plan review process including through percolation tests,

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659 as necessary. Infiltration and deep test hole will be performed pursuant to the NYSDEC
660 Design Manual, Appendix D.

661
662 A comprehensive Erosion and Sediment Control Plan along with details and specifications
663 will be prepared as a part of the site plan review process. A full Stormwater Pollution
664 Prevention Plan report will ensure compliance with the General Permit and Chapter 237,
665 including with respect to the operation, inspection and maintenance for each stormwater
666 management practice used on Project Area. Both the ESC Plan and the SWPP will be
667 reviewed by the Town of Ramapo Planning Board and MS4 Engineer and approved for filing
668 with DEC for General Permit coverage before they are filed.

669
670 With the mitigation measures described above, the Town Board finds that the potential
671 significant adverse impacts of increased runoff and impervious surfaces on groundwater and
672 surface water resources will be avoided or mitigated to the maximum extent practicable.

673 674 II.4 Utilities

675 676 3.4.1 Water and Wastewater

677 678 Existing Conditions

679
680 Potable water for the Project will be supplied from SUEZ Water New York (formerly United
681 Water), which is a private community water system serving the residents of Rockland County.
682 SUEZ operates and maintains a distribution system ranging from 4-inch to 16-inch pipes with
683 water obtained from both a network of groundwater wells and surface water from Lake
684 DeForest in the Town of Clarkstown. The DeForest Lake Filtration Plant operates under
685 SPDES Permit #NY0037265.

686
687 The preliminary site plan for the Project will include calculations of the demand for water,
688 which will be submitted to SUEZ for a Willingness to Serve letter. Once SUEZ approves these
689 calculations, it will forward the submission to the Rockland County Health Department for
690 review and approval. The Rockland County Health Department's approval will then be
691 provided to the Planning Board.

692
693 There is an existing 12-inch diameter water distribution network on Ewing Road and Pascack
694 Road. SUEZ issued a "willingness to serve" letter, dated July 8, 2019, which states that "water
695 service can currently be made available to the proposed subdivision using a maximum daily
696 demand of 166,400 gallons per day." SUEZ also indicates that, with the extension of the
697 watermain, by connecting to the 12-inch watermain on Ewing Avenue and North Pascack

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698 Road, sufficient pressure and flow will be available to provide domestic and fire protection to
699 the proposed subdivision.
700

701 A wastewater disposal pump station in the Town of Clarkstown conveys sewage to the
702 Rockland County Sewer District No.1 Sewage Treatment. The Sewage Treatment Plant is
703 located on NYS 340, Orangeburg, New York. The wastewater treatment facility operates
704 under NYSDEC Permit #NY0031895. The facility has a 28.9 million gallons per day (MGD)
705 capacity and discharges treated effluent to the Hudson River. An existing 24-inch diameter
706 reinforced concrete sewer trunk line traverses the Site in an existing easement from north to
707 south.
708

709 That line was recently constructed, and includes an eight-inch (8") stub pipe, not currently in
710 use, which was designed to serve the Project area. The 24" pipe has a capacity of 1,900
711 gallons per minute (gpm). To address the Sewer District's comment that a sewer capacity
712 analysis would be required in order to connect to the trunk line, Tam Enterprises monitored
713 the flow in the 24" pipe every 30 seconds from November 18, 2019 to November 25, 2019
714 flow meter. The data from this monitoring showed that the peak flow at any point during that
715 week was 1,342 gpm. While that flow rate appeared to be an anomaly, as the flow throughout
716 the week at all other times was much lower.
717

718 While the pump station serving the sewer system for the Site is owned and maintained by
719 the Town of Clarkstown, this does not affect the Project's ability to connect to the Rockland
720 County Sewer Main. All permitting actions in relation to the connection to the sewer main via
721 laterals is solely the purview of RCSD No. 1. The Town of Clarkstown does have a
722 Department of Facilities and Engineering Management that monitors rehabilitations and
723 repairs to sewer mains that it owns.
724

Potential Impacts

725
726
727 No impacts are projected in connection with the water supply for the area subject to the
728 proposed rezoning. As noted, SUEZ has issued a willingness to serve letter stating that it
729 can provide water in excess of the projected demands for the Project. Domestic and fire
730 service for the proposed development will be supplied by the SUEZ water distribution
731 system, as there is more than adequate flow capacity to serve the proposed development.
732

733 No impacts are projected in connection with the sewer service for the area subject to the
734 rezoning. As such, even in the worst case, based on the anomalous peak flow event, and
735 the unlikely circumstance of that maximum peak flow rate through the 24" pipe occurring
736 at the exact same time as the Project's anticipated maximum rate of flow, the 24" pipe

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

737 would still have 20% capacity remaining (see letter from Atzl, Nasher & Zigler, PC dated
738 December 4, 2019 submitted with letter from Zarin & Steinmetz dated December 5, 2019
739 regarding comments on the Technical Addendum).

740

741 Mitigation Measures

742

743 The Applicant, or anyone developing pursuant to the proposed rezoning, must present
744 site plans for review and consideration by the Town Planning Board, and file applications
745 with the relevant agencies, including Rockland County Sewer District No. 1. Detailed
746 engineering and design plans must be included in any such site plan application(s). Water
747 demand, final sewer flow calculations, and the final number and location of fire hydrants
748 will be decided during site plan review, with approval from the Town of Ramapo Fire
749 Inspector and the Public Works Department, as relevant.

750

751 All new water mains must be offered for dedication to Suez. No components of the
752 proposed on-site water supply facilities are proposed to be dedicated to the Town.

753

754 Potential impacts generated by installation of utilities during the construction phase of the
755 project are short-term in nature. As discussed in Section 4.4 in the DEIS and elsewhere
756 in the EIS, those impacts will be avoided or minimized by the development and
757 implementation of a Soil Erosion and Sedimentation Control Plan. Once construction is
758 completed and disturbed areas are stabilized, no further soil erosion impacts are
759 anticipated from the wastewater disposal system.

760

761 To prevent leakage or cross-contamination, the proposed water supply system must be
762 designed to meet, or exceed, all applicable standard specifications, guidance, and
763 regulations including those established by Recommended Standards for Water Works by
764 Great Lakes-Upper Mississippi River Board of State and Provincial Public Health and
765 Environmental Managers, 2012 Edition (10 State Standards), State and County Health
766 Codes.

767

768 Findings

769

770 The proposed water and sewer systems must designed to meet all applicable standard
771 specifications, guidance and regulations. These requirements will be implemented during
772 site plan review. Therefore, the proposed Action does not have the potential for significant
773 adverse environmental impacts on water or sewer resources.

774

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775 While the Town Board notes the Rockland County Planning Department comment that the
776 Applicant's December 4 letter report on the capacity of the RCSD sewer main was not
777 provided to the Sewer District yet, the Town Board, as Lead Agency, has consulted with
778 its engineer and finds the Study adequate to address the Sewer District's concern about
779 availability of sewer service. While it can rely on the County to conduct a thorough
780 technical review at the time a permit application is made, it notes that no significant
781 adverse environmental impact on sewer service has been identified.

782 783 II.4.2 Electric and Gas

784
785 Orange and Rockland Utilities provides the Study area with electricity and gas. Since the Site is
786 underdeveloped even in accordance with its existing R-15 zoning, much less energy is used now
787 than will be used if the area is developed pursuant to the rezoning.

788
789 The property is traversed north to south by an Orange & Rockland transmission line. As set forth
790 in the Power Line Electromagnetic Field (EMF) Analysis contained in Appendix C.5 of the DEIS,
791 measured fields were lower than typically seen near a line of the type and size found in the Site.
792 None of the power line alternating current (AC) Electromagnetic Field levels measured or
793 projected to exist at that location exceed the formal exposure guidelines delineated in Section
794 2.0 of the EMF Analysis report. Therefore, there are no EMF based regulatory limitations to
795 utilization of the property.

796 797 Potential Impacts

798
799 There will be energy consumption both during construction and occupancy of the proposed
800 residences. During construction, the energy consumption will be primarily from powering
801 equipment and construction vehicles, with it being taken over by the energy consumption of
802 the residents (energy for space heating, air conditioning, lighting, household appliances,
803 among other electrical devices) after the completion of the project. The actual demands for
804 energy in the residential space may vary based on the lifestyles and habits of the occupants.

805
806 The Electromagnetic Field analysis reveals that buildings on the conceptual site plan are
807 proposed at distances from the power line easement that are commensurate with
808 precautionary guidelines for exposure. No increased risk is anticipated. It is anticipated that
809 224 units will consume approximately 16 billion BTUs of energy per year.

810 811 Mitigation Measures

812

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

813 The Applicant represents that any proposed development will comply with or exceed the
814 requirements of the 2020 New York State Energy Conservation Code.

815
816 Energy conservation is regulated at the State level. The New York State Energy Conservation
817 Construction Code specifies basic requirements that are mandatory for all residential
818 buildings. Requirements apply to heating and cooling systems, hot water, electricity, material
819 and equipment specifications and sealing the building envelope. The project will exceed the
820 requirements of the NYS Energy Conservation Construction Code through the installation of
821 high-efficiency lighting fixtures.

822
823 The Applicant is evaluating Solar Electric Panels (SEP) for multifamily units to the extent
824 feasible. The Applicant is also committing to providing energy-efficient buildings that use
825 high-efficiency double pane windows, water saving devices and ecologically friendly lighting
826 systems which will not exceed 0.6 foot-candle at perimeter property lines.

827
828 Findings

829
830 No significant adverse impact is found to occur to the existing supply of electric and gas
831 utility services due to the Proposed Action. Further, there is not expected to be any significant
832 adverse environmental impact from Electromagnetic Fields on the future development of the
833 Site with multifamily development.

834
835 II.5 Transportation²

836
837 Traffic Impact Analysis in DEIS

838
839 The DEIS Traffic Impact Analysis is based upon the Proposed Action and the Concept Plans
840 in the DEIS, which included 290 dwelling units and derived regular vehicular access into the
841 Site from Ewing Avenue and North Pascack Road, and emergency access from Spring Brook
842 Road, Brookvale Court and at a different point on Ewing Avenue.

843
844 Potential Impacts

845
846 Current Conditions. Pursuant to the DEIS Scoping Document, existing conditions were
847 analyzed at the following intersections: Ewing Avenue/Pascack Road, Pascack Road/Mirror

² The Appendix of this document contains associated traffic tables.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

848 Lake Road/North Brook Road, Pascack Road/Forest Brook Road and Forest Brook
849 Road/Spring Brook Road. The key intersections relating to the Study Area are Ewing
850 Avenue/Pascack Road and Pascack Road/Mirror Lake Road/Northbrook Road. Operating
851 conditions are currently acceptable at all locations.

852
853 No Build Conditions. The No-Build conditions represent the traffic volumes that would be on
854 the street network prior to the development of the Study area with multifamily housing. Using
855 a conservative background growth rate of two percent, existing volumes were increased to
856 represent No Build traffic in 2020. There are no other planned or approved developments
857 that will generate traffic at the Study intersections.

858
859 As shown in the 2020 No Build Conditions – LOS Capacity Analysis Summary table in the
860 DEIS and the Appendix of these Findings, at the Pascack Road/Mirror Lake Road/Northbrook
861 Road intersection, the Pascack Road eastbound approach is projected to change from LOS
862 “C” to LOS “D” in the Weekday AM and PM Peak Hours and from LOS “B” to LOS “C” in the
863 Sunday Midday Peak Hour. The Mirror Lake Road westbound approach is projected to
864 change from LOS “B” to LOS “C” in the Weekday PM Peak Hour and the northbound
865 approach is projected to change from LOS “E” to “F” during this peak hour. The remaining
866 three intersections and approaches to the Site are projected to operate at LOS “C”, or better,
867 for the three peak hours analyzed.

868 Trip Distribution. In order to distribute the estimated entering and exiting trips generated by
869 the project, a trip distribution was developed based on an analysis of existing conditions. The
870 majority of project related volume is anticipated to have an east/west origin/destination
871 pattern with 69% traveling via Ewing Avenue to arrive at or depart from the Site. The
872 remaining 31% of site-oriented trips are projected to arrive, or depart, via Pascack Road. The
873 trip distribution utilized for the distribution of trips on the network is in DEIS Table 22 and the
874 Appendix of these Findings.

875
876 Build Condition. The proposed development will generate the largest number of trips during
877 the Weekday PM Peak Hour – a total of 144 trips (96 vehicles entering and 48 exiting). The
878 Weekday AM Peak Hour will result in an additional 121 vehicles (21 entering the site and 100
879 exiting). Lower volumes of 117 vehicles (57 entering and 60 exiting) are projected to occur
880 during the Sunday Midday Peak Hour (see Table 23 of the DEIS and the Appendix of these
881 Findings).

882
883 The results of the capacity analysis, utilizing the trip distribution and added traffic volume
884 from the development, are summarized in DEIS Table 24, 2020 Build Conditions with No
885 Mitigation – LOS Capacity Analysis Summary, and are included in the Appendix of these
886 Findings. Comparing the Existing and No-Build conditions to the Build Condition with No

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

887 Mitigation, the analysis shows a deterioration in level of service for the southbound movement
888 at the Ewing Avenue/Pascack Road intersection. This approach will change from LOS "C" to
889 LOS "D" in the Weekday AM Peak Hour without mitigation, which is an acceptable level of
890 service.

891
892 Comparing the No-Build Condition to the Build Condition with No Mitigation, there are also
893 the following deteriorations in Levels of Service for movements at the Pascack Road/Mirror
894 Lake Road/Northbrook Road intersection:

- 895
896 • The eastbound approach would change from LOS "D" to "E" during the Weekday AM
897 Peak Hour; and
- 898
899 • The southbound approach would change from LOS "B" to "C" during the Weekday
900 PM Peak Hour.

901
902 Except as noted above, and as shown in the summary table, the other intersections and the
903 driveways into the Site are projected to operate at LOS "C" or better for the peak periods
904 analyzed. The locations of capacity analysis for the Build Condition are identified on, the
905 Traffic Location Map provided in the DEIS as Exhibit 22.

906
907 Traffic Signal. The Applicant's DEIS traffic Study analyzed a possible traffic signal at the
908 Pascack Road/Mirror Lake Road/Northbrook Road intersection and characterized it as
909 potential mitigation for the impact of Project traffic. In response to discussions with the Town's
910 traffic consultant, the Applicant's traffic consultant prepared an updated warrant analysis for
911 the Pascack Road/Mirror Lake Road intersection, dated December 18, 2019. This analysis
912 shows that, even with Project traffic factored in, this intersection currently would not meet the
913 8-hour warrant analysis, which is the Town's standard for determining if a traffic signal is
914 warranted at a particular intersection.

915
916 Accident Analysis. The DEIS traffic Study included an accident analysis, which determined
917 that three accidents occurred annually at the Study area intersections during the Study years
918 2013, 2014, and 2015. All of the recorded accidents occurred at the Ewing
919 Avenue/Northbrook Road/North Pascack Road intersection. The accident reports reveal that
920 four of the nine accidents that occurred during the Study period are classified as rear end
921 collisions. The remaining accidents were left turn and sideswipe incidents. The majority of
922 accidents occurred with a dry roadway surface and clear weather conditions. There were no
923 fatalities, and only one person was injured in the nine accidents. The accident occurrences

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924 were markedly consistent over the three-year interval. There were no accidents at Forest
925 Brook Road/Spring Brook Road during the three years analyzed.

926
927 Pedestrian/Bicycle Access. The Site is a 6-minute bicycle ride or an 18-minute walk from the
928 Spring Valley Train and Bus Station, which is an important regional transportation hub (FEIS,
929 Response 4.1-59.) Bus service routes in proximity to the Site include Transport of Rockland
930 (TOR) Routes 91 and 94, which provide service from Nyack to Spring Valley and Spring
931 Valley to Tomkins Cove respectively. As reflected in FEIS Appendix D, the Applicant has
932 repeatedly reached out to the County to support expanded TOR service on Ewing Avenue
933 and Pascack Road but has received no response. The TRIPS system, also run by Rockland
934 County, provides para transit service to the senior citizens and disabled persons. The
935 complementary service is for residents unable to use municipal fixed route bus service. This
936 service is by appointment and provides curbside to curbside service intra-county.

937 938 Traffic Impact Analysis in FEIS

939
940 The FEIS contained a Traffic Impact Analysis based upon the Proposed Action and the
941 Concept Plans in the FEIS. In response to comments regarding better school bus access to
942 the Site, the Concept Plans in the FEIS derived regular vehicular access from Ewing Avenue,
943 Pascack Road, Spring Brook Road and Brookvale Court, and emergency access via a
944 different point on Ewing Avenue. The results of this Traffic Impact Analysis were similar to
945 the analysis in the DEIS.

946 947 Traffic Impact Analysis in Technical Addendum

948
949 As set forth in the Traffic Study included in the Technical Addendum, the construction of a
950 Brookdale Court Extension would reduce traffic on Ewing Avenue and Pascack Road and
951 would not result in significant adverse traffic impacts at any other intersections. As per the
952 Technical Addendum, if a Brookdale Court Extension were constructed, with 10%
953 redistribution of existing traffic to Brookdale Court, there would be improvement in the LOS
954 at the following intersections:

- 955
956 • Ewing Avenue/Pascack Road - The Pascack Road southbound combination left, and
957 right turn movement will improve from LOS "D" to "C" in the weekday 7:00 AM to 8:00
958 AM peak hour.
- 959
960 • Pascack Road/Mirror Lake Road/Northbrook Road – The Pascack Road eastbound
961 approach will improve from LOS "E" to LOS "D" in the weekday 7:00 AM to 8:00 AM

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962 peak hour. The Pascack Road northbound approach will improve from LOS "F" to
963 LOS "E" in the weekday 4:45 PM to 5:45 PM peak hour. The Northbrook Road
964 southbound approach will improve from LOS "C" to LOS "B" and the Pascack Road
965 eastbound approach will improve from LOS "D" to LOS "C" in the weekday 4:45 PM
966 to 5:45 PM peak hour.

967 968 Traffic Impact Analysis with Respect to the Pascack Road "Tunnel"

969
970 The Town Board considered comment during the public comment period concerning a traffic
971 jam at the Pascack tunnel caused by a truck stuck in the tunnel. While the tunnel was not
972 identified in the EIS scope as a concern, the Board, in an excess of caution, requested that
973 the Applicant evaluate whether Project traffic would affect existing conditions at the tunnel.

974
975 As an alternative route to divert traffic from the tunnel, commuters can use the route of North
976 Pascack Road to Smith Road to New Clarkstown Road to either Perlman Drive and South
977 Pascack Road or Route 59. Accordingly, the Applicant's traffic consultant, Harry Baker &
978 Associates, undertook a Study to determine whether the project traffic would have any impact
979 on the existing traffic conditions at the Pascack Road/Smith Road and Pascack
980 Road/Lawrence Street (tunnel) intersections, dated November 25, 2019.

981
982 The Study was conducted to examine the impact of the proposed traffic generated by the
983 Pascack Ridge development at these two intersections. During the morning time period,
984 there were buses stopping to pick up students for both the Ramapo Public Schools and the
985 local Yeshivas. Traffic at the Pascack Road/Smith Road intersection moved smoothly with
986 no backups on the approaches. For the weekday PM peak hour, the traffic on Pascack Road
987 in both directions moved smoothly. Over the hour, nearly all of vehicles traveling south on
988 Pascack Road were able to turn left onto Smith Road during the green time allotted if they
989 arrived while the signal was still green. On Sunday, the traffic was steady and periodically
990 the traffic from the westbound approach to the tunnel would backup around the curve.
991 However, the traffic queue never extended back to Smith Road which could impede
992 southbound traffic on Pascack Road from turning left onto Smith Road.

993
994 At the Pascack Road/Smith Road intersection, the Smith Road westbound approach is at
995 Level of Service (LOS) "D" in the weekday PM Peak hour. For the remaining approaches and
996 time periods, the LOS was "C" or better for the intersection approaches. At the Pascack
997 Road/Lawrence Street intersection, the Pascack Road westbound approach is operating at
998 LOS "D" in the weekday PM and Sunday midday peak hours. This is reflective of observations
999 in the field. For the remaining approaches and time periods, the LOS was "C" or better for
1000 the intersection approaches.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1001
1002 For 2020 Build Conditions, at the Pascack Road/Smith Road intersection, the Pascack Road
1003 southbound approach will change from LOS “B” to “C” in the PM peak hour. This is an
1004 acceptable level of service. There will be no other changes to the LOS for any of the
1005 approaches for the three time periods studied. The delays will increase slightly where
1006 development traffic was added to an intersection approach but would not otherwise affect the
1007 LOS. At the Pascack Road/Lawrence Street intersection, the Pascack Road westbound
1008 approach will remain the same at LOS “E” as the 2020 No-Build conditions during the
1009 weekday PM and Sunday midday peak hours. The overall intersection LOS will change from
1010 LOS “C” to “D” in the weekday PM peak hour. This is an acceptable LOS.

1011
1012 The additional analysis (which was provided to RCPD to ensure the Department had a
1013 complete statement) shows the traffic from the proposed Pascack Ridge development will
1014 not have any significant adverse effect on the operations of the Pascack Road/Smith Road
1015 and Pascack Road/Lawrence Street (tunnel) intersections. Accordingly, the Town Board
1016 determines that there are no unstudied significant adverse impacts associated with the
1017 Project’s impacts on the tunnel, the Pascack Road/Smith Road intersection, or any other
1018 traffic condition.

1019
1020 The Town Board notes, however, the Study indicates that traffic on Smith Road can be
1021 improved by modifying the traffic signal timings to change the Pascack Road westbound
1022 approach LOS “E” to LOS “D”, as follows:

- 1023
- 1024 • For the PM peak hour, shift six seconds of green time to the westbound advanced
1025 green phase and reduce the overall maximum signal timing from 45 seconds to 39
1026 seconds for the Pascack Road northbound approach.
 - 1027
 - 1028 • For the Sunday peak hour, shift three seconds of green time to the westbound
1029 advanced green phase and shift five seconds to the eastbound/westbound
1030 movement and reduce the overall maximum signal timing from 45 seconds to 37
1031 seconds for the Pascack Road northbound approach.

1032
1033 That signal is controlled by the Town of Clarkstown. While these signal modifications are not
1034 required to mitigate any significant adverse impacts related to the Project, the Town of
1035 Clarkstown nevertheless may wish to consider them.

1036
1037 Traffic Impact Analysis with Respect to Construction

1038

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1039 The greatest volume of construction traffic is expected to occur at the beginning of the
1040 construction when rough grading is conducted, and when asphalt and building materials are
1041 transported to the Project Area. Trucks will access the Project Area from major roadways
1042 utilizing Interstate Route 287 and NY State Highway Route 59. Truck movements will be
1043 spread throughout the day and generally occur between the hours of 7:00 AM and 4:30 PM.
1044 Project-generated traffic as a result of construction workers is not anticipated to significantly
1045 impact traffic volumes since worker trips generally occur before the AM and PM peak hours.
1046 Construction workers will generally commute daily to the Project Area at 6:30 to 7:00 AM and
1047 leave between 4:00 and 4:30 PM. Site work will occur Monday through Friday and possibly
1048 on Saturday between 10:00 AM and 5:00 PM. Construction workers will access the Project
1049 Area via the proposed access drives and park in temporary parking areas on-site within the
1050 area of disturbance. The Applicant represents that construction truck traffic will not use the
1051 tunnel, and that prohibition must be a stipulation of a Traffic Management Plan which the
1052 Planning Board must require during site plan review and make a condition of any approval.
1053

1054 The Applicant anticipates that the Project will be balanced such that during construction, soils
1055 will not need to be removed from or brought to the Project Area. In the event that soils need
1056 to be brought to or removed from the Project Area, construction traffic would be spread
1057 throughout the day, and would not occur during the PM peak hour. In the worst case, the
1058 peak truck traffic that are projected daily in that eventuality is 40 per day, or about 5 per hour.
1059 The Town Board's consulting traffic engineer has advised that this volume of traffic does not
1060 present a significant adverse impact, but should be addressed as a contingency in the Traffic
1061 Management Plan.
1062

Mitigation Measures

1063
1064
1065 While the Applicant has offered to install a new full-actuated traffic signal at the Pascack
1066 Road/Mirror Lake Road/Northbrook Road intersection, the record reflects that, even with
1067 Project-generated traffic factored in, the intersection would not meet the Town's standard 8-
1068 hour warrant analysis. Accordingly, the Town Board finds that a traffic signal as mitigation is
1069 not warranted based on the record. The Town Board further finds that, in light of the Town's
1070 policy of only allowing the installation of new signals if the 8-hour warrant analysis is met,
1071 which is intended to avoid a proliferation of signals, the installation of a signal is impracticable
1072 based upon the present record. The Applicant will, however, be required to fund and conduct
1073 a post-occupancy traffic study to confirm this analysis. This analysis must take place a
1074 minimum of six months after full occupancy of the Pascack Ridge project. In the event that
1075 this study conflicts with the analysis now in the record and justifies a traffic signal at the
1076 Pascack Road/Mirror Lake Road/Northbrook Road intersection, the Applicant shall fully fund
1077 the installation of such signal.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1078
1079 Areas to the west of the Project Area possess the pedestrian infrastructure, transportation
1080 connection, and retail opportunities to support a multifamily zoning designation of the Project
1081 Area, provided that the necessary pedestrian connections are made between the Project Site
1082 and areas to the west in Spring Valley. During site plan review, the Planning Board shall
1083 ensure that any new sidewalks in the Pascack Ridge development facilitate pedestrian
1084 connections to the surrounding area, and the Applicant shall coordinate, to the extent
1085 possible, with the Village of Spring Valley to develop a pedestrian connection from the Project
1086 Area.

1087
1088 The Concept Plans, without access to Spring Brook/Clarkstown, shows that adequate turning
1089 radii/maneuvering width for emergency vehicles and school buses can be provided. During
1090 Planning Board review, emergency service organizations and the School District will confirm
1091 that the Project roadways allow adequate access.

1092
1093 While the projected volume of construction traffic does not create a significant adverse
1094 impact, on-site earthwork should be balanced to the maximum extent practicable to eliminate
1095 the need for fill to be either imported or exported from the Project. The Planning Board must
1096 require the Applicant to provide a cut/fill analysis, including construction phases during site
1097 plan review with this objective in mind.

1098
1099 Findings

1100
1101 1A. The Project Area has access to, and frontage on, roadways (Ewing Avenue and
1102 Pascack Road), that can accommodate the anticipated traffic from the Project. The
1103 Project will not cause unacceptable levels of service at any of the studied
1104 intersections, either with or without a Brookdale Court Extension.

1105
1106 1B. Even with Project generated traffic, the Pascack Road/Mirror Lake Road intersection
1107 will not meet the Town's standard 8-hour warrant analysis to justify the installation of
1108 a signal at this intersection. The Town Board nevertheless finds that the Applicant
1109 shall be required to conduct a post-occupancy warrant analysis, acceptable to the
1110 Town's traffic consultant, to confirm this analysis. This analysis must take place a
1111 minimum of six months and not more than twelve after full occupancy of the Pascack
1112 Ridge project. As a condition of any site plan approval the Applicant shall be required
1113 to fully fund the installation of a signal at this intersection in the event that the Town's
1114 traffic consultant advises that the post-construction Study justifies a traffic signal
1115 based upon the 8-hour warrant analysis and the Town Board requires that it be
1116 installed.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1117
1118 1C. The Project Area has convenient access to opportunities for mass transit, including
1119 the Spring Valley Train and Bus Station. The Applicant should design any sidewalks
1120 within its site to promote interconnectivity to the existing sidewalk system in the area.
1121 During site plan review, the Applicant should also continue to reach out to the County
1122 to promote expanded bus service for the Site. The Applicant shall also coordinate
1123 with the County DOT for the allocation of an area for a bus stop. Future cooperation
1124 of the Rockland County Department of Transportation is anticipated.
1125

1126 1D. In making the determination that construction traffic will have no significant adverse
1127 impact, the Town Board notes that traffic peaks associated with construction workers
1128 will generally occur outside of peak PM traffic hours, limiting potential impact on the
1129 road network. The Applicant will be required to provide site parking for construction
1130 workers and vehicles, and to stage the delivery of construction equipment and
1131 construction supplies. During site plan review, the Planning Board shall require the
1132 preparation of a construction management plan, to address issues including any
1133 removal of excavated site material, and delivery of construction materials to the
1134 Project Area, especially material requiring large vehicles, such as concrete trucks,
1135 which would be coordinated to avoid or minimize traffic during peak traffic hours on
1136 the surrounding road network, as the Town Police Department determines to be
1137 necessary.
1138

1139 With respect to the impact of noise associated with construction traffic on adjacent
1140 roadways, the Board notes such activities will be temporary; that the activities will be
1141 phased which will reduce the amount of construction traffic on adjacent roads at any
1142 one time; and that the Planning Board must develop a construction traffic routing plan
1143 that will allow the Applicant to coordinate with the Town Highway Superintendent,
1144 Town Police and the Town's traffic consultants to avoid or minimize the impact of
1145 construction traffic on the surrounding road network by regulating site operations to
1146 minimize construction traffic during peak hours or times when school buses are using
1147 local road network, and to provide appropriate traffic controls.
1148

1149 II.6 Socioeconomics

1150
1151 The U.S. Census Bureau update of population cohorts in the Town of Ramapo is based on
1152 a 2015 total population estimate of 131,648 residents. The cohorts indicate that residents
1153 under age 19 years account for 39% of the total population in the Town of Ramapo. Almost
1154 20% of the population are children of elementary school and middle school age, ranging from
1155 5 years to 14 years old. Only 11% of the Town's population is age 65 or older.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1156
1157 The U.S. Census Bureau population estimate for 2016 indicates that a substantial population
1158 increase has occurred in the Town of Ramapo. Figures indicate the US Census Bureau
1159 estimates the Town of Ramapo population to have reached 136,235 people in July 2016.
1160 This represents an annual increase of 4,587 persons from the 2015 estimate, or an annual
1161 growth of 3.5% in total population. This growth reflects a historic pattern, which shows a
1162 marked acceleration of the Town's population growth over the past 45 years (DEIS, Table
1163 30). The fact that nearly 40% of the Town's population is under the age of 19, and that many
1164 of these people are likely to remain and raise families in Ramapo, suggests that the Town's
1165 population will continue to grow.

1166
1167 The East Ramapo Central School District (ERCSD) serves the Pascack Ridge area for public
1168 schools. The district covers an area of 30 square miles and serves the Town of Ramapo and
1169 Villages of Pomona, Wesley Hills, Spring Valley, New Square, Chestnut Ridge and Kaser,
1170 and portions of the Village of Airmont and the Village of New Hempstead. The district has 14
1171 public schools, including 2 middle schools and 2 high schools. Based on information updated
1172 on the website for the East Ramapo Central School District in 2015, the East Ramapo
1173 ERCSD consists of 10 elementary schools (including Pre-K/K and STEAM Academy), in
1174 addition to the 2 middle schools and 2 high schools. Four elementary schools offer Grades
1175 K-3 and three serve Grades 4-6, with one serving grades 4-8 and an Early Childhood
1176 Development Center specifically for Pre-K and Kindergarten. The 2 middle schools serve
1177 Grades 7-8, and the 2 high schools serve Grades 9-12.

1178
1179 According to a New York State Department of Education report entitled *A New Beginning: A*
1180 *Report on the East Ramapo Central School District*, dated January 24, 2017, there were
1181 33,350 students in the East Ramapo Central school district. Of this total, 24,700 attend non-
1182 public schools and 8,650 attend public school. The proportion of nonpublic students is
1183 approximately 74% of all students in the district, while the remaining 26% attend public
1184 school. The nonpublic enrollment has experienced increases of 5% annually, while the public
1185 school enrollment has grown at only 1.3% annually.

1186
1187 Of the 24,700 students attending nonpublic schools, many attend private schools such as
1188 Orthodox Jewish Yeshivas. The report notes that since 2004-2005 the District's private
1189 school population has increased 50%. Future nonpublic school enrollment growth is
1190 projected to be 4% to 5% per year. The information on private schools in Rockland County
1191 is based on information from the New York State Department of Education.

1192
1193 The Pascack Ridge Study area contains 27.6 acres and consists of 38 tax parcels in the
1194 Town of Ramapo, as detailed in the DEIS. The Study Area has a total aggregate current

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1195 assessed value of \$4,505,785, based on the 2016 property tax assessment. The assessed
1196 value of the project is based on its partially vacant status with some residential development
1197 on particular parcels. The total taxes paid by the properties in Pascack Ridge is
1198 approximately \$115,002 annually. Taxes are paid to the Town, County, emergency services
1199 (Police, Ambulance, Fire District) and East Ramapo Central School District. Education costs
1200 account for the bulk of the residential property taxes paid.

1201

1202 Potential Impacts

1203

1204 *Population*

1205

1206 While population projections for the Site with the Proposed Action are subject to change
1207 during the site plan process, when the number of units and bedroom counts will be finalized,
1208 population estimates for the Pascack Ridge development have been projected based on the
1209 2006 Rutgers University, Center for Urban Policy Research, Residential Demographic
1210 Multipliers for two-bedroom units. The estimates provided in the FEIS are based on the
1211 anticipated development of 224 units, half of which would be two-bedroom units and half
1212 would be five-bedroom units. As the Rutgers guidance does not supply a multiplier for five-
1213 bedroom attached units, multipliers were generated for five-bedroom units based on
1214 population density information obtained from U.S. Census Bureau, 2013-2017 American
1215 Community Survey 5-Year Estimates for neighboring areas with a high presence of five or
1216 more bedroom units. Based on these data, the total projected increase in school- aged
1217 children from the Project with a buildout of 224 units evenly split between two-bedroom and
1218 five-bedroom units is 306. Based on the School District's present experience that
1219 approximately 75% of students will be provided a private education, it is projected that 77
1220 additional students would enter the public school system, while the remaining 229 children
1221 would attend private schools, but would rely on the School District for transportation.

1222

1223 Based on the Rutgers multipliers, the total population increase of the Project with a buildout
1224 of 224 units evenly split between two-bedroom and five bedroom units is 893.

1225

1226 *Tax Revenues and Municipal Costs*

1227

1228 The property tax revenues generated by the Project are projected to be more than adequate
1229 to address the increased demand for services it would cause.

1230

1231 To project the per capita expense associated with the Project, the DEIS analysis divided the
1232 Town outside the Villages appropriation (\$6.8 million) by the Town outside of the Villages
1233 residents based on the 2010 U.S. Census (37,037 residents), and multiplied this by 0.60, to

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1234 reflect the proportion of the Town budget that is funded by the property tax levy. Based on
1235 this, it is estimated that the potential municipal cost per person is \$111 as a result of the
1236 increased population and associated service requirements due to the Pascack Ridge
1237 development.

1238
1239 The estimated municipal cost at full buildout of the Project pursuant to the MR-12 zoning is
1240 \$117,882. In comparison, the projected property tax from the Project is approximately
1241 \$3,148,601 annually (DEIS, Table 32). The future property tax revenue to be generated by
1242 the Pascack Ridge development was based on a full buildout commensurate with MR-12
1243 multifamily zoning. The estimated market value of the project is projected to be \$107.6 million
1244 based on unit sale prices from \$175,000 to \$495,000. The Town of Ramapo will receive
1245 increased revenues including approximately \$965,690 for public safety (DEIS, Table 32).
1246 Approximately \$1.8 million is projected to go directly to the East Ramapo Central School
1247 District. These figures provided in the DEIS reflect estimates at full-build out of 290 units.

1248
1249 Using the same 2016 assessed value tax rates and similar sale prices (2-bedroom units
1250 priced at \$275,000 per unit and 5-bedroom units priced at \$450,000 per unit) for the 224-unit
1251 development proposal discussed in the FEIS, the estimated project value would be
1252 \$79,750,000. The estimated project tax revenue would be \$2,035,481 of which \$418,923 is
1253 estimated to go towards police, fire and ambulance services, and \$1,347,457 will go to the
1254 East Ramapo Central School District.

1255
1256 The East Ramapo Central School District is projected to expend \$13,212 for instructional
1257 expenditures in 2017-2018 per public school student. Approximately 65% of the school
1258 budget is raised by tax levy. Applying 65% to \$13,212 results in a cost attributable to the tax
1259 levy of \$8,587 per student. Transportation costs are estimated by the district at approximately
1260 \$841 per year per student.

1261
1262 Based on the Concept Plans for the development provided in the FEIS, there will be an
1263 increase of 306 total school age students at Pascack Ridge, and the transportation expense
1264 would be \$257,346. The instructional expense associated with students attending public
1265 school is estimated to be \$661,199. This is a total of \$918,545. As stated above, \$1,347,457
1266 of the projected tax revenue will go towards the East Ramapo Central School District. As a
1267 result of the Project, the School District would receive \$428,912 more than the cost of
1268 educating the public school-aged children from the Project.

1269
1270 *Employment*

1271

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1272 The Project would create both temporary employment during the construction period and
1273 permanent employment when the Project is developed and occupied. It is anticipated that
1274 the proposed development will create roughly 124 construction jobs over the projected two-
1275 year construction period. The Applicant would use numerous trades and workers during the
1276 construction period. As reported by the New York State Department of Labor for the first
1277 quarter of 2017, the median annual wage for construction and extraction occupations in the
1278 Hudson valley region is approximately \$60,290.

1279
1280 Post construction during the operations period, the proposed development is expected to
1281 result in an increase of permanent employment within the surrounding areas of the project.
1282 Approximately 11 full-time jobs are expected to provide support services for the Project itself.

1283 1284 Mitigation Measures

1285
1286 No mitigation measures are necessary because the Project results in a net fiscal gain to both
1287 the Town of Ramapo and the East Ramapo Central School District. With increased people,
1288 the Project would bring increased net revenues and fiscal benefits to the East Ramapo
1289 Central School District, the Town, County and emergency service provider agencies. There
1290 is also an increase in jobs, employment and wages as a part of the Project, which will produce
1291 a positive economic impact. The anticipated increase in school aged children and population
1292 due to the proposed development is found to be not significant in comparison to the existing
1293 population of the School District. As a result of the Project, the tax revenue generated by the
1294 Project for the School District will be greater than the education and transportation costs for
1295 the school-age students residing in the Project.

1296 1297 II.7 Community Facilities and Services

1298
1299 The Town of Ramapo Police Department provides general law enforcement services,
1300 including traffic patrol, investigation services and other protective services. The Department
1301 is made up of 120 sworn officers and 25 civilian personnel. The Ramapo Police Department
1302 consists of the Patrol Division, the Special Services wing and the Headquarters Division. The
1303 Town of Ramapo Police Department is currently not at full strength, according to a letter
1304 dated February 21, 2018 from Ramapo Police Chief Brad Weidel, provided in the DEIS
1305 Appendix B.

1306
1307 The East Spring Valley Fire Department (ESVFD) is a team of 120 volunteers. The
1308 Department has 4 Pumpers, 2 Aerial Ladder Trucks, 1 Rescue Vehicle and 1 GMC Van
1309 Equipment Truck. There are various ambulance services that could serve the Site, including
1310 the Ramapo Village Ambulance Corps.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1311
1312 In Spring Valley, Memorial Park, which is approximately 9.80 acres, is approximately 1,600
1313 feet from the Site, and could be used by residents of the Project.

1314
1315 Potential Impacts

1316
1317 The Town of Ramapo Police Department provides a ratio of one police person per 1,135
1318 persons, or 0.88 person per 1,000 persons. The East Spring Valley Fire Department also
1319 maintains a ratio of one fire person per 1,125 persons, or 0.88 person per 1,000 persons.
1320 The increase in population due to the Pascack Ridge development could potentially increase
1321 response times and diminished services. Based on existing commitments of service, the
1322 Project would generate an additional demand of 0.78 police officers and 0.78 firefighters. The
1323 Town Board recognizes that the Town of Clarkstown has referenced guidelines provided by
1324 the Urban Land Institute (ULI) but, as noted in the FEIS, these guidelines frequently exceed
1325 the typical level of service commitment, describe levels for the provision of new service, and
1326 overestimate the realities of expanding existing service (FEIS, Response 5.3-11). The Town
1327 Board administers four Fire Protection Districts, and notes its experience is that new Building
1328 Code compliant construction with sprinklers and hardwired alarms generally has fewer calls
1329 for fire service.

1330
1331 In any event, the ULI guidelines suggest that the Project would generate an additional
1332 demand of 1.78 police officers and 1.47 firefighters. As discussed in greater detail in the
1333 Socioeconomic section of these Findings, the Project is anticipated to provide the Town of
1334 Ramapo with increased revenues, including approximately \$965,690 for public safety (DEIS,
1335 Table 32). These additional funds could be used to benefit the Police Department and the
1336 Fire Department, including for hiring additional police personnel or providing additional fire
1337 apparatus. Fire lanes and fire hydrants will be provided for the Project in accordance with the
1338 New York State Fire Code and will be duly inspected by the Fire Inspector of the Town of
1339 Ramapo.

1340
1341 The students from the Project will be dispersed among various grade levels and schools. The
1342 increase in student enrollment is expected to occur over the anticipated two-year project
1343 construction period. As discussed in greater detail above, based on the School District's
1344 present experience that approximately 75% of students will be provided a private school
1345 education, it is projected that 77 additional students would enter the public school system
1346 from the Project, while the remaining 229 children would attend private schools, but would
1347 rely on the School District for transportation. As discussed above, As a result of the Project,
1348 the Project is anticipated to result in \$428,912 more than the cost of educating the school-
1349 age children residing in the Project for the School District.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

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The proposed development of Pascack Ridge will preserve substantial portions of the Project Area as open space. The Concept Plans for the Project provide for the preservation of open space, which includes environmentally sensitive areas, utility easements and areas on Project Area that will remain undeveloped and open. Pursuant to the use requirements applicable to the MR-12 zone, the Project would be required to provide a minimum of 35 square feet per unit of usable outdoor recreation area, and these recreation areas must include playground equipment and/or other recreational facilities. Exceeding this requirement, the 224-unit Concept Plans provided for the Project show that approximately 8,000 square feet of playground space will be provided among the various building clusters. The open space in and around the Orange & Rockland easement area could be used for community recreation.

The Applicant does not propose any off-street parking. Roads will be designed according to the International Fire Code Appendix D (Section(s) D101, D102, D103, D105, D106 and D108) to provide fire vehicle access to structures, which will ensure that vehicular parking does not interfere with the emergency access and circulation. The conceptual plan provided in the FEIS shows parking areas associated with buildings, and more details will be provided during site plan review. Review and approval of the site plan by the Ramapo Town Fire Inspector, as required by the Town Code, will ensure adequacy of access routes, turning radii on access roads, and the location and numbers of fire hydrants. The Town Board notes the Rockland County Department of Planning comment that the site plan will be referred to the Rockland County Office of Fire and Emergency Services, if applicable.

The anticipated refuse collection will be via a private hauler coordinated by the Master Homeowners Association(s).

Mitigation Measures

Based on the current ratio of staffing of the Town of Ramapo Police Department and the East Spring Valley Fire Department, no increase in police or fire personnel is anticipated due to the proposed development. The Project is anticipated to provide the Town of Ramapo with substantial increased revenues, including approximately \$965,690 for public safety. As such, no additional mitigation is required in connection with the provision of public safety services to the Project.

No mitigation measures are necessary for the East Ramapo Central School District, including because the Project will result in a net fiscal gain to the District. The Project's

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1388 added expenses to the District are offset by the increased revenues which will go to the
1389 School District as described above.

1390
1391 The anticipated private refuse collection will mitigate any potential impact to the Town's
1392 refuse collection system.

1393
1394 Preservation of open space and community recreation areas, and allocating smaller
1395 playground spaces near different building clusters mitigate any potential impact to
1396 recreational facilities and open spaces anticipated from this development. Outdoor
1397 recreation area allocation in the Project must comply with the Table of General Use
1398 Requirements, Part I: Residential Districts Multifamily Zones, § 376-31 pertaining to the
1399 proposed MR-12 zoning. Provision of smaller play areas is also safer for children as they
1400 are closer to their homes and do not need to walk long distances to reach a central dedicated
1401 play area. The Pascack Ridge development will be in compliance with the Fair Housing Act.

1402
1403 The Town Board notes that the Applicant has represented that fire suppression sprinklers
1404 and alarms will be provided in all residential units in the Project.

1405 1406 Findings

1407
1408 With respect to concerns raised by Town Board members, the public and others about
1409 potential impacts on community services that could be associated with the Proposed Action,
1410 the Board finds that the Proposed Action will not have any significant adverse impact on
1411 community services, for the reasons stated in Section 5.3 of the DEIS and Section 5.3 of the
1412 FEIS.

1413
1414 The Board notes that its SEQRA review included circulation of the DEIS (which included
1415 information about the overall scope of the Proposed Action and the Concept Plans) and other
1416 information to the emergency service responders with primary jurisdiction over the Site, and
1417 such responders did not express concern about any potential impacts of the Project on fire,
1418 police or emergency services, which appear adequate to serve the project.

1419
1420 While comments were received questioning whether traffic conditions, such as the periodic
1421 congestion at the Pascack Road "tunnel" or the condition of the local road network might
1422 limit the ability of the fire, police, ambulance and other emergency service providers to
1423 respond to the Site, the Board is familiar with the location of the emergency services that
1424 would be primarily responsible for providing these services to the Project and finds that the
1425 road network is adequate to enable them to provide a timely response and maintain the
1426 existing levels of service to any anticipated development on the Site and to allow the safe

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1427 movement of emergency service vehicles. These various services are familiar with the local
1428 geography and are aware of the quickest routes to the Site, which may vary for each service,
1429 depending upon factors including the time of day. Moreover, the Board notes that multi-
1430 family development provides greater opportunity to plan for emergency access to structures
1431 during the site plan process. Based upon the above, it is found that no significant adverse
1432 impact on community facilities and services will result from the proposed development.

1433

1434 II.8 Land Use, Zoning, Comprehensive Plan and Community Character

1435

1436 *Existing Conditions – Land Use*

1437

1438 The Study Area is 27.6 acres in size and contains a total of 39 tax lots (DEIS Table 1). There
1439 are 13 developed tax lots on the Site, which together comprise approximately 6.9 acres or 25%
1440 percent of the Site. Eight of these 13 tax lots contain single-family detached dwelling units, 2
1441 are developed with two-family dwelling units, 1 contains a three-family dwelling unit, and 1 is
1442 developed with a house that has been converted into apartments. Almost all of these 13 lots are
1443 undersized as per the R-15 Residential District zoning for the development on them and the
1444 three-family dwelling and the apartment use are not permitted in the R-15 zoning district (DEIS
1445 Table 9 & Figure 10). A hypothetical redevelopment of the 27.6-acre Site with the existing R-15
1446 zoning could result in approximately 44 to 56 units, depending upon whether one-family or two-
1447 family homes are proposed (DEIS Table 2, Figures 41 & 42).

1448

1449 Approximately 2/3 of the Study Area is closed canopy regrowth forest, the composition of which
1450 is elaborated on in Section II.2 of this document. One third of the Site is categorized by the
1451 United States Geological Survey as Developed Open Space (developed areas where
1452 impervious surfaces account for less than 20%) (DEIS Figure 18). Significant portions of the
1453 Developed Open Space found on-Site are from the existing dwelling units and the Orange and
1454 Rockland overhead utility easement, a 100-foot wide overhead utility easement running from
1455 the north to the south lot line. Areas on the Site that are within this overhead utility easement
1456 are kept relatively clear, with vegetation periodically cut down. As noted in FEIS Response 4.1-
1457 12, however, approximately 55 homes to the north and south of the Site use the easement area
1458 on their properties for backyard uses, including sheds, patios, and pools. Christa Lynn Drive
1459 may provide interior access to developed lots on the Site, although it does not appear to have
1460 been developed to municipal standards. Christa Lynn Drive is a narrow macadam road crossing
1461 the Pascack Brook via an existing concrete structure, crossing the overhead utility easement,
1462 and terminating in the interior of the Site. Other developed infrastructure on the Site includes
1463 two Rockland County Sewer District No. 1 sewer easements running across the Site from north
1464 to south, and a dirt road that follows the Orange and Rockland utility easement, and is used as
1465 access for utility company maintenance.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1466 The Surrounding Area has varying land uses ranging from residential density similar to that
1467 existing on the Site to higher, multifamily densities west of the Site in Spring Valley and the
1468 Surrounding Area in Clarkstown. (DEIS, Figure 11). In response to comments received in the
1469 SEQRA process, investigation of areas beyond the Surrounding Area was pursued to better
1470 understand and illustrate the context of the Site. This explains the distinction between
1471 discussion of the Surrounding Area (as it is defined in the scope) and nearby areas beyond the
1472 Surrounding Area which are discussed in the DEIS, FEIS, and Technical Addendum.
1473

1474 The Village of Spring Valley represents one of the largest concentrations of population density
1475 in Rockland County (FEIS – Response 4.1-62). Existing and approved, in-progress
1476 development in Spring Valley abutting and to the west of the Site include several multifamily
1477 developments on lots ranging from less-than-1 to 5 acres in size with densities as high as 36
1478 units per acre (DEIS Figure 11 & Technical Addendum, Section II (Community Character),
1479 Figures 1 & 2). The portion of the Surrounding Area within Spring Valley, to the west of the Site,
1480 can best be described as high-density multifamily development on relatively small lots (less-
1481 than-1 to 5 acres) with an existing and contiguous sidewalk network (DEIS Figures 11 & 24).
1482 Beyond the Surrounding Area, the development in Spring Valley maintains a high density,
1483 multifamily pattern with increasing levels of commercial space as one nears the village center.
1484

1485 The Surrounding Area within Clarkstown is largely developed with single-family homes,
1486 duplexes, and townhouses with densities of approximately 3 to 10 dwelling units per acre. Just
1487 beyond the Surrounding Area, development in Clarkstown increases in density to the southeast
1488 with townhouse developments on sites ranging from 4 to 16 acres with housing densities from
1489 4 to 17 units per acre (DEIS Figure 11 & Technical Addendum, Section II (Community
1490 Character), Figures 1 & 2). In nearby areas of Clarkstown (both in the Surrounding Area and
1491 beyond the Surrounding Area) sidewalks are occasionally present but are irregular and non-
1492 contiguous (DEIS Figure 24). The land use patterns in Clarkstown in proximity to the Site show
1493 that single-family housing can and does exist in harmony with multifamily development at the
1494 levels that would be allowed by the Proposed Action.
1495

1496 The Surrounding Area within the Town of Ramapo to the north and east of the Site are best
1497 described as medium-density residential development. Single-family and duplex homes with an
1498 average density of 4 units per acre are located along cul-de-sacs and connecting roads with no
1499 sidewalks (DEIS Figure 11 & 24). Again, the fact that these housing patterns already exist in
1500 proximity to multifamily housing in Spring Valley and Clarkstown shows that these varied
1501 housing types can and already do exist in harmony.
1502

1503 *Existing Conditions – Comprehensive Plan*
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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1505 The 2004 Town of Ramapo Comprehensive Plan's Recommendations and Strategies section
1506 of the Housing Chapter identified potential areas for rezoning and multifamily development. It
1507 also recognized that conditions in the Town have the potential to change in unforeseen ways
1508 and that the need for additional areas for multifamily development might arise. As such, the
1509 Town Board left itself latitude in the Comprehensive Plan to identify additional areas for
1510 multifamily housing in the future. This same section of the Comprehensive Plan identifies eight
1511 criteria for the consideration of rezoning for multifamily development. They are as follows:
1512

- 1513 1. Sufficient property size and dimension to accommodate the density permitted in
1514 the zone;
- 1515
- 1516 2. Access to, and frontage on, a roadway that can accommodate the anticipated
1517 traffic (emphasis should be placed on locating such developments on State
1518 roadways such as Route 59);
- 1519
- 1520 3. Convenient access to opportunities for mass transit use (e.g., bus), including
1521 pedestrian access;
- 1522
- 1523 4. Location within an area that contains existing high density residential or
1524 commercial development;
- 1525
- 1526 5. Access and close proximity to community shopping, including pedestrian
1527 access;
- 1528
- 1529 6. Readily connectable to existing sewer and water infrastructure;
- 1530
- 1531 7. Unencumbered by environmental resources such as steep slopes, wetlands,
1532 streams, floodplains, or other factors that would suggest that the property is not
1533 suitable for the intensity of development proposed; and
- 1534
- 1535 8. Location within an area of the Town with a need for such housing.
- 1536

1537 As discussed in the Frederick P. Clark Associates memorandum dated November 22, 2019, the
1538 Town's growth has continued since 2004 and many of the sites identified in the 2004
1539 Comprehensive Plan have been developed. Although comments from Rockland County
1540 Planning Department and others contend that the Action does not comply with all of the
1541 placement criteria and asserts they are mandatory criteria, the Board notes that the guidelines
1542 "should" be considered by the Board when considering rezoning requests, and that, as set forth
1543 below, it has indeed considered them, and finds that they have been met with this application.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

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The need for affordable multifamily housing options is not unique to the Town of Ramapo. The Executive Summary of the Rockland County Comprehensive Plan (2011) states, in part, the following with respect to the need for housing which is affordable:

“Despite the recent recession and the resulting decrease in housing values and corresponding low level of interest rates, decent, affordable housing in Rockland is still out of reach for many. This is especially true for low- and mid-level employees, the elderly on fixed incomes, young households, emergency-service volunteers (fire and ambulance), caregiver work force (nursing, psychiatric and home health aides), and others who cannot afford the most readily available types of housing. The challenge for Rockland lies in preserving its existing predominant single-family, owner-occupied housing character while encouraging new housing opportunities for all ages and income groups....

Major recommendations include:

Encourage a range of affordable housing options for the county’s young adult and senior populations. Diverse housing options can include mixed-use developments with commercial uses on the first floor and residential units on second and upper floors. It can also include accessory apartments, in-law suites attached to existing homes, smaller lots, townhouses, and housing cooperatives for young families and seniors.” (pp. 17, 18)

Existing Conditions - Zoning

The Site and the Surrounding Area to the north and east of the Site, in the Town of Ramapo, are zoned R-15 (Residential). This residential district permits single-family dwellings on a minimum lot size of 15,000 square feet and two-family dwellings on a minimum lot size of 20,000 square feet. This zoning results in a residential density of approximately 4 units per acre.

While the County Planning Department has asserted that “ALL of the surrounding area is labelled R-15,” (County Planning Letter, August 30, 2019, at 2 (emphasis in the original), this is simply not the case. The Surrounding Area to the west of the Site, in the Village of Spring Valley, for example, is zoned R-2 and R-3 (Medium Density Residential District and Medium-High Residential District, respectively). The R-2 and R-3 districts allow multifamily development, some of which are as dense as 30+ units per acre.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1582 The Surrounding Area to the south of the Site, in the Town of Clarkstown, is zoned R-15
1583 (Medium Density Residence). The R-15 zone features single- and two-family homes on lots
1584 which are approximately 15,000 and 20,000 square feet in size respectively. Also within the
1585 Surrounding Area, in the Town of Clarkstown, are areas zoned MF-2 and MF-3 (Multifamily)
1586 which both permit multifamily development with housing densities from 9 to 18 units per acre
1587 (DEIS Figure 9).

1588
1589 *Existing Conditions – Community Character*

1590
1591 The Site and the Surrounding Area to the north and east of the Site, in the Town of Ramapo,
1592 are zoned R-15 which translates to a housing density of approximately 4 units per acre. The
1593 community can be best characterized by single-family detached dwelling units on parcels of a
1594 modest size with front, rear, and side yards (DEIS Figure 26). These yards are typically grassy
1595 and wooded and create a forested suburban environment.

1596
1597 The Surrounding Area to the south and southeast, in Clarkstown, maintains a similar community
1598 character to the Site with an approximate density of 4 to 10 units per acre. This includes both
1599 duplex developments in a cul-de-sac community environment and townhouses along Pascack
1600 Road. Just beyond the Surrounding Area, the community character contains increased unit
1601 density (6 to 17 units per acre), including townhouse developments. (DEIS Figure 11).

1602
1603 In the Surrounding Area to the west of the Site, in Spring Valley, the community character of the
1604 Site immediately transitions to that of a dense and walkable village with both single and
1605 multifamily developments on a street grid complete with pedestrian amenities.

1606
1607
1608 Potential Impacts

1609
1610 *Potential Impacts – Land Use*

1611
1612 A rezoning and redevelopment of the Study Area in accordance with the proposed MR-12
1613 Multifamily zoning could allow an estimated theoretical full build out of 290 units on the 27.6-
1614 acre Site. This development would obviously allow more units than the current residential
1615 development pattern on the Site and the potential development permitted by the Site's current
1616 zoning. It is important to note that in contrast to standard subdivision developments allowed
1617 by the current zoning, development according to the proposed MR-12 zoning could more
1618 efficiently use the same amount of land to create a larger supply of housing while still
1619 minimizing or avoiding impacts to ecologically sensitive areas through the "clustering"
1620 dwelling units in multifamily structures designed and planned as an integrated development

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1621 and managed by a HOA or similar entities that are responsible for compliance with all
1622 applicable regulations, including the environmental standards already mandated by state and
1623 local agencies to protect those areas.
1624

1625 The rezoning of the Project Area to MR-12 and its subsequent development would involve
1626 the clearing of wooded and vegetated areas in the proximity of the Pascack Brook and nearby
1627 wetlands and could increase activity near to and disturbance of these environmentally
1628 sensitive areas both during construction and after completion. The Proposed Action locates
1629 stormwater infrastructure and recreational open space in the vicinity of both the Pascack
1630 Brook and the on-Site wetlands (see FEIS Figure 4 and Technical Addendum Figure 2). This
1631 development would generate a population of approximately 1,000 residents (from DEIS),
1632 impervious surfaces, a decrease in soil infiltration and water retention, and would require the
1633 creation of usable recreational spaces.
1634

1635 *Potential Impacts – Comprehensive Plan* 1636

1637 The Proposed Action requires amendment of the 2004 Town of Ramapo Comprehensive
1638 Plan to include the Project Area³ as an area to be considered for multifamily development.
1639 The Town Board is cognizant that the County Planning Department has stated that, in its
1640 opinion, the Site only meets two of the eight placement criteria, and respectfully disagrees.
1641 The Town Board has duly considered the criteria set forth in the Comprehensive Plan for
1642 designating additional properties as multifamily. As follows, the Town Board finds that the
1643 allowing multifamily housing on the Project Area is consistent with the criteria set forth in the
1644 Comprehensive Plan:
1645

- 1646 1. The environmental analysis developed in this SEQRA review shows that the
1647 Project Area has sufficient property size and dimensions to accommodate
1648 MR-12 zoning;
1649
- 1650 2. As discussed in greater detail in the Transportation section of these Findings,
1651 the Project Area has access to, and frontage on, a roadway that can
1652 accommodate the anticipated traffic. While the Town Board recognizes that

³ The Board noted that comments on the text of the original Comprehensive Plan amendments expressed concern that it could apply Town-wide and directed that the amendment be revised so that it is expressly restricted to consideration of the suitability of the Pascack Ridge properties for multifamily residential development.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

- 1653 the Comprehensive Plan states that emphasis should be placed on locating
1654 such developments on State roadways such as Route 59, the Board finds
1655 that the roadway network serving the Site, including Ewing Avenue and
1656 Pascack Road, can accommodate the anticipated traffic from the Project;
1657
- 1658 3. As discussed in greater detail in the Transportation section of these Findings,
1659 the Site has convenient access to opportunities for mass transit, including the
1660 Spring Valley Train and Bus Station. The Applicant should design any
1661 sidewalks within its site to promote interconnectivity to the existing sidewalk
1662 system in the area. During site plan review, the Applicant will be required to
1663 reach out to the County to promote expanded bus service for the Site. Future
1664 cooperation of the Rockland County Department of Transportation is
1665 anticipated;
1666
- 1667 4. As discussed herein, the Site is located in an area that already contains high
1668 density residential development. The Site abuts and is in proximity to areas
1669 in Spring Valley and Clarkstown that contain high-density residential
1670 development (DEIS Figure 11 & Technical Addendum, Section II, Community
1671 Character, Figures 1 & 2). The Town Board recognizes that areas containing
1672 single-family residential housing also exists in the area, but finds that the
1673 existing land use pattern, which already has single-family development
1674 existing in harmony with proximate multifamily development, establishes that
1675 the multifamily housing the Proposed Action would allow would be compatible
1676 with single-family housing;
1677
- 1678 5. The Site is in close proximity to commercial facilities and community shopping,
1679 including in Spring Valley (DEIS, Figure 12). The Town Board notes that the
1680 County Planning Department acknowledges in its August 30, 2019 comment
1681 letter on the Comprehensive Plan amendments that the Site is within a half-
1682 mile of New York State Route 45, which contains shopping and transit options.
1683 Again, the Applicant should design any sidewalks within its site to promote
1684 interconnectivity to the existing sidewalk system in the area;
1685
- 1686 6. As discussed in greater detail in the Utilities section of these Findings, the Site
1687 is connectable to existing sewer and water infrastructure;
1688
- 1689 7. While portions of the Site are encumbered by environmental constraints, the
1690 environmental record submitted by the Applicant shows that the Project Area
1691 can be developed without significant adverse disturbance to these areas,

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1692 such that these constraints do not suggest that the Project Area is not suitable
1693 for multifamily development; and

1694
1695 8. The Site is located within an area of the Town with a need for such housing.
1696 As proximate development in Spring Valley and Clarkstown show, there is
1697 already a demand for multifamily housing in the area of the Site.
1698

1699 As the County Planning Department has noted, determining “the appropriate residential
1700 density results from the examination of many factors.” In making these Findings regarding
1701 the Comprehensive Plan, the Town Board has not only considered the applicable criteria, but
1702 has also weighed the competing interests of the community, including those who would
1703 benefit from the housing the Project would provide, Project opponents, and the developer.
1704 The Town Board has also considered regional and local housing needs and requirements
1705 and has sought to balance these with the desire of some area residents to maintain the status
1706 quo.
1707

1708 In this light, the Town Board further finds that there is a continuing need for housing. Data
1709 show that, based upon the Town’s existing housing stock, many households in Ramapo are
1710 severely burdened by housing costs. The continued need for additional multi-family housing
1711 in 2019 (and the zoning therefor) is substantiated by housing and economic information.
1712 Again, the current land use pattern in the area, which shows single-family residential areas
1713 existing in harmony in proximity to multifamily residential developments, shows that the
1714 provision of multifamily zoning can be, as the Applicant’s concept plan shows, compatible
1715 with single-family residential communities. The Town Board is guided by the fact that the
1716 Project could provide much needed multifamily housing for the Town and region.
1717

1718 The Town Board further finds that multifamily housing such as the Project meets this need is
1719 a manner that is more affordable than single-family housing and without the impacts
1720 associated with suburban sprawl. While certain parties, including the County Planning
1721 Department, have opined that the MR-12 is inappropriate for the Site in light of its
1722 environmental constraints, the Town Board finds that, as conceptually shown by the
1723 Applicant’s Concept Plan, the MR-12 would allow the development of the Project Area in a
1724 manner that allows the substantial preservation of the Site’s environmental resources.
1725

1726 *Potential Impacts – Zoning*
1727

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1728 The Proposed Action seeks to rezone the Site to MR-12, allowing a theoretical potential full
1729 buildout of an estimated 290 units.⁴ The proposed density is comparable to zoning and
1730 development in the Surrounding Area to the west in Spring Valley and beyond the
1731 Surrounding Area to the southeast in Clarkstown (DEIS Figure 11). Areas to the west of the
1732 Project Area possess the pedestrian infrastructure, transportation connection, and retail
1733 opportunities to support a multifamily zoning designation of the Project Area, provided that
1734 the necessary pedestrian connections are made between the Project Area and areas to the
1735 west in Spring Valley.

1736
1737 *Potential Impacts – Community Character*

1738
1739 The Proposed Action would create a maximum population density approximately 6 times
1740 higher than what is currently permitted on the Project Area and one that is in keeping with
1741 the community character to the west of the Site in the Village of Spring Valley and to the
1742 southeast of the Site in Clarkstown. As noted above, the Town Board recognizes that areas
1743 containing single-family residential housing also exist in the area, but finds that the existing
1744 land use patterns, which already show single-family development existing in harmony with
1745 proximate multifamily development, establish that the multifamily housing such as allowed
1746 by the Proposed Action would be compatible with single-family housing. While the County
1747 Planning Department has opined that the MR-12 zoning would be a “glaring departure from
1748 single-family neighborhoods to the north and east of the site,” it ignores the fact that these
1749 communities already exist in harmony with multifamily development, such as already exists
1750 in the area in Spring Valley and Clarkstown. Similarly, in its comments, the Clarkstown
1751 Department of Planning has expressed “concerns over the impact of this development on the
1752 nature of the surrounding single-family neighborhood,” but does not acknowledge that there
1753 is already multifamily housing in proximity to this neighborhood in Clarkstown, without any
1754 apparent significant adverse impact on community character.

1755
1756 The design and orientation of the Project Area, particularly pedestrian connections, should
1757 focus towards the west to connect the Site to the community and the essential amenities
1758 available there for the Project. To limit the visual impacts the Proposed Action might have on

⁴ The Board notes many of the comments on the DEIS and FEIS concern details of site plan review, and that any actual development plan will require detailed site-specific plans and review by the Planning Board and other regulatory agencies. As with any land use application allowed by zoning, site-specific plans may result in Planning Board approving fewer dwelling units than initially proposed.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1759 neighborhoods to the north, east and south, the Applicant is required by the MR-12 zoning
1760 designation to maintain 35-foot setbacks, which will include natural vegetation and
1761 landscaping, and a maximum building height of 40 feet. The Applicant has also proposed the
1762 use of sloping gable roof lines, of earth tones, and of limited reflective materials in
1763 architectural design. The intention of this is to limit the perceived scale of development from
1764 neighboring areas with a less dense community character (DEIS page 118 & Figure 36).

1765
1766 Mitigation Measures

1767
1768 *Mitigation Measures – Land Use, Comprehensive Plan, Zoning, and Community Character*
1769

1770 The Concept Plan provided by the Applicant indicates that there is adequate room for
1771 multifamily development, supporting infrastructure (including stormwater management),
1772 recreational open space and preservation of environmentally sensitive areas. The refinement
1773 of the plan during site plan review, which will ensure the implementation of the Applicant's
1774 commitment to preserving the environmentally sensitive resources at the Site, will determine
1775 the specific, ultimate density allowed for the Project.

1776
1777 The clearing of land in the proximity of wetlands on-Site and the creation of recreational open
1778 space and their regular use by residents could potentially adversely impact this
1779 environmentally sensitive area (see Section II.2 of this document for detail). Construction of
1780 an effective, Code compliant stormwater management system with water quantity and water
1781 quality components will be essential to mitigate the potential adverse environmental impacts
1782 related to increased impervious surfaces, decreases in water infiltration, and exposure of
1783 soils as a result of the removal of vegetation. The design of the stormwater management
1784 system for the Project should not infringe upon existing vegetation surrounding the wetlands
1785 and Pascack Brook in order to maintain the surrounding soil's natural ability to capture, filter
1786 and retain stormwater (see Section II.3 of this document for details). Ample vegetated riparian
1787 buffers created by maintaining existing mature vegetation around both the Pascack Brook
1788 and the wetland areas would serve as long-term and short-term protections for these
1789 environmentally sensitive areas.

1790
1791 The Site's proximity to downtown Spring Valley and the high-density residential development
1792 there, the commercial facilities and community shopping found there, and the access to mass
1793 transit all speak to the potential for the Project Area to accommodate multifamily
1794 development. It should be noted that the Comprehensive Plan encourages pedestrian access
1795 to both commercial and mass transit resources. While the primary route from the Site to
1796 downtown Spring Valley follows Ewing Avenue which presently has no contiguous sidewalks,
1797 during the site plan design and review processes, emphasis should be given to the

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1798 incorporation of internal site pedestrian amenities with pedestrian connections to Rose
1799 Avenue and/or Ewing Avenue in Spring Valley. The Proposed Action will create a community
1800 character for the Site that is not inconsistent with neighborhoods in Spring Valley and
1801 Clarkstown. It is important to design the Project in a way that allows pedestrian connections
1802 to Spring Valley while using natural vegetation and other screening measures to limit visual
1803 impact on surrounding communities.

1804 The Board has received comments categorizing the proposed density of MR-12 as being out of
1805 keeping with surrounding densities and a poor transition from the high densities found in Spring
1806 Valley and the low densities of Ramapo. As set forth below, the Town Board is considering
1807 creating that transition of density on the Site with the western portion closest to Spring Valley
1808 being zoned MR-12 and an eastern portion of the Site that abuts North Pascack Road remaining
1809 R-15. A portion of the Pascack Brook could serve as a line of demarcation between the two
1810 above mentioned zoning districts and a separation between the two densities. The concept
1811 includes the placement of a restrictive covenant on tax parcel 50.19-1-46, located at the
1812 northeast corner of the Site, which would restrict the use of this parcel to open space,
1813 recreational facilities and/or community facilities. With the consolidation of the parcels
1814 comprising the Project Area, the MR-12 density from parcel 46 could be shifted to the other
1815 parcels within the Project Area.

1816 Findings - Land Use, Comprehensive Plan, Zoning and Community Character

1817
1818 The Town Board finds that the Project Area is suitable for MR-12 multifamily zoning given its
1819 characteristics relative to many of the criteria for multifamily zoning in the Town's
1820 Comprehensive Plan as mentioned above. Pedestrian friendly design and pedestrian access
1821 to Rose Avenue and/or Ewing Avenue should be a priority in the site plan design and review
1822 processes. It is important to design the Project in a way that allows pedestrian connections
1823 to Spring Valley while using natural vegetation and other screening measures to limit visual
1824 impact on surrounding communities. Architectural review and approval by the Town and a
1825 heavily landscaped area within the perimeter setbacks of the Project Area will also be
1826 important in avoiding significant adverse impacts to community character.

1827 II.9 Noise and Air Quality

1828 1829 Noise

1830
1831 Chapter 188 of the Ramapo Town Code regulates activities that generate noise. This provision
1832 sets forth specific requirements applicable to construction activities, establishing that no person
1833 shall operate or permit to be operated any tools, machinery or equipment used in construction,
1834 drilling or demolition work:

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

- 1835
1836 a. Between the hours of 10:00 PM and 8:00 AM the following day or any time on legal
1837 holidays, such that the sound therefrom creates an unreasonable noise across a
1838 residential real property boundary.
1839
1840 b. At any other time where the sound level at or across a real property boundary exceeds
1841 an L10 of 60 for the daily period of operation.

1842
1843 Town Code Chapter 188 also regulates the use of domestic power tools, horns and signaling
1844 devices, and mufflers.

Air Quality

1845
1846
1847
1848 The proposed project area lies in the Region 3: Hudson Valley Air Quality Control Region
1849 (AQCR), one of nine regions in New York State monitored for compliance with National
1850 Ambient Air Quality Standards (NAAQS).

1851
1852 Of the Federal criteria pollutants mentioned above, the ones currently monitored within this
1853 region include the following:

- 1854
1855
 - Sulfur dioxide (SO₂)
 - Ozone (O₃)
 - Total suspended particulates (PM 2.5)
 - Inhalable particulates (PM 10)
 - Lead (Pb)

1860
1861 The remaining criteria contaminants, carbon monoxide (CO) and nitrogen dioxide (NO₂), are
1862 not monitored within the Region 3 AQCR, but are monitored in the AQCR for Region 2, which
1863 includes the five boroughs of New York City. Air contaminants which are typically of concern
1864 to vehicle-related projects include ozone, carbon monoxide, nitrogen oxides and lead. Air
1865 contaminants that are typically of concern with respect to heating and hot water systems of
1866 residential projects include sulfur dioxide and inhalable particulate matter.

Potential Impacts

Noise

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1872 Noise levels along the affected roadway network will remain similar to the existing conditions.
1873 The Build Condition traffic volumes will result in an increase of less than 1dBA over existing
1874 and No Build conditions. This change will not be noticeable. As set forth in the Noise Impact
1875 Assessment Report included in Appendix C.4 of the DEIS, in accordance with NYSDEC
1876 policy, if the noise impact of a project is determined to be less than 3 dBA, the project would
1877 not have a significant adverse impact on residential receptors and mitigation is not warranted.
1878 Accordingly, the identified project related impact of less than 1 dBA at receptors for Existing
1879 and Future No Build noise levels will have no significant adverse impact.

1880
1881 In light of the fact that the traffic reports submitted for the SEQRA review do not show any
1882 significant change in traffic volumes along the affected roadway network, no significant
1883 impacts on receptor noise levels are anticipated once the Project is completed.

1884
1885 Project construction must comply with the regulations contained in Chapter 188, Ramapo
1886 Noise Standards. Local daytime ambient noise levels will increase both on and nearby to the
1887 project area during construction.

1888
1889 Construction activities and operation of construction equipment are both an expected and
1890 required consequence of any new construction project and cannot be avoided. However,
1891 contractors be required to maintain construction equipment on site in good operating
1892 condition, locate generators and power equipment to maintain the maximum distance from
1893 residences on adjoining properties, and to enforce the NYS anti-idling law. The noise
1894 resulting from construction impacts will be temporary and will cease upon the Project's
1895 completion.

1896
1897 *Air Quality*

1898
1899 The screening analysis set forth in Appendix C.3 of the DEIS was performed using NYSDOT-
1900 TEM method accepted by the New York State Department of Transportation (NYSDOT) for
1901 SEQRA review. The traffic analysis imitates the screening criteria of LOS at all intersections
1902 for the Build condition. The traffic volumes generated by the proposed project are below the
1903 screening thresholds for the NYSDOT regional transportation programs and conform to the
1904 State Implementation Plan (SIP) to bring the area into compliance with the carbon monoxide
1905 standards. The project affected unsignalized intersections would not be expected to have
1906 any significant traffic related impact on local air quality levels and no microscale CO air quality
1907 Study was required.

1908

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1909 Potential short-term adverse air quality impacts that may result from the proposed Project
1910 include fugitive dust and particulate matter from the Project Area, as well as emissions from
1911 construction equipment and vehicles.

1912
1913 The construction of the proposed development will involve grading activities that may result
1914 in the release of the previously mentioned potential short term adverse air quality impacts.
1915 During this period dust and particulate matter from the Project may be released into the air
1916 and carried off-site by wind. Construction related air emissions will also result from the use
1917 of diesel fuel as a source of energy for construction vehicles and equipment. The primary
1918 generator of air emissions from proposed residences is the operation of passenger vehicles.

1919
1920 Mitigation Measures

1921
1922 *Noise*

1923
1924 Construction activities will comply with the Town of Ramapo construction noise requirements.
1925 The noise impacts of the construction activities are short term and no long term adverse
1926 impacts are anticipated. Construction vehicles will not be routed from Spring Brook Road to
1927 further attenuate temporary construction related noise impacts. Local daytime ambient noise
1928 levels will increase both on and nearby to the project area during construction. Construction
1929 activities and the operation of construction equipment are an expected and required
1930 consequence of any new construction project and cannot be avoided. Therefore, some noise
1931 impacts inevitably are to be expected. Noise resulting from construction activities is a
1932 temporary impact, and one that will cease upon completion of the project. However, the
1933 Planning Board should require, as a condition of approval of any site plan, that contractors
1934 be required to maintain construction equipment on site in good operating condition, locate
1935 generators and power equipment to maintain the maximum distance from residences on
1936 adjoining properties, and to enforce the NYS anti-idling law, and that the construction
1937 program incorporate other noise abatement practices where practical.

1938
1939 The impact of site construction activities on noise levels is less than 3 dBA as a result of the
1940 Proposed Action, indicating there will be no significant adverse impact on residential
1941 receptors. Given the proposed density of the Project, the projected volume of traffic and noise
1942 impact assessment performed by Potenta Environmental Consultants LLC, no significant
1943 adverse noise impacts are expected to result from the Project.

1944
1945 *Air Quality*

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1947 The traffic volumes generated by the proposed project are below the screening thresholds
1948 for the New York State Department of Transportation regional transportation control
1949 programs, and therefore conform to the SIP to bring the area into compliance with the carbon
1950 monoxide standards.

1951
1952 Mitigation measures, such as the use of a water truck to keep dust down, are required by the
1953 2020 NYS SPDES General Permit, and will be required by the Building Inspector when
1954 necessary during construction to limit dispersal of particulate matter. Following project
1955 construction, unvegetated areas within the Study area exposed to wind would be landscaped,
1956 thereby reducing the potential for dust generation in the long term from the project area.

1957
1958 An air quality impact assessment was performed by Potenta Environmental Consultants LLC,
1959 and is included in Appendix C.3 of the DEIS. The air quality impact assessment found that
1960 the project-generated traffic and site access road improvements will not cause any new
1961 violations with respect to air quality standards or exacerbate existing violations. The project
1962 will be consistent with the requirements of the New York State Implementation Plan (SIP).

1963
1964 Findings

1965
1966 With respect to concerns raised by members of the public regarding potential noise impacts
1967 on adjacent properties that could be associated with the Proposed Action, the EIS identified
1968 and discussed the potential noise impacts and found that there would be a small increase in
1969 noise experienced by residents, due to temporary increases in noise associated with
1970 construction activities on the Project Area and construction traffic using the surrounding road
1971 network.

1972
1973 With respect to the impact of noise associated with construction activities on the Project Area,
1974 the Town Board notes that the hours of construction activities are regulated by the Town
1975 Code; that such activities will be temporary; that the activities will be phased, which will
1976 reduce the extent of construction activity on the property at any one time; that the Applicant
1977 has represented that it will require, as standard conditions of any site work contract, that the
1978 site contractors properly maintain all equipment on the Project Area and ensure that they
1979 have properly functioning noise suppressors; that all contractor vehicles observe NYS anti-
1980 idling regulations; and that construction activities on the Project Area be managed to avoid
1981 or minimize noise and dust from site activities to the maximum extent practicable

1982
1983 Therefore, with respect to any future construction activities on the Project Area, the Board
1984 finds that any significant adverse impacts can be avoided or minimized, and that those
1985 aspects of the Proposed Action will not have a significant adverse environmental impact.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

1986 Therefore, as per the analyses and mitigation measures described above, it is found that no
1987 significant adverse impacts to air quality and with respect to noise will occur due to the
1988 development connected with Proposed Action.
1989

1990 II.10 Visual and Aesthetic Character

1991
1992 The most dominant visual feature of the Site is the overhead transmission power lines located
1993 in the Orange and Rockland utility easement traversing the Site from north to south. The
1994 power transmission lines are visible from Ewing Avenue and Spring Brook Road. Developed
1995 portions of the Site are visible from North Pascack Road and from Ewing Avenue. Mature
1996 woodlands existing in the southern, western and eastern portions of the Site are visible from
1997 the surrounding area (DEIS, Figures 25, 26 & 27).
1998

1999 Potential Impacts

2000
2001 There are no significant aesthetic resources or public facilities of cultural importance
2002 identified within the Site viewshed that would be sensitive to change in the visual
2003 environment.
2004

2005 Pursuant to the Town Code, the proposed building setbacks will be a minimum of 35 feet
2006 from all property lines. As represented by the Applicant and as required by the Planning
2007 Board, significant areas of proposed landscaping and natural vegetation, including trees and
2008 shrubs, will remain or be planted around the perimeter of the Project within the setback areas.
2009 As a result, it is anticipated that there will be limited views of the Project during the leaves-
2010 on condition. During the winter, in the leaves-off condition, the buildings will be visible, but
2011 this can be offset by the architectural features of the buildings, which will minimize their mass
2012 and appearance. The Town, through its review authority, shall ensure that this architectural
2013 representation by the Applicant occurs.
2014

2015 Line of sight diagrams indicate that due to the natural buffer of existing and proposed
2016 vegetation, proposed building layout, retention of existing vegetation, and topographic
2017 differences, the Project will be buffered from much of the surrounding area (DEIS, Figures
2018 28, 29, 30, 31, 32, 33, 34 & 35). A computer simulation provided in the DEIS shows that the
2019 Project can be effectively screened by landscaping and natural vegetation (DEIS, Figure 36).
2020 No significant adverse change to visual character will be evident from outside the Project
2021 Area from local roads or other publicly accessible locations.
2022

2023 Due to the differences in topographic elevation supplementing the existing vegetation, the
2024 development will not create a significant adverse visual impact to the Spring Brook Road

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2025 neighborhood. The proposed development along North Pascack Road will be set back the
2026 required distance from existing development on the opposite side of the roadway. From
2027 Ewing Avenue, viewers will only be able to look down the existing utility right-of-way, since
2028 existing and proposed vegetation will block views along the road.

2029
2030

Mitigation Measures

2031
2032
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2034
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2036

The potential visual and aesthetic impacts of the Project can be mitigated by the 35-foot setback required by the Town Code. Proposed landscaping and existing vegetation within these setbacks can provide screening of the Project Area from the surrounding area. Also, pursuant to the Town Code, buildings are limited to a maximum height of 40 feet.

2037
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2044

Potential impacts during the leaves-off condition during winter months shall be by attractive building design and attention to design elements and the use of earth tone colors and low-reflective materials. The Applicant represents that the buildings use earth tones and low reflective materials. This condition could be implemented through the HOA that will be created for the Project. Further, the Town has ARB approval authority over the proposed architecture and landscaping. The Town CRDC will review and approve the proposed architectural details during site plan review.

2045
2046
2047
2048
2049

Outdoor lighting fixtures shall be designed, sized and located such that they do not cast a more than 0.6 foot-candle at perimeter property lines. Exterior lighting for buildings and circulation areas shall be designed to carefully take into account the minimization of light pollution. All outdoor light fixtures shall be shielded.

2050
2051

Findings

2052
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2056
2057

It is found that no significant adverse impacts to the viewsheds, aesthetics or community character will result from the Proposed Action. No significant adverse change to the visual character will be evident from the perimeter of the Project Area, from the roads around the Site, or other publicly accessible locations. Any potential impacts, albeit insignificant, are mitigated to the maximum extent practicable by the measures set forth above.

2058
2059

II.11 Historic and Archeological Resources

2060
2061

Potential Impacts

2062

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2063 A Phase 1A documentary Study and a Phase 1B survey were conducted for the Site. The
2064 purpose of the Phase 1A documentary Study was to determine the prehistoric and historic
2065 potential of the Study area for the recovery of archaeological artifacts. The Phase 1A was
2066 implemented by a review of environmental data, archaeological site files, other archival
2067 literature, maps and documents.

2068
2069 The prehistoric and historic site file search was conducted at the New York Historic
2070 Preservation Office in Waterford, New York. A historic map search was conducted at the
2071 NYS Library. Various historic websites were queried via the internet to review pertinent site
2072 information.

2073
2074 The Phase 1A Study determined that, based on topographic characteristics and proximity to
2075 prehistoric and Native American trails, the Study area had an above-average potential for
2076 encountering historic sites.

2077
2078 Accordingly, a Phase 1 B survey was conducted on the Site. The purpose of the Phase 1B
2079 survey was to recover physical evidence of the presence or absence of archaeological
2080 artifacts in the Study area before their potential destruction. This was accomplished via
2081 subsurface testing and ground surface reconnaissance.

2082
2083 Field testing included the excavation of 348 shovel tests (STs) across the Study area. No
2084 evidence of any prehistoric or historic artifacts or features were encountered within the
2085 confines of the area.

2086 2087 Mitigation Measures

2088
2089 As the Phase 1B Study did not encounter any prehistoric or historic artifacts or features or
2090 the Site, no further work or mitigation is required in this regard.

2091 2092 Findings

2093
2094 Based on the fact that the Phase 1B archaeological field survey did not encounter any
2095 prehistoric or historic artifacts or features, the Project is not anticipated to pose any significant
2096 adverse impacts to cultural or historic resources.

2097 2098 II.12 Construction Related Impacts

2099 2100 Potential Impacts

2101

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2102 The construction of the project is expected to last for a duration of 24 months. It is anticipated
2103 that the first phase of construction will take 3 months and will involve the construction of
2104 retention basins and internal roadways with connection to Ewing Avenue. Construction will
2105 then progress with the development of various neighborhoods within the Project Area,
2106 beginning with the neighborhood which is in the northern portion of the Project Area to the
2107 west of Pascack Brook (DEIS, Table 36). The precise phasing of Project development will be
2108 determined during site plan review.

2109
2110 Construction access will be via Ewing Avenue and Pascack Road (DEIS, Figure 39). It is
2111 anticipated that the truck route will also be the primary route for construction workers. All
2112 construction activities will be managed from a single construction entrance on Ewing Avenue,
2113 except for units along North Pascack Road. The construction entrance is just over a half-mile
2114 from one of the major anticipated suppliers for the Project, Monsey Lumber. Minimal impact
2115 to neighboring properties will be created by deliveries. During the beginning stages of
2116 construction, when rough grading, utility installation, and asphalt/curb installation is taking
2117 place, 4 to 6 deliveries a day would be expected. When construction shifts from land
2118 improvement to building construction, large truck deliveries will be limited, and 2 to 3 smaller
2119 box truck are anticipated on a daily basis.

2120
2121 All construction vehicles must conform to applicable air pollution and noise control
2122 requirements. Dust control measures will include using water at construction entrances to
2123 clean trucks exiting the Project Area.

2124
2125 Truck movements will be spread throughout the day and generally occur between the hours
2126 of 7:00 AM and 4:30 PM. Project-generated traffic as a result of construction workers is not
2127 anticipated to significantly impact traffic volumes since work site trips generally occur before
2128 the AM and PM peak hours. (DEIS, at 102). Construction workers will generally commute
2129 daily to the Project Area at between 6:30 and 7:00 AM and leave between 4:00 and 4:30 PM.
2130 Site work will occur Monday thru Friday and possibly on Saturday between 10:00 AM and
2131 5:00 PM. Construction workers will access the site via the proposed construction entrance
2132 and park in temporary parking areas on site within the area of disturbance.

2133
2134 As previously noted, the Applicant anticipates that the Project will be balanced such that
2135 during construction, soils will not need to be removed from or brought to the Project Area. In
2136 the event that soils need to be brought to or removed from the Project Area, construction
2137 traffic would be spread throughout the day, and would not occur during the PM peak hour.
2138 The most maximum number of truck trips that are projected daily is 40 per day, or about 5
2139 per hour. The Town Board is advised by its traffic consultant that this volume of traffic does

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2140 not present a significant adverse impact. The Town Board finds that this is not a significant
2141 adverse increase in traffic.

2142
2143 Throughout the construction, stockpiles of soils have the potential to erode onto adjacent
2144 properties and nearby water sources if not properly handled and stabilized.

2145 2146 Mitigation Measures

2147
2148 With the bulk of the construction occurring internally to the site, the maintenance of a mature
2149 tree corridor around the periphery of the site, and the use of water trucks to minimize dust,
2150 the Project will provide considerable mitigation to keep wind-blown fugitive dust from leaving
2151 the Project Area. Further, mitigation will include other erosion control measures, such as silt
2152 fences for limits of construction and around stockpiling areas.

2153
2154 Project construction must comply with the applicable requirements of the Town Noise
2155 Pollution Control Law, Chapter 188 of the Town Code, Section 237 of the Town Code, and
2156 Article XIV – Administration and Code Enforcement.

2157
2158 Potential impacts generated during the construction phase of the project are short-term in
2159 nature and must be avoided or minimized by the development and implementation of a Soil
2160 Erosion and Sedimentation Control Plan, which must be approved during site plan review.
2161 This plan must be prepared in compliance with Chapter 237 of the Town Code and the
2162 NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities.
2163 This plan must incorporate temporary and permanent controls along with construction
2164 sequencing and construction monitoring to prevent erosion of existing soils and to prevent
2165 sediment laden run-off from entering the nearby wetlands and watercourses.

2166 2167 Findings

2168
2169 It is found that potential impacts due to construction related activities will be avoided and
2170 adequately mitigated by the measures discussed above.

2171 2172 **III. Alternatives**

2173
2174 The New York State Environmental Quality Review Act calls for a description and evaluation
2175 of the range of reasonable alternatives to the action, which are feasible, considering the
2176 objectives and capabilities of the project sponsor.

2177 2178 Potential Impacts

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III.1 No Action Alternative

In accordance with SEQRA regulations, the No Action alternative must evaluate the adverse or beneficial impacts that would occur in the reasonably foreseeable future in the absence of the Proposed Action. The No Action alternative assumes the proposed Site would be developed in accordance with its existing R-15 zoning and is therefore the same as the R-15 One-Family Alternative, R-15 Two-Family Alternative and R-15 Cluster Alternative below. Further, ownership of those portions of the Study Area that contain environmentally sensitive areas would be divided among individual property owners.

III.2 R-15 One-Family Alternative

The one-family alternative is a residential subdivision of the property in conformance with the R-15 zone requirements. Under this scenario, the properties within the Site would be developed into 44 new one-family detached dwellings on 15,000 square foot lots, conforming with Use Group x.1 setbacks and bulk regulations.

The conventional subdivision does not advance the land use objectives set forth in the 2004 Comprehensive Plan, including the Town's housing objectives. Substantial disturbance would still be required to create roadway connections and provide utility connections. However, the development would not expand the range of housing opportunities or maximize the Site's capability to provide additional housing units.

Lot sizes would be sufficient to preserve the sensitive environmental features of the Site, while development would be minimized. Existing foliage would remain throughout the Site affording views of mature vegetation. Additional residential population would generate an increase in school age children. Regrading and disturbance to geology, soils and topography would occur. There would be alteration of drainage patterns and the addition of impervious surfaces to the Site. Drainage infrastructure would be constructed for stormwater management purposes.

Under this alternative, the short-term impacts associated with construction, including noise and dust would occur. There would be a temporary increase in vehicular traffic from resulting construction activities.

III.3 R-15 Two-Family Alternative

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2217 The two-family alternative is a residential subdivision of the property in conformance with the
2218 R-15 zone requirements. Under this scenario, the properties within the Site would be
2219 developed into 28 new two-family detached dwellings (56 units) on 20,000 square foot lots,
2220 conforming with Use Group x.2 setbacks and bulk regulations.

2221
2222 Lot sizes would be large enough to preserve the sensitive environmental features of the Site,
2223 while allowing development to occur. Much of the existing foliage would presumably remain
2224 throughout the Site, affording views of mature vegetation. Additional residential population
2225 would likely generate an increase in school age children. Regrading and disturbance to
2226 geology, soils, and topography would occur. There will be alteration of drainage patterns and
2227 the introduction of impervious surface to the Site. Drainage infrastructure would be
2228 constructed for stormwater management purposes.

2229
2230 Under this alternative, the short-term impacts associated with construction, including noise
2231 and dust would occur. There would be a temporary increase in vehicular traffic from resulting
2232 construction activities.

2233
2234 The alternative does not, however, advance the land use objectives set forth in the 2004
2235 Comprehensive Plan.

2236 2237 III.4 R-15 Cluster Alternative

2238
2239 The cluster alternative is a residential subdivision of the property in conformance with the R-
2240 15 zone requirements. Under this scenario, the properties within the Site would be developed
2241 into 44 new one-family dwellings on 10,000 square foot lots, conforming with Use Group x.1
2242 cluster setbacks and bulk regulations. Similar to the R-15 Conventional Alternative, the
2243 Cluster Alternative does not recognize the Site's suitability for multifamily housing.

2244
2245 Lot sizes would be sufficient and strategically clustered to preserve the sensitive
2246 environmental features such as steep slopes, wetlands and flood plains on site. Unlike the
2247 20,000 square foot and 15,000 square foot subdivisions, this alternative will significantly
2248 reduce disturbance to and loss of natural topography.

2249
2250 Existing foliage would remain throughout the Site affording views of mature vegetation.
2251 Additional residential population would generate an increase in school- age children. There
2252 would be alteration of drainage patterns and the introduction of impervious surface to the
2253 Site. Drainage infrastructure would be constructed for stormwater management purposes,
2254 although not across the entire Site.

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2256 Under this alternative, the short-term impacts associated with construction, including noise
2257 and dust would occur. There would be a temporary increase in vehicular traffic from resulting
2258 construction activities.

2259
2260 The alternative does not, however, advance the land use objectives set forth in the 2004
2261 Comprehensive Plan.

2262 2263 III.5 MR-8 Alternative

2264
2265 The MR-8 alternative, is a residential multifamily development in conformance with the MR-8
2266 District regulations. Under this alternative, the properties within the Site would be developed
2267 into 216 new dwelling units at approximately 8 units per acre. This action would be one-third
2268 less dense than the Proposed Action, not recognizing the Site's full potential to be developed
2269 as multifamily residential development in comparison to the Proposed Action.

2270
2271 Unlike the R-15 development alternatives, the MR-8 alternative will significantly cut
2272 disturbance to and loss of the Site's natural assets by residential development.

2273
2274 Existing foliage would presumably remain throughout the Site affording views of mature
2275 vegetation. Additional residential population would be generated and there would be an
2276 increase in school-age children. Regrading and disturbance to geology, soils, and topography
2277 would occur. There would be alteration of drainage patterns and the introduction of impervious
2278 surface to the Site. Drainage infrastructure would be constructed for stormwater management
2279 purposes throughout the Site.

2280
2281 Under this alternative, the short-term impacts associated with construction, including noise
2282 and dust would occur. There would be a temporary increase in vehicular traffic from resulting
2283 construction activities.

2284
2285 The Town Board finds, however, that the R-15 / MR-12 zoning described below better
2286 advances the housing objectives set forth in the 2004 Comprehensive Plan.

2287
2288 As mentioned above, the Town Board has received comments categorizing the proposed
2289 density of MR-12 as being out of keeping with surrounding densities and a poor transition
2290 from the high densities found in Spring Valley and the low densities of Ramapo. Based upon
2291 a recommendation from Frederick P. Clark Associates, the Town's Planning Consultants,
2292 the Board is considering creating that transition of density on the Site, with the western
2293 portion that abuts Spring Valley being zoned MR-12 and an eastern portion of the Site that
2294 abuts North Pascack Road remaining R-15. A portion of the Pascack Brook could serve as

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2295 a line of demarcation between the two above mentioned zoning districts and a separation
2296 between the two densities.

2297

2298 This alternative essentially consists of the following:

2299

2300 1. Rezone all of the Monsey Lumber and Union Collins Realty parcels (tax parcels 50.19
2301 1-44, 46, 47, 56 through 67, 70 and 71, and 57.07-1-2 and 19) to MR-12;

2302

2303 2. Rezone ten (10) parcels (tax parcels 50.19-1-45, 48 through 53, 68 and 69) in the
2304 vicinity of the Christa Lynn Drive right-of-way to MR-12;

2305

2306 3. Retain the R-15 zoning on the 171 North Pascack Corp (Collishaw) parcel (tax parcel
2307 50.19-1-72) on both sides of Pascack Brook, recognizing that that parcel does not
2308 contain sufficient lot area to meet the minimum lot area of the MR-12 zoning district for
2309 multifamily development, that the parcel is split by the Pascack Brook, that the
2310 environmental review disclosed that the portion of the parcel on the west side of
2311 Pascack Brook has significant constraints on its use for such purpose, and further that
2312 the owner has not actively participated in the environmental review process;

2313

2314 4. Retain the R-15 zoning on the eight (8) parcels on the east side of Pascack Brook to
2315 the south of the Collishaw parcel (tax parcels 57.07-1-3, 4, 5, 7, 8, 8.1, 9 and 10),
2316 recognizing that those parcels are small in size and in separate ownership, and
2317 therefore are unlikely to be combined to provide the minimum lot area required for
2318 multifamily development.

2319

2320 5. Rezoning the Christa Lynn Drive right-of-way to MR-12; and

2321

2322 6. The placement of a restrictive covenant on tax parcel 50.19-1-46, located at the
2323 northeast corner of the Site, which would restrict the use of this parcel to open space,
2324 recreational facilities and/or community facilities. With the consolidation of the parcels
2325 comprising the Project Area, the MR-12 density from parcel 46 could be shifted to the
2326 other parcels within the Project Area.

2327

2328 This alternative would have the following benefits:

2329

2330 1. None of the land to the east of Pascack Brook would contain MR-12 residential
2331 development. The land to the east of the Brook would either be developed in
2332 accordance with R-15 zoning, or would be used for recreational/community facility

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2333 purposes. This would create an R-15 zoned and used land area on the Site between
2334 the MR-12 development on the Site and the R-15 developed neighborhood to the east.

2335
2336 2. The majority of the parcel at the northeast corner of the Site, which was recommended
2337 to be "Proposed Open Space" by the 2004 Town Comprehensive Plan, would be used
2338 as such, with perhaps a portion of the parcel being used for community facilities.

2339
2340 3. The eight (8) properties on the east side of Pascack Brook to the south of the Collishaw
2341 property are all undersized relative to the minimum lot area of the MR-12 zoning district,
2342 and eliminating those parcels from the MR-12 rezoning would avoid making those lots
2343 nonconforming in terms of minimum area.

2344 2345 Findings

2346
2347 All alternatives will result in temporary construction jobs, tax revenues, improvements to local
2348 infrastructure, funding for local emergency service providers and elimination of existing septic
2349 tank systems.

2350 2351 **IV. Adverse Environmental Impacts that Cannot be Avoided or Adequately Mitigated** 2352 **if the Proposed Action is Implemented**

2353
2354 This Findings Statement has documented the Study Area, characterized the potential
2355 impacts that may arise due to the Proposed Action to the Site and its vicinity, and has
2356 assessed mitigation measures for same. Some adverse impacts may still exist for which no
2357 mitigation is available or which will be minimized to the maximum extent practicable. The
2358 adverse impacts for the proposed project will be minimized where possible, but this section
2359 acknowledges those impacts that may still occur as follows:

2360 2361 Short-Term Impacts

2362
2363 *Noise Impacts.* During construction, noise levels may increase. The types of construction
2364 equipment will include bulldozers, front-end loaders, dump trucks, compressors and paving
2365 equipment. While the Town Board does not find these to be significant adverse impacts, as
2366 set forth in these Findings, certain steps will be required to minimize construction noise,
2367 including that all equipment will have functioning proper muffler systems and construction will
2368 be limited to permitted daytime hours.

2369
2370 *Air Quality Impacts.* Similarly, temporary air quality impacts associated with construction
2371 activities may occur including fugitive dust, exhaust emissions from construction vehicles and

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2372 increased traffic on local roadways from workers commuting to the Study area. While the
2373 Town Board does not find these to be significant adverse impacts, as set forth in these
2374 Findings, certain steps will be required to minimize these temporary impacts, including using
2375 best management construction techniques including wetting the ground, providing wind
2376 protection to reduce air borne dust, covering stored materials, and proper maintenance of
2377 equipment.

2378
2379 *Soil Erosion.* Potential soil and erosion control impacts will be mitigated by adhering to the
2380 Erosion and Sediment Control plan to be developed for the project in accordance with the
2381 NYSDEC Phase II regulations and the SPDES General Permit for stormwater discharges
2382 from construction activity.

2383 2384 Long-Term Impacts

2385
2386 *Removal of vegetation.* The alteration of land to accommodate roads, buildings and
2387 driveways will permanently impact the existing vegetation. Existing vegetation will be
2388 maintained and supplemented with new plantings within the 35-foot setback around the
2389 Project Area for screening purposes. Some removal of vegetation took place during the
2390 installation of the new Rockland County sewer line within the Study area.

2391
2392 *Impact to stormwater runoff.* Development of the Project Area will result in an increase in
2393 impervious coverage. This will impact the amount of natural sediment and existing
2394 stormwater storage capabilities of the site. A stormwater management plan will minimize the
2395 impacts to adjoining properties and limit peak runoff rates.

2396
2397 *Increase in Population and School Age Students:* As discussed in greater detail above in
2398 these Findings, based on the East Ramapo School District's present experience, it is
2399 anticipated that approximately 75% of students will be provided a private school education,
2400 it is projected that 77 additional students would enter the public school system from the
2401 Project, while the remaining 229 children would attend private schools, but would rely on
2402 the School District for transportation. No mitigation measures are necessary for the East
2403 Ramapo Central School District, including because the Project will result in a net fiscal gain
2404 to the District. The Project's added expenses to the District will be offset by the increased
2405 revenues which will go to the School District as described above.

2406
2407 *Increase in Traffic:* Development of multifamily housing at the Site will create an increase in
2408 traffic volume. While the studied intersection will maintain acceptable overall levels of
2409 service, some movements will experience moderate increases in waiting times during a
2410 limited portion of the day. As discussed in greater detail above in these Findings, the traffic

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2411 generated by development of the Site pursuant to the MR-12 would not create significant
2412 adverse impacts warranting mitigation. Even with Project generated traffic, the Pascack
2413 Road/Mirror Lake Road intersection will not meet the Town's standard 8-hour warrant
2414 analysis to justify the installation of a signal at this intersection. As discussed above, the
2415 Town Board nevertheless accepts the Applicant's representation that it will conduct a post-
2416 occupancy warrant analysis to confirm the results of its pre-construction analysis, and install
2417 a signal at that intersection if the signal warrants are met.

2418
2419 *Use of additional resources.* Development of multifamily housing on the Site will result in
2420 increased consumption of electricity, gas and water. The consumption will be offset to the
2421 extent practicable by energy saving measures and energy efficient construction complying
2422 with the NYS Energy Standards. Adequate supply and capacity exist for all of these
2423 resources and service can be provided to the development with typical improvements and
2424 connections.

2425
2426 The Town Board has weighed and balanced these unavoidable impacts against the social,
2427 economic and other benefits of the Proposed Action. There is a need for diversified, housing
2428 to meet the unprecedented growth that is occurring in the Town of Ramapo and in Rockland
2429 County, which otherwise is likely to be met by resort to variances or illegal conversion of
2430 existing housing stock that on lots that were not designed or planned for higher density
2431 residential use. These unavoidable impacts are deemed acceptable given the substantial
2432 benefits of the Proposed Action.

2433
2434 **V. Irreversible and Irretrievable Commitments of Environmental Resources that**
2435 **Would be Associated with the Proposed Action Should It be Implemented**

2436
2437 This section of the Findings Statement identifies those natural and human resources that will
2438 be consumed, converted or made unavailable for future use as a result of the proposed
2439 project. The Proposed Action will result in irreversible and irretrievable commitment of
2440 resources as follows:

2441
2442 Short-Term

2443
2444 There are many resources, both natural and built that would be expended in the construction
2445 and operation of the proposed project. These resources include the materials used in
2446 construction; energy in the form of fuel and electricity consumed during construction and
2447 operation of the proposed project, human resource (time and labor) required to develop,
2448 construct and operate the various components of the proposed project.

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2450 The resources are considered irretrievably committed because their reuse for some purpose
2451 other than the proposed project would be highly unlikely. The proposed project constitutes
2452 an irreversible and irretrievable commitment of the Site as a housing development, thereby
2453 rendering the subject property for other purposes infeasible, at least in the near-term.

2454
2455 Long-Term

2456
2457 *Land Use.* The Proposed Action will enable the development of multifamily housing on the
2458 Site. Vegetative cover would be maintained as manicured lawns surrounding the proposed
2459 residential buildings and parking lots. As stated previously, existing vegetation will be
2460 maintained and supplemented with new plantings within the 35-foot setback around the
2461 Project Area for screening purposes.

2462
2463 The Proposed Action changes the development pattern of the area and its vicinity
2464 permanently, but does not adversely impact the viewsheds, aesthetics and community
2465 character. Any potential impacts due to a change in the land use and zoning, albeit not
2466 significant, are minimized, avoided or mitigated as described elsewhere in this Findings
2467 Statement.

2468
2469 *Flora and Fauna.* The development will displace both plant and animal species, but the critical
2470 ecology of the Pascack Brook will be maintained. Proper construction area limits and silt
2471 fencing will avoid the critical wildlife corridor area along the Brook which will help preserve
2472 the continuity and integrity of this resource.

2473
2474 *Energy.* Construction of multifamily housing on the Site will create additional demand for
2475 energy for space heating, cooling, lighting and cooking. The use of insulation materials for
2476 windows and doors, and energy efficient HVAC equipment and appliances will minimize the
2477 amount of energy consumed.

2478
2479 A number of resources, both natural and built, would be expended in the construction and
2480 operation of the Proposed Project. These resources would include the materials used in
2481 construction; energy in the form of gas and electricity consumed during the construction and
2482 operation of the Proposed Project; and the human effort (i.e., time and labor) required to
2483 develop, construct and operate various components of the Proposed Project.

2484
2485 Those resources are considered irretrievably committed because their reuse for some
2486 purpose other than for the Proposed Project would be unlikely. The land use changes
2487 associated with the development of the Site would be considered a resource loss. The Project

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2488 would constitute an irreversible and irretrievable commitment of the Project Area as a land
2489 resource, thereby rendering land use for other purposes infeasible, at least in the near-term.
2490

2491 The Town Board has weighed and balanced these commitments of land resources and
2492 materials against the social, economic and other benefits of the Proposed Action. There is a
2493 need for diversified housing to meet the unprecedented growth in Rockland County and the
2494 Town of Ramapo. The commitment of resources for this project is necessary to expand the
2495 housing supply. Overall, the proposed project would not expend a significant amount of
2496 resources and would have substantial benefits by providing needed housing.
2497

2498 **VI. Growth-Inducing Aspects of the Proposed Action**

2499
2500 Growth inducing aspects of the Proposed Action are those characteristics which would cause
2501 or promote further development in the vicinity, either directly due to the project or indirectly
2502 as a result of a change in the population, markets or potential for development in that
2503 community.
2504

2505 The Proposed Action would result in multifamily housing and the consequent increase in the
2506 residential population are anticipated to increase the demand for neighborhood goods and
2507 services. This demand would be largely be met by existing businesses located in local and
2508 commercial corridors in the Monsey area. The Proposed Action would contribute to
2509 secondary growth in the local economy, primarily due to employment and increased revenue
2510 generation as described in the Socioeconomics section of this Findings Statement.
2511

2512 The Proposed Action would result in a more intensive land use, but substantial open spaces
2513 remain. It is not anticipated that the development will have significant spillover or secondary
2514 effects resulting in substantial new development in nearby areas, as the Proposed Action is
2515 designated only for the subject Site. The Project is a result rather than a source of demand
2516 for housing. This project may contribute to investment and additional renewal within the
2517 Route 45 business district.
2518

2519 The area surrounding the Site is largely developed, and the level of development is controlled
2520 by zoning. As such, the Proposed Project would not “induce” new residential growth beyond
2521 the Study Area. The Proposed Project would utilize existing infrastructure, and the Proposed
2522 Action would not result in any significant adverse impacts to water supply or wastewater and
2523 storm water infrastructure.
2524

2525 **VII. Impacts of the Proposed Action on the Use and Conservation of Energy**

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2527 Energy consumption will occur during the construction and operation of the multifamily
2528 housing developed pursuant to the Proposed Action. During the construction phase, energy
2529 will be used to power equipment and various construction vehicles. Once construction is
2530 completed, multifamily housing will require energy for heating, air conditioning and electricity.

2531
2532 Electricity and gas for the multifamily housing will be provided by Orange and Rockland
2533 Utilities from a new underground distribution system that will be constructed to distribute
2534 electricity to the development. The Proposed Action contemplates multifamily residential
2535 development, and energy will be consumed for space heating, air conditioning, water heating,
2536 refrigerators, appliances and lighting.

2537
2538 Energy conservation is regulated at the State level. The design and plans for residential
2539 buildings must comply with the New York State Energy Conservation Construction Code.
2540 The Code specifies basic requirements that are mandatory for all residential buildings. These
2541 requirements apply to heating and cooling systems, the hot water system, the electrical
2542 system, material and equipment specifications, and sealing the building envelope.

2543
2544 With regard to the design of building envelopes, the NYS Energy Code requires that:

- 2545
- 2546 • Insulation R-values and glazing and door U-factors must be certified by the National
2547 Fenestration Rating Council (NFRC) or by using default values found in tables
2548 published in the Code.
 - 2549 • Vapor retarders must be installed in non-vented framed ceiling, wall and floor areas.
 - 2550 • Insulation levels for walls, roofs, and below-grade walls and glazing areas, and U-
2551 factors for windows and skylights must meet or exceed minimum efficiency levels.
 - 2552 • Air leakage must be limited through the building envelope. The NYS Energy Code
2553 also requires that water and air cooling and heating mechanical systems and
2554 equipment must comply with Code, and compliance is dependent on the type of
2555 mechanical equipment proposed.

2556
2557
2558
2559
2560 Regarding lighting standards, the NYS Energy Code requires:

- 2561
- 2562 • Manual or automatic controls or switches that allow occupants to dim lights and turn
2563 them on or off as appropriate must be installed. The Code identifies control, switching,
2564 and wiring requirements that apply to all buildings.

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- Total connected loads for indoor lighting systems that do not exceed power allowances for a building must be installed. The Code demonstrates how to comply with interior lighting power limits.
- Energy-efficient exterior lighting. The Code specifies criteria for complying with exterior-lighting requirements which must be employed.

The following measures are proposed to address energy impacts related to the proposal:

Alternate Energy. The Applicant will evaluate Solar Domestic Hot Water (SDHW) in the multifamily units to the extent feasible. SDHW can reduce the cost of making hot water by 50 to 75%. Solar water heaters use a free renewable resource without generating pollution. Their use reduces the demand for energy from coal, oil, natural gas and propane, creating a cleaner and safer environment.

Energy Efficient Building Materials. The Applicant has made the commitment to provide energy efficient buildings. The Applicant will comply with the most recent requirements of the Town of Ramapo Building Code to use high efficiency double-pane windows, water saving devices and ecologically friendly lighting systems.

VIII. Determination of Significance on Supplementation

The Town Board has made every effort to ensure that there has been a comprehensive SEQRA review of the Project, with maximum opportunities for public comment. While, for example, the NYSDEC, the agency primarily responsible for SEQRA's implementation, is clear that not only does SEQRA not contemplate a public comment period on an FEIS but, moreover, that a Lead Agency "has no obligation to respond to comments on a final EIS," NYSDEC, SEQR Handbook, at 142-43 (2010), the Town Board decided to surpass the basic procedural requirements of SEQRA by providing an extended public comment period on the FEIS.

Moreover, when the Applicant elected to prepare a Technical Addendum, submitted on July 9, 2019, to respond to certain comments submitted on the FEIS, the Town Board's notice of public hearings on the Comprehensive Plan and zoning amendments specifically invited comment on that document at its public hearings on August 15, 2019 and provided an extended period for written comment. The Applicant thereafter submitted certain

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2602 supplemental information on traffic and sewer capacity in response to public and agency
2603 comments on the Technical Addendum.
2604

2605 The Town Board has reviewed the record in this matter to determine if any of the responsive
2606 information provided by the Applicant, or any other information or issues, trigger the need for
2607 supplemental environmental review. In conducting this analysis, the Town Board appreciates
2608 the Legislature intent that SEQRA an interminable review process. While the Town Board is
2609 pleased to have provided several opportunities for public and agency input on the Proposed
2610 Action, it recognizes, as the Court of Appeals has counseled, that agencies should not allow
2611 SEQRA review to devolve into a process involving “constant updating, followed by further
2612 review and comment periods,” holding that this “would render the administrative process
2613 perpetual and subvert its legitimate objectives.” Jackson v. N.Y.S. Urban Dev. Corp., 67
2614 N.Y.2d 400, 425 (1986). As the Jackson Court further held, requiring new analysis and
2615 hearings every time “some new circumstance has arisen, some new trend has been
2616 observed, or some new fact discovered, would [leave] little hope that the administrative
2617 process could ever be consummated in an order that would not be subject to reopening.”
2618 The Town Board is also mindful of SEQRA’s overarching “Rule of Reason,” which establishes
2619 that agencies do not need to address “every conceivable environmental impact, mitigating
2620 measure or alternative” to satisfy SEQRA’s mandates. See Neville v. Koch, 79 N.Y.2d 416,
2621 426 (1992).

2622
2623 From this foundation, the Town Board, as Lead Agency, recognizes that its obligation is to
2624 consider whether a supplemental environmental impact statement (SEIS) is required. In
2625 doing so, the Town Board limited to significant adverse environmental impacts that were
2626 either no addressed or inadequately addressed in the EIS relating to: (i) changes in the
2627 proposed project, (ii) newly discovered information, or (iii) changes in circumstances related
2628 to the project. 6 NYCRR § 617.9(a)(7)(i).

2629
2630 As with any determination of significance, a Lead Agency is not required to hold a public
2631 hearing or allow public comment when making its determination as to whether or not a SEIS
2632 is required (Matter of Coalition Against Lincoln W., Inc. v Weinshall, 21 A.D.3d 215, 223 (1st
2633 Dept. 2005).In making that determination, the Town Board has taken a ‘hard look’ at the
2634 record before it, particularly with respect to new information, changed circumstances and
2635 project modifications since the FEIS was accepted, to determine whether there may be any
2636 significant adverse environmental impact that were not addressed or inadequate addressed
2637 in the EIS on the Proposed Action, and that therefore would require a SEIS.

2638
2639 Project Modifications
2640

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2641 Applicants often modify their projects in the course of environmental review. An applicant
2642 may propose modifications in response to issues or concerns identified in the course of
2643 review or as the result of changes in its objectives. SEQRA jurisprudence makes clear that
2644 the development and improvement of an action through the SEQRA process is evidence of
2645 a functioning SEQRA process. See, e.g., Coalition for Responsible Planning, Inc. v. Koch,
2646 148 A.D.2d 230, 236 (1st Dept. 1989), (“Indeed, what better example of the requisite ‘hard
2647 look’ is there than the incorporation in the FEIS and adoption by the Board of Estimate of
2648 alternatives developed as a direct result of the review process?”) The mere fact that a project
2649 has changed during the SEQRA process does not require the preparation of an SEIS: the
2650 modifications must have the potential to cause potentially significant adverse environmental
2651 impacts. Whether or not a modification is “significant” is for the reviewing agency to decide,
2652 after identifying the relevant areas of concern, taking a “hard look” at the potential impacts,
2653 and making a reasoned elaboration for the basis of its determination

2654
2655 The Board finds that no project modifications, as that term is used in Part 617, have the
2656 potential for any significant adverse environmental impact that would warrant supplemental
2657 SEQRA review, including, but not limited to, the following.

2658
2659 *Spring Brook Road Access*

2660
2661 It is uncertain whether the Project will be able to utilize the access points to Spring Brook
2662 Road that were evaluated in the FEIS traffic Study. While the Town of Clarkstown has
2663 adopted a local law that removes those access points from the Town’s Official Map, the
2664 Ramapo Town Board understands that the Applicant will be commencing legal action to
2665 challenge that action. As such, as reflected in the traffic and other sections of this Findings
2666 Statement, the Ramapo Town Board has considered the Proposed Action both with and
2667 without access through Clarkstown. The Board notes that the conceptual development plan
2668 studied in the DEIS did not propose access from Spring Brook Road in the Town of
2669 Clarkstown. The traffic Study in the DEIS showed that Project traffic would not have a
2670 significant adverse impact on the road network. The Applicant responded to concerns about
2671 school bus access by modifying its Concept Plans to provide access to the Pascack
2672 properties from two existing access points on Spring Brook Road, extending its north-south
2673 access road to connect Ewing Avenue on the north and Spring Brook Road on the south to
2674 facilitate access by school buses. The traffic impact of that modified access plan was
2675 evaluated in the FEIS. The Technical Addendum, which was the subject of a public hearing,
2676 provided a traffic analysis demonstrating that the modification would not have a significant
2677 adverse impact on Spring Brook Road or the adjacent Clarkstown roadway network.
2678 Inasmuch as the relevant environmental impacts associated with the Project either having
2679 access through Clarkstown or not were evaluated in the EIS, and subject to public comment

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2680 and scrutiny during the extended review and comment period on the FEIS, and the Technical
2681 Addendum, the Town Board finds that this issue does not trigger the need for an SEIS.

2682
2683 *Traffic Signal at Pascack/Ewing Intersection*

2684
2685 To address anticipated traffic impacts at the Pascack Road/Ewing Avenue intersection, the
2686 Applicant proposed to install a traffic signal to mitigate the impact of project traffic on two
2687 movements in that intersection. At the request of the Town's consulting traffic engineer, the
2688 Applicant's traffic engineer conducted a signal warrant analysis to determine whether
2689 installation of a traffic signal at that location was consistent with the Town's policy of allowing
2690 traffic signals only when appropriate signal warrants are met. That report evaluated the
2691 operation of the intersection in the Build condition with and without the proposed traffic signal.
2692 It concluded that the signal did not meet the standard 8-hour signal warrant analysis used by
2693 the NYSDOT, Rockland County DPW, and the Town, or any criteria that would allow an
2694 exception to use of the standard warrants.

2695
2696 The Town's consulting traffic engineer reviewed that report and advised the Board that while
2697 two movements at the Pascack/Ewing intersection would have increased delays, the
2698 intersection would operate at an overall satisfactory level of service in the anticipated Build
2699 condition without the signal. The Town's traffic consultant further notes that the Town has,
2700 as a standard policy, consistently declined to approve traffic signals proposed for Town roads
2701 that do not meet the standard 8-hour warrant analysis, due to the cumulative delay on traffic
2702 using the Town road network that would result from the proliferation of unwarranted traffic
2703 signals.

2704
2705 The Applicant will, however, be required to fund and conduct a post-occupancy traffic Study
2706 to confirm this analysis. This analysis must take place a minimum of six months after full
2707 occupancy of the Pascack Ridge project. In the event that this Study conflicts with the
2708 analysis now in the record and justifies a traffic signal at the Pascack Road/Mirror Lake
2709 Road/Northbrook Road intersection, the Applicant has represented and agreed that it will
2710 fully fund the installation of such signal.

2711
2712 As the impact of this change was evaluated in the warrant analysis and not found to be
2713 significant and is consistent with the existing policy of the State, County and Town to maintain
2714 adequate levels of service on the road network by avoiding the proliferation of unnecessary
2715 signals such that the installation of a signal at the location proposed by the Applicant is
2716 neither necessary to mitigate any current impact nor feasible due to the Town's policy, the
2717 Town Board finds that this modification does not trigger the need for an SEIS.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2719 New Information

2720
2721 In the case of new information, the decision to require an SEIS must be based on: (a) the
2722 importance and relevance of the information; and (b) the present state of the information in
2723 the EIS. See 6 N.Y.C.R.R. § 617.9(a)(7)(ii). To require an SEIS on this basis, the Board must
2724 consider whether such new information indicates that the Project may give rise to a significant
2725 adverse environmental impact that was either not considered or inadequately considered in
2726 the EIS. 6 NYCRR 617.9(a)(7)

2727
2728 The Board finds that there is no new information, as that term is used in Part 617, that
2729 warrants supplemental SEQRA review. While, for example, the Applicant's supplemental
2730 technical submissions included evaluation of specific traffic-related concerns and a report
2731 analyzing available sewer capacity, that information responded to concerns expressed in
2732 comments on the FEIS and Technical addendum. As noted in the reports, and confirmed by
2733 review of the submission and report of the Town's planning and engineering consultants, the
2734 information confirms that the anticipated Project traffic will not have a significant impact on
2735 operation of the evaluated traffic intersections, and that the existing Rockland County Sewer
2736 District No. 1 sewer main has adequate capacity for the anticipated sewer discharge from
2737 the Project.

2738
2739 Changed Circumstances

2740
2741 Changes in the circumstances that surround a project may trigger the need for
2742 supplementation where, again, significant adverse environmental impacts that were either
2743 not addressed or inadequately addressed in the EIS require the Lead Agency to determine
2744 whether those circumstances may cause the project to have a significant adverse effect not
2745 evaluated in the EIS. As with project modifications, changes in circumstances that occur after
2746 the issuance of an EIS do not necessarily require preparation of a SEIS; the changes must
2747 have the potential to cause a significant adverse environmental impact.

2748
2749 To fulfill its obligations as Lead Agency, the Town Board first considered whether there are
2750 any changed circumstances which would warrant preparation of an SEIS. To the extent that
2751 the Town of Clarkstown has taken action to prevent the use of Spring Brook Road, the impact
2752 of that action can be clearly evaluated by reference to the traffic studies in the DEIS, FEIS
2753 and Technical Addendum, and does not have any significant adverse impact on traffic or
2754 community character. The Board finds that there are no changed circumstances, as that term
2755 is used in Part 617, that warrant supplemental SEQRA review. Accordingly, the Town Board
2756 determines that supplemental environmental review is not warranted, and determines that it
2757 is unnecessary.

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

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IX. Applicant Representations

In making its SEQRA findings, the Town Board relies upon voluntary agreements and representations of the Monsey Lumber Applicant, as set forth in the environmental record before the Board, and in the submissions made by the Applicant and the consulting team it has retained to assist it in the environmental analysis of the Proposed Action. The Applicant has further represented and agreed that it will either consent to the incorporation of such representations and agreements as enforceable conditions of any approval of a site specific plan for development or return to the Town Board for amendment of the Findings Statement insofar as may be required due to the Board's reliance on such representations and agreements.

While the Board is mindful that SEQRA does not changes the jurisdiction of agencies, the Board has relied upon those agreements and representations, and the Board finds that they must be incorporated as relevant conditions of any resolutions by the Planning Board granting approval to the site plan.

The final site plan must either be consistent with this Findings Statement and the representations set forth herein or with written findings adopted by the Planning Board, based on the environmental record and the specific plan before it, before the site plan will be signed by the Planning Board Chairperson. As appropriate, this Findings Statement makes specific reference to such agreements and representations.

VI. Site Plan Review

The Town Board is mindful that the Applicant has provided Concept Plans for purpose of facilitating the Board's environmental review of the Proposed Action before it. To the extent that the environmental record supporting the Board's findings is based on review of those Concept Plans, the Board notes that many comments received during the SEQRA process concern site plan details.

As the Board has continuously stated, its SEQRA findings address the potential environmental impacts of that SEQRA action. SEQRA does not change the jurisdiction of agencies, and when a site-specific development plan is prepared for any portion of the Pascack properties, SEQRA will require that each agency with jurisdiction over that plan will review the record and adopt its own findings. When the Planning Board reviews a site-specific plan for development, it will consider any new information, project modifications and changed circumstances, and adopt its own written findings, then proceed forward with the site plan

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2797 review and approval process. These Findings do not restrict or constrain the Planning Board
2798 in applying the site plan standards when making its ultimate determination as to whether the
2799 proposed development complies with those standards.
2800

X. Certification of Findings

2801
2802
2803 This Findings Statement hereby certifies that:
2804

- 2805 1. The Town Board has given consideration to the Draft and Final Environmental
2806 Impact Statements prepared in connection with the Proposed Action as well as the
2807 Technical Addendum and the supplemental information provided by the Applicant.
2808
- 2809 2. The requirements of 6 NYCRR Part 617 have been met.
2810
- 2811 3. Consistent with social, economic and other essential considerations, from among
2812 the reasonable alternatives thereto, the Proposed Action is one that avoids or
2813 minimizes adverse environmental impacts to the maximum extent practicable,
2814 including the effects disclosed during the SEQRA process.
2815
- 2816 4. Consistent with social, economic and other essential considerations, to the
2817 maximum extent practicable, adverse environmental impacts revealed in the
2818 environmental impact statement process will be avoided or minimized by
2819 incorporating mitigation measures as conditions to the decision, including those
2820 mitigative measures that were identified as practicable during the SEQRA process.
2821

2822 This Findings Statement shall be filed with the Town Supervisor of the Town of Ramapo
2823 and the Town Board, all Involved and Interested Agencies as identified in the EIS, the
2824 NYSDEC Environmental Notice Bulletin, any person who has requested a copy, and the
2825 Applicant. A copy of the Findings Statement shall be forwarded to the Planning Department
2826 of the Town of Ramapo, and maintained in files that are readily accessible to the public and
2827 shall be made available on request.
2828
2829

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SEQRA FINDINGS OF FACT AND CONCLUSIONS

PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

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APPENDIX

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2017 EXISTING CONDITIONS - LOS CAPACITY ANALYSIS SUMMARY					
Intersection	Approach	Movement	AM Peak	PM Peak	SUNDAY peak
Ewing Avenue/Pascack Road	Ewing Avenue	EB LT + TH	A	A	A
	Pascack Road	SB LT + TH	C	C	C
Pascack Road/Mirror Lake Road/Northbrook Road	Pascack Road	NB LTR	C	E	C
		EB LTR	C	C	B
	Northbrook Road	SB LTR	B	B	B
	Mirror Lake Road	WB LTR	B	B	B
Pascack Road/Forest Brook Road	Pascack Road	NB LT + TH	A	A	A
	Forest Brook Road	EB LT + RT	B	C	B
Forest Brook Road/Spring Brook Road	Forest Brook Road	SB LT + TH	A	A	A
	Spring Brook Road	WB LT + RT	A	A	A
Source: Harry Baker Associates					

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2020 No-BUILD CONDITIONS - LOS CAPACITY ANALYSIS SUMMARY					
Intersection	Approach	Movement	WEEKDAY	WEEKDAY	WEEKEND
			AM	PM	MIDDAY
			Peak	Peak	Peak
Ewing Avenue/Pascack Road	Ewing Avenue	EB LT + TH	A	A	A
	Pascack Road	SB LT + RT	C	C	C
Pascack Road/Mirror Lake Road/Northbrook Road	Pascack Road	NB LTR	C	F	C
		EB LTR	D	D	C
	Northbrook Road	SB LTR	B	B	B
	Mirror Lake Road	WB LTR	B	C	B
Pascack Road/Forest Brook Road	Pascack Road	NB LT + TH	A	A	A
	Forest Brook Road	EB LT + RT	B	C	B
Forest Brook Road/Spring Brook Road	Forest Brook Road	SB LT + TH	A	A	A
	Spring Brook Road	WB LT + RT	A	A	A

Source: Harry Baker Associates

2837
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TRIP DISTRIBUTION	
Origin/Destination	Percent
Ewing Avenue:	
To/From the West	14%
To/From the East	55%
Pascack Road:	
To/From the North	24%
To/From the South	7%
Total	100%

Source: Harry Baker Associates

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SEQRA FINDINGS OF FACT AND CONCLUSIONS

PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

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TRIP GENERATION									
Use	Weekday AM			Weekday PM			Sunday MIDDAY		
	In	Out	Total	In	Out	Total	In	Out	Total
	Residential								
Condominium/ Townhouse	21	100	121	96	48	144	57	60	117

Source: Harry Baker Associates

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SEQRA FINDINGS OF FACT AND CONCLUSIONS PASCACK RIDGE COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

2020 BUILD CONDITIONS WITH NO MITIGATION LOS CAPACITY ANALYSIS SUMMARY						
MAP ID	INTERSECTION	APPROACH	MOVEMENT	WEEKDAY AM PEAK	WEEKDAY PM PEAK	WEEKEND MIDDAY PEAK
1	Ewing Avenue/Pascack Road	Ewing Avenue	EB LT + TH	A	A	A
		Pascack Road	SB LT + RT	D	C	C
2	Pascack Road/Mirror Lake Road/Northbrook Road	Pascack Road	NB LTR	C	F	C
			EB LTR	E	D	C
		Northbrook Road	SB LTR	B	C	B
	Mirror Lake Road	WB LTR	B	C	B	
3	Pascack Road/Forest Brook Road	Pascack Road	NB LT + TH	A	A	A
		Forest Brook Road	EB LT + RT	C	C	B
4	Ewing Avenue/Development Driveway	Ewing Avenue	WB LT	A	A	A
		Development Driveway	NB LT	B	B	B
			NB RT	B	B	A
5	Forest Brook Road/Spring Brook Road	Forest Brook Road	SB LT + TH	A	A	A
		Spring Brook Road	WB LT + RT	A	A	A
6	Pascack Road/Neighborhood E	Pascack Road	NB LT	A	A	A
		Neighborhood E	EB LT	A	B	B
7	Pascack Road/Building O, P	Pascack Road	NB LT	A	A	A
		Building O,P	EB LT	B	B	B
8	Pascack Road/Building J	Pascack Road	NB LT	A	A	A
		Building J	EB LT	B	B	B
9	Pascack Road/Building K	Pascack Road	NB LT	A	A	A
		Building K	EB LT	B	A	B
10	Pascack Road/Building L	Pascack Road	NB LT	A	A	A
		Building M	EB LT	B	A	A
11	Pascack Road/Building M	Pascack Road	NB LT	A	A	A
		Building M	EB LT	B	A	A
12	Pascack Road/Building N	Pascack Road	NB LT	A	A	A
		Building N	EB LT	B	B	B

Source: Harry Baker Associates