

MOODNA CREEK WATERSHED INTERMUNICIPAL COUNCIL
COMMENTS ON THE CLOVEWOOD DRAFT ENVIRONMENTAL IMPACT STATEMENT
DECEMBER 3, 2020

The Moodna Creek Watershed Intermunicipal Council (MCWIMC) does not have an opinion for or against the construction of the Clovewood Development. That decision is in the hands of the Planning Board and the Village. MCWIMC is very concerned about the water quality impacts of the Clovewood Development on the Unnamed Tributary of Satterly Creek, Satterly Creek, and the Moodna Creek. In particular, the impact of erosion and sedimentation during construction and the impact of untreated wastewater discharges are of concern.

In addition, neighboring wells were drawn down during the groundwater well testing program. That fact was not recorded in Appendix G on Water Supply and the impact on the neighbors well was not addressed.

Wastewater Treatment

We agree that a Membrane Bio-Reactor (MBR) based wastewater treatment plant offers the most benefits and best water quality effluent to the Unnamed Tributary of Satterly Creek. However, we do not agree with the conclusion about Wet Weather Operating Plan presented in Appendix I on page 27, which states that “the proposed Clovewood Waste Water Treatment Plant (WWTP) is not influenced by stormwater runoff or groundwater infiltration, and thus, the Wet Weather operating Plan (WWOP) is not required.”

Quoting from the DEIS page 3.7-6:

“Construction on Land with Shallow Depth to Water Table: Because construction would take place on lands having shallow depth to water table (less than three feet), there would likely be some level of impact on land. Construction in areas where the depth to the water table is less than three feet could cause flooding of basements, interference with underground utilities, and

Treatment Plant Failure. In the world of wastewater treatment plants, a plant failure occurs when raw or poorly treated sewage is discharged into a stream. In a few cases, the failure may be due to an equipment failure, but the vast majority of failures occur due to heavy rainfall that causes rain water to flow into or infiltrate into the sewage system. The shallow groundwater table may cause the sewer system have inflow and infiltration problems. Other big culprits often are sump pumps. Shallow groundwater can seep into basements; requiring a sump pump. Plumbers or residents often illegally connect the sump pumps to the sanitary sewer. Contractors often connect the roof drains to the sanitary sewer. Many existing municipalities have an inflow and infiltration problem that can double the flow to their treatment plant during a storm. Eliminating inflow and infiltration eliminates the primary cause of treatment plant failure.

The MCWIMC recommends the following:

- The Clovewood MBR plant should be built to Village specifications; construction paid for by the developer; plant deeded to the Village; operation and maintenance paid for with a Clovewood Sewer District tax or fees; and operation by a professional wastewater treatment operating company.
- The Village should conduct strict sewer hookup inspections to assure no sump pumps or roof drains discharge into the sanitary sewer. Sewer smoke tests may be appropriate.

Erosion and Sedimentation Experiences at Other Construction Sites in Orange County

Mr. Beaumont, Chairman of the MCWIMC, is also the Vice-Chairman of the Town of Montgomery Planning Board. He worked with the building inspector in the Town of Goshen to learn the lessons the Town of Goshen learned at Legoland. Using that information, Mr. Beaumont worked with the Engineers at Maser Consulting and experts at companies who sell erosion and sediment control products to develop ENHANCED EROSION SEDIMENT CONTROL PLAN FOR LARGE PROJECTS. (The components of that document are incorporated into this comment document.) Those measures were incorporated into the Final Environmental Impact Statement, the Findings Statement, Storm Water Pollution Prevention Plans (SWPPP), and the site plans for the Amazon Warehouse (1,000,000 square feet) at the intersection of I-84 and Route 747 and for the Medline Warehouse (1,300,000 square feet) at the intersection of I-84 and Route 416. Both of those projects are under construction, and there have been no erosion or sediment issues at either site.

The Clovewood site has very silty soils. Other large construction sites in Orange County have silty soils. Lessons learned from those sites are presented below.

Sediment Problems

The sediment that leaves the ponds/control devices settles in the low wet areas; and then is agitated in the next storm making the discharge appear turbid even if it may not be coming off the site in that instance. Turbid water discharges must be inspected at the point of discharge from the site.

Sediment settles in culverts leading off-site, and it is resuspended in the water of subsequent rain events.

Large sites, which must obtain an exemption to disturb more than 5 acres, often have such large areas disturbed that it is very difficult to contain and prevent erosion and sediment laden runoff. In addition, the sheer volume of earth being moved dictates the need to install temporary sediment control measures in newly cut or filled areas.

There often is so much sediment in the runoff, that the check dams must be cleaned after each rain event.

Even a well designed and constructed sediment ponds, which still had discharge that was cloudy/gray; even though they had discharge thru skimmer, filter bag at end of skimmer, silt sock, silt fence, and hay bales.

Cloudy/gray runoff water is common on the sites. Wetlands often have cloudy/gray ponding.

Many earthmoving contractors have not seen the NYS Standards and Specifications for Erosion and Sediment Control (Bluebook) about erosion and sediment control.

Road Sediment Problems

Construction access roads become extremely muddy and wet, with runoff forming eroded swales along the edges. Intermittent stabilization of construction roads using stone should be considered, regardless of the roads expected life span.

Many of the silt fences around the site become clogged and filled with silt; especially along roads. Maintenance is a constant battle.

Site Sediment Control Problems

Sites employ a crew of at least 2 full time people to go around the site, on a daily basis, to clean and repair silt fences, check dams, and other erosion control devices.

Slope Protection

Sites using hay/straw mulch and jute matting for temporary stabilization found that these products were not very durable or effective. Slopes washed out below jute matting, even after some grass had germinated and begun to grow. Hay/straw mulch is easily blown away or washed away. It has no mechanical properties to hold the soil in place.

Hydraulically-applied erosion control bonded fiber matrix products for both intermittent and final stabilization of open soil areas and slopes have shown very good results as opposed to hay/straw mulch and various mattings.

Slope Revegetation

The water from the sediment ponds may be used to water the grass seed and get it to grow faster.

Overland Flow

Pipes are used to convey overland flow if possible. Sheet flow picks up fines from soil. Pipes are used to change elevation where possible.

Sediment Ponds

Ponds fill with sediment quickly. It is often difficult to remove sediment, because pond sides are too deep and steep. In addition, there is nowhere to put the muck; as it would just end up washing back into the basin. Also, muck is difficult to transport; since it just sloshes out of the dump trucks. It might be possible to use vacuum excavation trucks to empty the ponds.

Ponds are difficult to maintain, because massive amounts of earth are being moved. Ponds must be moved often as the site is being filled. Intermittent erosion control plans are necessary. Often, plans only show existing and finished conditions with ponds in areas of 40 feet of fill or more.

Sediment Pond Skimmers

Silty sediment settles very slowly in sedimentation ponds. One very effective technique is to slowly decant the clear water off of the top of the sediment pond. Floating skimmers have been used on sediment ponds to remove the clear water.

Site experience has shown that floating skimmers were the only device to give a noticeable reduction in the turbidity of the discharge.

Floating skimmers are very expensive to buy, much cheaper and very easy to make themselves with PVC. See attached sketches.

Sediment Pond Design

Often the temporary sediment ponds are mostly round, and not shaped with 2:1 length to width ratio as recommended by Bluebook. The 2:1 length to width ratio is needed to increase the residence time in the pond to give the sediment time to settle. Also, ponds often had sheet flow into pond from 75% of perimeter. The flow into the pond should be controlled channeled into one end with the outlet at the opposite end. Slope crest protection (perimeter dike/swale) measures should be used to divert flow from going down the slope.

Topsoil

Sites have excess topsoil from stripping entire site. Topsoil will not be used in new building or parking areas, therefore topsoil must be exported if they cannot find a place to dump it on site.

Enhanced Erosion and Sediment Control Plan for Large Projects

This Enhanced Erosion and Sediment Control Plan (or the Village of South Blooming Grove equivalent) should be incorporated into the project Stormwater Pollution Prevention Plan, the FEIS, the Findings Statement, and the Site Plan Drawing Set. Most of the recommended erosion and sediment control measures are presented in the NYS Standards and Specifications for Erosion and Sediment Control (Bluebook). The recommended measures are more “durable” and better able to withstand rainfall, runoff, and wind.

Five-Acre Disturbance Waiver

The Village of South Blooming Grove should require that the following measures be incorporated in the plans in connection with any waiver the Planning Board may elect to grant in this regard. The Village of South Blooming Grove should not allow more than 18 acres to be disturbed at any one time. Eighteen acres is the maximum disturbance limit recommended by NYSDEC.

Site Soil Conditions

The Clovewood Project Site has extremely silty soils (DEIS page 3.7-2 Table 371, page 3.7-12). Most of the soil types have a silt particle component. The silt particles tend to remain suspended in water for long periods of time; making removal in sediment ponds marginally successful at best. In addition, the particles are so small that some of the particles pass through many sediment collection measures; such as hay/straw bales, terra tubes, riprap, jute mats, and vegetated areas. The particles that do not pass through must be removed periodically to prevent clogging of the measures. Furthermore, if the sediment is not removed, the measure may become filled, and sediment laden runoff water will be able to bypass the measure.

The Clovewood engineer should recognize that the fine silt soils on the site require extra erosion and sediment control measures to protect the streams, wetlands and floodplains downstream of the site.

The Clovewood engineer should prepare intermediate grading plans and erosion and sediment control plans with specifications for each phase of the earthmoving work on the project. The intermediate grading plans should address the amounts of rock and soil to be moved during the phase. In addition, the location of the material to be moved and the location of where the material will be placed should be outlined on site intermediate grading plans.

The intermediate grading plans should show the locations of the resulting stock piles, soil slopes, drainage ditches, slope diversion pipes, check dams, haul roads, sedimentation ponds, and other erosion and sediment control measures.

The erosion and sediment control measures should include:

- Design erosion and sediment control measures as per the NYS Standards and Specifications for Erosion and Sediment Control (Bluebook), BUT the drainage area used to design the measure should be 100% larger than the actual drainage area in anticipation of wetter than normal weather conditions and the difficulty of dealing with very silty soils. Examples include, but are not limited to:

- Wider ditches
 - Smaller and more numerous check dams
 - Larger sediment ponds configured with length:width ratio equal to 2:1 ratio or greater
- Apply slope protection measures within 7 days after earthmoving on a particular slope is complete.
- Install more numerous sediment fences with hay bales
- Install bonded fiber matrix hydraulically applied mulch as manufactured by Profile Products or approved equal (hay/straw mulch and unbonded hydraulically applied mulches are not acceptable)
- Perform equipment (cat) tracking for bare slopes to be protected. Slopes must be tracked from top of the slope to the bottom of the slope. (See page 4.56 of the Bluebook)
- Install flexible growth medium with seed, soil amendment, and fertilizer
- Install Hydraulically-Applied Erosion Control Bonded Fiber Matrix available from Profile Products or approved equal. (See page 4.38 of the Bluebook)
- Install slope crest protection (perimeter dike/swale) measures to divert flow from going down the slope. (See page 3.36 of the Bluebook)
- Install pipe slope drains. (See page 3.37 of the Bluebook)
- Install reverse slope bench on the long slopes to convey water to a stable outlet. (See page 4.24 of the Bluebook)
- Install Geosynthetic Turf Reinforcement Mats available from Profile Products or approved equal on the embankments of sediment basins; immediately following construction. (See pages 5.19 to 5.41 of the Bluebook)
- Install Geosynthetic Turf Reinforcement Mats available from Profile Products or approved equal in constructed ditches within two days of construction to stabilize the ditch.
- Test soils on slopes to be revegetated to get characteristics for soil amendments. Soils testing to be performed by Profile Products or acceptable equal soils testing laboratory.
- Install Hydraulically-Applied Erosion Control Flexible Growth Medium with seed, soil amendments and fertilizer available from Profile Products or approved equal on final slopes. (See page 4.8 of the Bluebook)
- Install water skimmers connected to the outlet riser pipe in sedimentation ponds (See Appendix B of the Bluebook and attached diagrams)
- Install sediment filter bags on the downstream end of the outlet pipe. (See page 5.16 of the Bluebook)
- Design sedimentation pond to maximize the sediment residence time. (See pages 5.19 to 5.41 of the Bluebook)
- Address the disposal or storage of sediment cleaned from sediment control devices, sediment ponds, ditches, and drainage inlets.
- Stabilize roads with gravel
- Assign a dedicated and trained crew to maintain and repair erosion and sediment control measures
- The Village should hire a dedicated erosion and sediment control consultant (not the earthmoving contractor) to be on site or on call during all earthmoving activities and after all rain events. The cost of the consultant is to be borne by the applicant.
- Stop earthmoving work after a turbid discharge; meet with consultants and the building inspector or his designee; develop a plan to fix the problems; fix the problems; get building inspector's or his designee's approval to resume work; and resume work.

- There should be an acceptable security (i.e. Letter of Credit) to guaranty the work and to indemnify the Town from regulatory proceedings, lawsuits, legal fees, and any potential judgements.

James Beaumont, Chairman

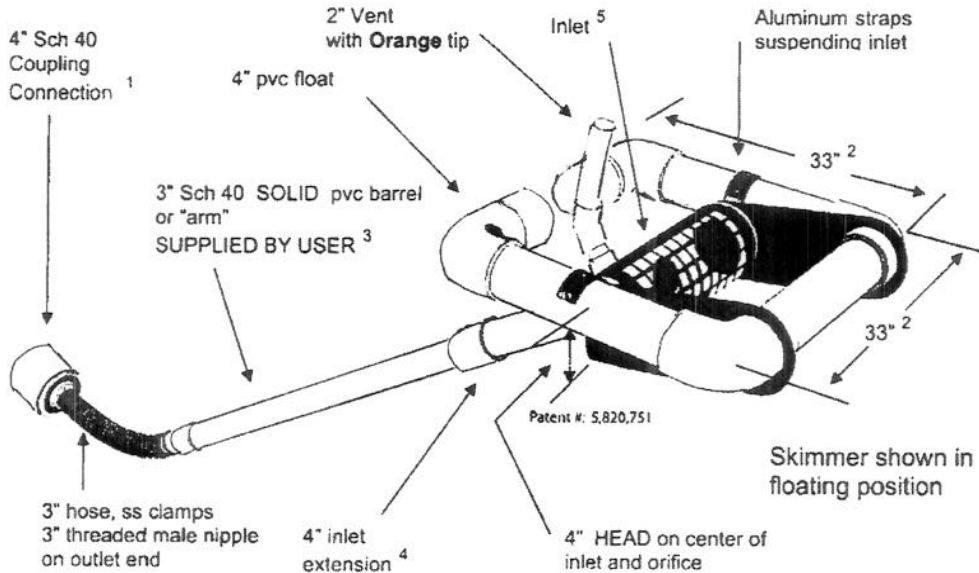
Moodna Creek Watershed Intermunicipal Council

845-275-2935

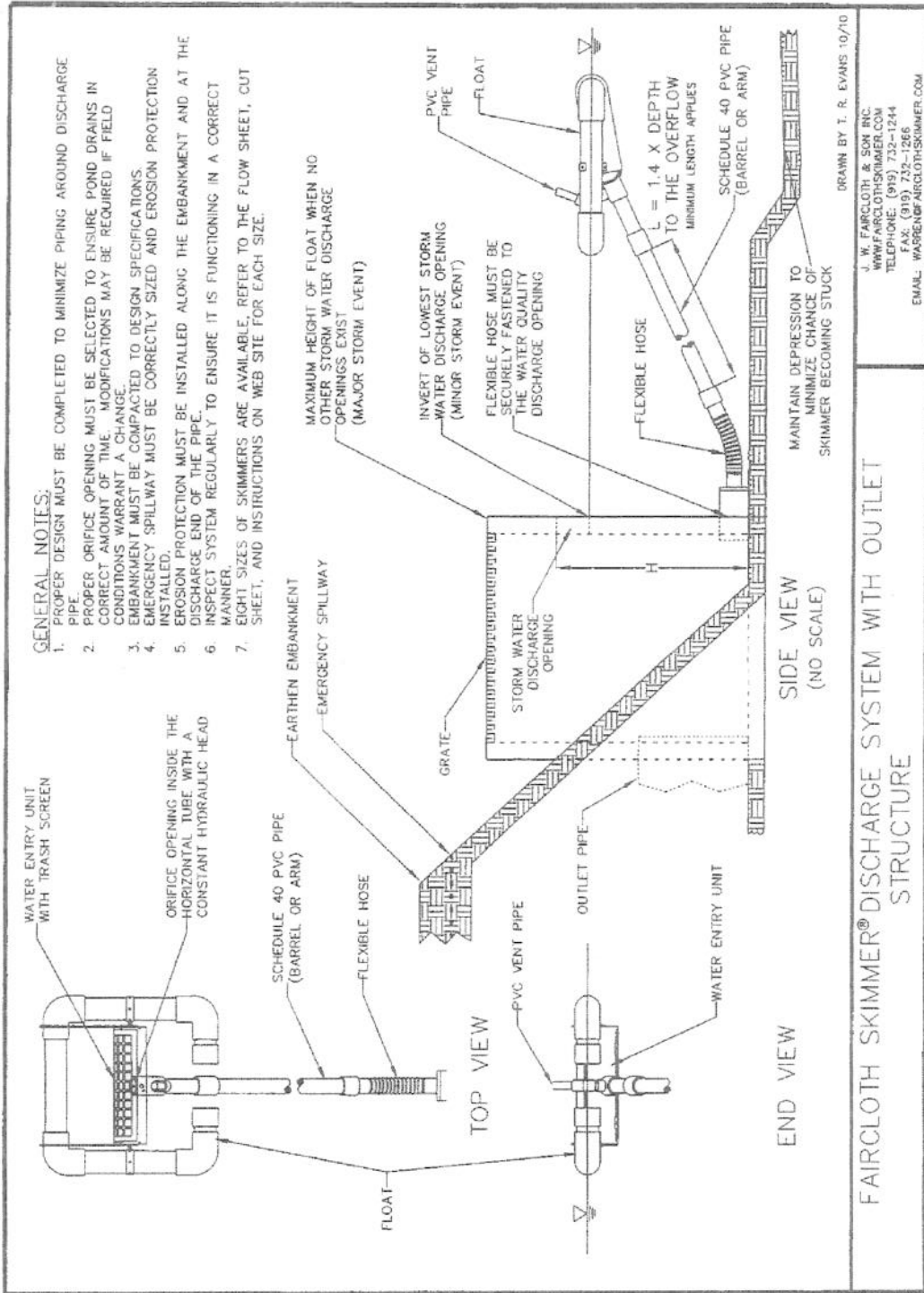
Jaybeaumont49@gmail.com

4" Faircloth Skimmer® Surface Drain Cut Sheet

J. W. Faircloth & Son, Inc.
 www.FairclothSkimmer.com



1. Coupling can be removed and hose attached to outlet using the threaded 3" nipple. Typical methods used: on a metal structure a steel stubout welded on the side at the bottom with a 3" threaded coupling or reducers; on a concrete structure with a hole or orifice at the bottom, use a steel plate with a hole cut in it and coupling welded to it that will fit over the hole in the concrete and bolted to the structure with sealant. It is possible to grout a 4" pvc pipe in a hole in the concrete to connect the skimmer but this is less secure than other methods.
2. Dimensions are approximate, not intended as plans for construction.
3. Barrel (solid, not foam core pipe) should be 1.4 times the depth of water with a minimum length of 8' so the inlet can be pulled to the side for maintenance. If more than 10' long weight may have to be added to inlet to counter the increased buoyancy.
4. Inlet tapers down from 4" maximum inlet to a 3" barrel and hose. Barrel is smaller to reduce buoyancy and tendency to lift inlet but is sufficient for flow through inlet because of slope. The inlet orifice can be reduced using the plug and cutter provided to control the outflow rate.
5. Inlet is 8" pipe between the straps with slots cut in the inlet and aluminum screen door (smaller than shown in illustration) for access to the 4" inlet and orifice inside.
6. **Capacity** 20,109 cubic feet per day maximum with 4" inlet and 4" head. Inlet can be reduced by installing a smaller orifice using the plug and cutter provided to adjust flow rate for the particular basin volume and drawdown time required.
7. Shipped assembled. User glues inlet extension and barrel, installs vent, cuts orifice in plug and attaches to outlet pipe or structure. Includes flexible hose, rope, orifice cutter, etc.



TESTIMONY BEFORE THE VILLAGE OF SOUTH BLOOMING GROVE
PLANNING
REGARDING THE CLOVEWOOD DEVELOPMENT
BY JAMES BEAUMONT
CHAIRMAN OF THE MOODNA CREEK WATERSHED INTERMUNICIPAL
COUNCIL
DECEMBER 3, 2020

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

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

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

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

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

Erosion and Sediment Control

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

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

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

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

Wastewater Treatment

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

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

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

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

We appreciate the opportunity present our comments.

James Beaumont

Jaybeaumont49@gmail.com

845-275-2935

Cloewood Public Hearing on Zoom Thursday, December 3, 2020

I am frustrated! Experts commissioned by prior VSBG Boards have responded with evidence! Various County groups that will be impacted have presented evidence! Citizens and local businesses have presented evidence...all to the disastrous impact this behemoth of a project will have...not only on our Village, but our Town, County and State....and yet this project continues to be pushed along!

How can a development that will more than double the current Village population be realistic? The current Village Board appears to have difficulty managing a population of approx 3200...how will it manage when that population increases to 8,000 (600 homes with an avg occupancy of 8 is 4,800)? How can a development that is targeted- as per it's own DEIS project statement-to a specific population even be allowed to proceed?

* As per pg.1.0-3 of Cloewood Project Summary, "This Project would meet current and reasonably foreseeable, local and regional housing needs, including unmet needs for housing, as well as affordable housing, among the Satmar Hasidic community that comprises the majority of the population of the neighboring Village of Kiryas Joel. (Town of Palm Tree)." ...it further states, "The Satmar Hasidic community would likely constitute a significant percentage of the homeowners within the project." N.B. Recent online real estate marketing/advertising at www.cloewood.com no longer appears on the Internet.

* Pg. 2.0-7 repeats again..."The project would meet current and future, local and regional housing needs, including those from the neighboring Village of Kiryas Joel (Town of Palm Tree). ...the Village of South Blooming Grove shares a border with Kiryas Joel and the proposed Village of Seven Springs, see attached map pg.2.0-6

To repeat...I am frustrated...so i will leave stating all the previously documented facts to others...and instead state my opinion that a project targeted to meet the needs of a specific group without regard to the community this Project will be impacting and altering, is not something that i will support.

Sue Anne Vogelsberg



Statement – Public Hearing on December 3, 2020

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

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

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

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

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

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

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

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

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

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

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

Sonia Ayala
Village of South Blooming Grove

Clerk

From: Susan Blakeney <[REDACTED]>
Sent: Friday, December 04, 2020 6:55 PM
To: Clerk
Cc: Susan Blakeney
Subject: Fwd: Clovewood public hearing December 3, 2020 comments I read

Dear Village Clerk,

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

Regards,
Susan Blakeney
[REDACTED]

Clovewood public hearing December 3, 2020

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

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

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

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

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

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

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

Another topic- Water.

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

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

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

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

I do want to restate what I stated earlier

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

Regards,
Susan Blakeney

Sent from my iPad

Clerk

From: Bonnie <[REDACTED]>
Sent: Wednesday, December 02, 2020 10:49 AM
To: Clerk
Subject: Public Comment for Wednesday's meeting

Since everyone acknowledges that there is a water shortage in the Village, why is the Clovewood project still being advanced? No matter how many wells they claim to be putting in, when you put too many straws into the same glass of water, the water will be depleted even faster. Can the project owners or any of their hired companies and/or individuals guarantee that these wells are in a strictly independent source of water; that they will not drain the wells of others as they are doing in Monroe?

Also, why would the Village and/or Planning Board change the engineer and planner from Mike Weeks and Bonnie Franson to Al Fusco Engineering? They work with KJ and that place looks like a shetyl, a large tenement and has a water shortage issue of its own as it continues to build and expand regardless. Is that happening with the Fusco Engineers' approval or recommendations?

In many previous meetings, the Hassidim who attended said that they didn't want to live in a KJ environment, overcrowded and with little or no green space around their home, and yet that is exactly what would result if the Clovewood project would be allowed to continue.

It is clear that the developers is NOT concerned with the people to whom they plan to sell these properties. Fitting so many houses within such a small area will explode water shortage and traffic issues with no regard to the people they leave behind to deal with them.

Bonnie Rum
[REDACTED]

second draft: 7/31/2020

"Clovewood" DEIS
Hearing
August 10, 2020

Dear fellow citizens:

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

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

2.10 Public Parkland

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

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

2.11 Private Open Space

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

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

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

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

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

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

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

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

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

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

My name is Brian Mullan. I am a resident of South Blooming Grove.

I wanted to address the following excerpt from the Socioeconomics section of the Clovewood DEIS.

Communities with declining populations face greater difficulty providing and maintaining community facilities and services as reasonable population growth enables service costs to be spread over a larger tax base

I suppose data indicated a population decline in our village a few years ago. While that may be true, I don't agree that the village struggled to provide and maintain community facilities and services during that time. Roads were improved, the village hall was renovated, the firehouse was renovated, community events were held, and improvements to the water system were planned and implemented. Now that the population has risen, I would venture to argue that there has been more of a problem finding revenue for community services, as increased sewer problems, increased water use, traffic accidents, and building and property violations have probably diverted tax revenue towards these issues. "Reasonable population growth?!" I don't find anything reasonable with the doubling, perhaps tripling of the population in such a short amount of time.

I wanted to address another excerpt from the Socioeconomics section of the Clovewood DEIS.

The Village's population is already tilted very heavily toward seniors, with far too few younger households to provide for older members of the community. However, under Scenario No. 1 the proposed Project would create a substantial influx of younger members into the Village, who would be able to support services.

I am wondering where this data originated. Were seniors interviewed and asked if they felt this way? I think it is fair to say that the Satmar Hasidic community serves their own. This excerpt assumes that the members of the Hasidic community would provide services to support all the older members of the existing community. Is this happening now? Has there been an increase in volunteers for Meals on Wheels and the Blooming Grove Senior Center? Does the new bus that the village is allowing to operate have a printed schedule that is available to the seniors in the village and does it provide low cost fare to essential services for them?

One more issue I want to address is the plan to connect a road in Clovewood to Arlington Drive in Capitol Hill. This would drastically alter the traffic, noise, and pollution in this existing area. Worley Heights, Capitol Hill and the Merriewold area were designed to be quiet residential areas and not include "thru streets" that people would use to pass through the area. Creating this road has no benefit for our area- it would only have negative impacts in an area that is already overwhelmed with traffic and quality of life concerns.

December 2, 2020

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

Re: Clovewood DEIS

Dear Village Board of Trustees and Planning Board,

The South Blooming Grove Fire Department and South Blooming Grove Fire District provide fire protection and emergency first aid response within the Village of South Blooming Grove and therefore are involved and interested parties in the Clovewood Development Project.

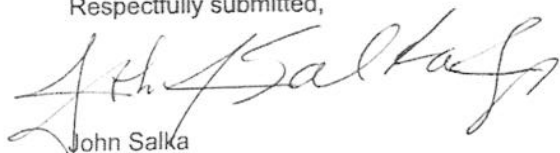
In the Clovewood Draft Environmental Impact Statement, Page 3.3-7, Section 3.3.2 Fire Protection, there is indication that communication with SBGFD was unsuccessful and that cooperation in an attempt to obtain operational information was refused. Although I cannot speak to that attempt as I was not Chief of the department at that time, I do wish to convey our sincere desire to communicate in any positive and appropriate manner at this time. It is within the best interests of our department and community we serve, to appropriately discuss, review, report, plan and implement any and all public safety and response procedures.

Due to the nature, scope and size of this project, it is imperative that we have the opportunity to review and comment on the potential impact to the emergency response, apparatus placement and operation, water supply capabilities and occupant safety aspects of this project. Currently, our district consists of single family, one and two story residential dwellings and a few commercial occupancies. With the potential of multi-story, multi-family residential dwellings being considered, we are consulting several subject matter experts to assist us with the plans review process where we can properly determine the potential impact and future needs that will be required to properly protect the future residence of this development. Considerations to be made are, but not limited to: reliable fire protection water supply; emergency ingress and egress to the development; response times due to increased traffic and apparatus location; additional apparatus requirements (engine and/or ladder), additional equipment, training and personnel requirements; mutual-aid capabilities; operational and administrative procedural upgrades.

We respectfully request additional time to produce a comprehensive review of the currently submitted documentations. Additionally, we respectfully request that a workshop be held with our fire department's key operational personnel and other fire department's representatives that provide mutual-aid, where we can discuss at length our concerns and potentially develop adequate solutions beneficial to all involved parties.

Thank you for consideration of our request,

Respectfully submitted,



John Salka
Chief of the South Blooming Grove Fire Department / District

ORANGE COUNTY LAND TRUST



January 15, 2021

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

Re: Clovewood Project Public Comment

To whom it may concern,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sincerely,



Matt Decker
Director of Conservation and Stewardship

Town of Blooming Grove

Supervisor

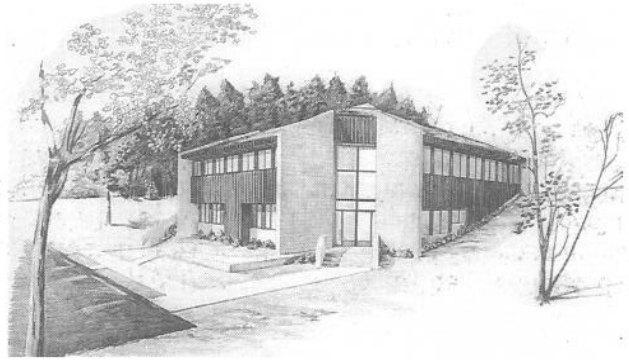
Robert C. Jeroloman
FAX (845) 496-1362

Council Members

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

Highway Superintendent

Wayne Kirkpatrick
(845) 496-3816
FAX (845) 496-1466



P.O. BOX 358 • 6 HORTON ROAD
BLOOMING GROVE, N.Y. 10914
(845) 496-5223 FAX (845) 496-1787

Town Clerk

Darlena E. Decker
(845) 496-3895

Receiver of Taxes

Nancy Glynn
(845) 496-6670

Assessor's Office

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

Town Comptroller

Marilyn Karlich
(845) 496-5223 ext. 351

December 1, 2020

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



Dear Mayor Kalaj,

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

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

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

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

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

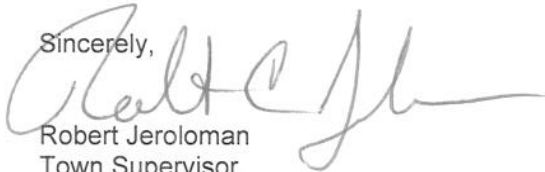
At previous Public Hearing for the Clovewood project, I attended it on behalf of the Town of Blooming Grove and as Town Supervisor. I made a statement that as the County of Orange Planning Department had stated in the response to the GML 239-I, m and n review of the Clovewood project that there are direct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

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

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

Thank you for your time and consideration.

Sincerely,



Robert Jeroloman
Town Supervisor

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

December 14, 2020

To The Mayor and Board of The Village of South Blooming Grove.

My name is Michael Killeen. I have lived in the Town of Blooming Grove, Orange County, New York for over 30 years. I currently reside on Helms Hill near the border of South Blooming Grove.

I'm writing to express my strong opposition to the proposed Clovewood mega-development.

The scope of this development would greatly diminish the quality of life for current, and future residents of Orange County, Blooming Grove and the surrounding areas.

Water continues to be an issue. Numerous experts have testified that the aquifer cannot sustain the increased usage. The proposed development would certainly stress the already compromised water supply.

Increased vehicle and pedestrian traffic on Clove Road and NYS 208 will acerbate the already congested and dangerous roads.

The entire community would be better served if the state would expand Schunemunk Mountain State Park and Orange County's Gonzaga Park. Anyone who has hiked in S.M.S.P. has experienced the uniqueness of the area. The state has seen an upsurge of visitors to nearby Harriman State Park and Schunemunk Mountain will provide much needed additional open space and a natural oasis for future generations. Once the land is developed it can never be reclaimed.

It has also been reported that the development will be marketed to a specific cultural group. That is illegal and un-American.

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

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

Get informed, get involved, and STOP CLOVEWOOD.

Michael Killeen



Clerk

From: Laura Hatzis <[REDACTED]>
Sent: Saturday, December 05, 2020 3:33 PM
To: Mayor; Clerk; [REDACTED]
Cc: Laura Hatzis
Subject: Proposed Clovewood Development

To all,

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

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

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

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

Sincerely,
Very Concerned Resident,

Laura Hatzis
[REDACTED]