

## Prospect Gardens Written Comments Through 6/16/23

### Comment #1

*To the Members of the Village of South Blooming Grove Planning Board:*

*According to the NYS Department of State Division of Local Government Services, a Planning Board is “meant to serve as the foundation for all zoning regulations; a document or culmination of materials that provide an outline for orderly growth; and a land use plan.”*

*I am focused on “orderly growth.” Orderly growth would imply, by definition of the very words “orderly” and “growth,” that those areas that will grow or expand will do so in a fashion that aligns with a plan for a village that serves ALL its residents well.*

*Under Tips for completing Part 2 of the Full Environment Assessment Form there are twelve bulleted guidelines to assist the lead agency in providing complete and accurate information regarding critical components of the proposed plan. As I review your answers to these questions, I see no less than thirteen sections with questionable or vague responses and no additional information in the sections designated as “other.” Assuming there was adherence to such tips, I question why it was not deemed integral to the process that a more comprehensive, thoughtful response be provided.*

*In the interest of brevity, please direct your attention to Section 18 of the EAF Part2. I have inserted a link from the New York State Department of Environmental Conservation Workbook Section for illustrative purposes but prudent practice would assume this workbook was utilized and consulted for a full understanding of items for consideration before responses were provided. <https://www.dec.ny.gov/permits/91813.html> Section 18 asks for a response to the following statement:*

*The proposed project is inconsistent with the existing community character and the response was “YES.” In item “e,” we read The proposed action is inconsistent with the predominant architectural scale and character and the box checked is “No, or small impact may occur.” This is a gross and egregious misrepresentation.*

*In the NYS-DEC workbook referenced above, guidance to formulating an accurate response reads:*

*Predominant architectural scale and character need to be defined locally: they are determined through understanding the size, height, dimensions, and intensity of uses as they already exist in the neighborhood or community.*

*Actions inconsistent with the predominant architectural scale and character of the area could include those that results in a structure or landscape that is in sharp contrast to that which currently exists. A new structure(s) that is larger, taller, or of different architectural style, could be inconsistent with the existing character. Changes in color scheme, window and door configuration, roof style, setback from the street, or style of signs and accessory structures can all result in adverse impacts to community character. Streets that are widened, intersections that are changed, streets where trees have been removed, and placement of parking lots are other actions that can change community character. Introduction of noises, lighting and traffic are others.*

*This is precisely what has taken place or is proposed to take place on Prospect Road Let me highlight the obvious affronts*

- 1) A new structure(s) that is larger, taller, or of different architectural style*
- 2) Setback from the street*
- 3) Style of signs and accessory structures*

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- 4) *Streets that are widened*
- 5) *Streets where trees have been removed*
- 6) *Placement of parking lots*
- 7) *Introduction of noises, lighting and traffic*

*None of this is my area of professional expertise but if it is yours, how could a response of "No or small impact" have even been considered? The Orange County Department of Planning has issued a reply to you, stating:*

*"This development proposes a minimum of two dwelling units per acre on a road with very low density, which will put the new development at odds with the existing residential development along Prospect Road. The impacts on community character must be thoroughly assessed and mitigated to the fullest extent possible."*

*This reply does not even address the 3 story school with 20,000 sq ft on each floor, 35 parking spaces for cars and 17 parking spaces for buses or the temporary trailers you will use until the new building is ready.*

*You are responsible to the residents of Prospect Road, who have built their lives in a bucolic, peaceful setting to revise if not discard your plans. Decades of investment in a lifestyle they chose is being upended by a flagrant disregard for their needs.*

*I look forward to a thoughtful response that includes utilizing the guidelines in place which go far beyond what is exhibited in the preparation of your EAF Part 2.*

*Sincerely,  
Valerie Robinson*

### **Comment #2**

*To the Village of South Blooming Grove Planning Board,*

*I have several comments on the revised Plat for this project that I hope you will take into consideration during your review.*

#### **Road Widening**

*This plan proposes to widen Prospect Rd in between the two entrances/exits of the site. The widening would require paving over an existing drainage ditch and removing a line of mature trees. I encourage the Planning Board to look at alternatives to widening the road. The existing tree line significantly screens the property from the road, providing privacy for both the project site, and for neighboring homeowners. Removing this line of trees to widen the road will eliminate this privacy barrier that both the applicant and neighbors will benefit from. Additionally, paving over the existing drainage ditch may negatively influence drainage in the area and make maintenance of the drainage more difficult.*

#### **Sidewalk**

*This plan proposes a sidewalk in between the two entrances/exits of the site. Given the low volume of traffic on Prospect Rd and the set back of the school from the road, I do not see any need for a concrete sidewalk. Addition of a sidewalk will be a cost to the*

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*applicant, will add impermeable surfaces to the project site, and will reduce the area for screening vegetation and trees.*

### Impermeable Surfaces

*Between the school and surrounding parking lot, this plan significantly increases impermeable surfaces on the proposed site over what is pre-existing. This property is near the top of a hill and water that flows off this property will flow down Prospect Rd, all the way to Satterly Creek. Impermeable surfaces increase the speed of runoff and will exacerbate already bad flood conditions below the project site. I strongly encourage the Planning Board to reduce impermeable surfaces in the parking areas, either by using unpaved surfaces or by using permeable pavement.*

### Lighting

*Low light pollution and dark skies are defining features of Prospect Rd. In developing a lighting plan for this school, I encourage the Planning Board to strictly limit lighting after dark. This includes ensuring that there are no flood lights, that there are minimal parking lot lights, that any planned parking lot lights project light directly down to minimize light pollution, and that lights in the school (which is projected to have large windows), are put on a timer or motion sensors so that they will turn off at night or once students are no longer in the building. Overall, making these modifications to the lighting plan will be a win-win for both the applicant, who will save money on electric costs, and for the community, who will continue to benefit from low light pollution.*

### Sewage

*This project currently proposes using a Eljen sewage system, which would be located in the front of the school. To the best of my knowledge this is not a common sewage system in the Village. In order to better provide public comment on this, I would ask if the engineer can provide more detail on what this will look like and how it operates. I would anticipate that both students of the school and neighbors of the property would want to ensure that the sewage system is not visible and that it does not give off unpleasant odors.*

*Regards,*

*Ryne Kitzrow  
120 Round Hill Rd, Washingtonville, NY 10992*

### **Comment #3**

*To the Village of South Blooming Grove Planning Board,*

*In reviewing the EAF Part 2 and the maps of the project, I found a couple of things that I have questions about.*

*Starting with the lot layout map, I see 5 large buildings labeled as proposed multifamily residence buildings. I was under the impression that there were to be 4. Is that other large building a community center? If so, why is it not labeled as such? Or will there indeed be 5 multifamily units?*

*Also, in comparing the lot layout map with the site analysis map, it appears that approximately 3 or 4 of the single-family houses are placed within a conservation area labeled "scenic viewshed, significant biological overlay." I believe these houses should be removed from the plan and that area left as it is.*

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*In reviewing the EAF Part 2, I see that in section 1e, the box for "moderate to large impact" has been checked. Regarding multiple phases, are all phases for the completed project included in this review or will there be more than the 51 two-family houses, 4 multifamily buildings and 2 community centers? If so, they must be included in this review.*

*Thank you for your time and consideration.*

*Allison McBee  
Blooming Grove*

*Comment #4*

*(See attached)*

June 15, 2023

Dear Village of South Blooming Grove Planning Board and leadership,

As a local citizen becoming concerned with overdevelopment in our beautiful rural and small village area, I would like to provide comments on The Prospect Gardens EAF.

I am not a wildlife biologist, but I am a layperson/citizen who is concerned about the preservation of our area flora and fauna. As such, I offer these comments on Section 7 of the EAF.

In Section 7, the applicant marks all answers as "no or small impact" on plants and animals. In my opinion, this is a misrepresentation. For example, 7.a. "...may cause reduction of loss of individuals of any threatened or endangered species that use, are found on, over, or near the site" is listed as "no or small impact".

It appears that this project, and the elimination of the wetlands, indeed poses a threat to the Indiana Bat, the Indiana Long-Eared Bat, the Bog Turtle, and flora such as the threatened flowering plant, the Small Whorled Pogonia *Isotria medeoloides*. Other impacts may include the clam Dwarf Wedgemussel *Alasmidonta heterodon* (Endangered), as well as impacts on rare and threatened migratory birds.

In light of these vulnerable flora and fauna, items 7. a-g. **should be changed to large impact.**

If these flora and fauna have not been identified on the specific project acreage at this specific time, there remains a large impact as a result matrix forests and their role in the linkage and the travel of animals.

*"Blooming Grove mirrors much of the Hudson Highlands in that the Town **contains sensitive habitat that is in private ownership but not protected from over-development and community fragmentation**..... A very large portion of the town is identified as a vital forest "linkage zone", meaning that animals utilize habitat within these areas to travel from one matrix forest to another." Blooming Grove Community Plan 2020*

This section, and many others in the EAF, are of grave concern and I request your serious consideration of these issues and impacts.

Respectfully submitted,

  
Lynn Crevling

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Comment # 5

*(From Dan Brown, see attached)*



## PROSPECT GARDENS

Planning Board Meeting. June 15, 2023

Unfortunately I only became aware of the new information concerning Prospect Gardens yesterday. Therefore I have comments on two areas of concern at this time.

Traffic Survey:

While it appears to adequately describe the road as it exists today and makes some recommendations for traffic safety at the intersections and road markings, it does not discuss the limits of both the condition of the road and the natural hazards presented by its topography, both visual and steepness exacerbated by the road's narrowness. There are a number of areas that have severe curves and steep declines that have resulted in several accidents during the many years I have lived on the road. I'm concerned that the proposed increase in families living on the road, an increase of 300% and the proposed new school, will result in an unsafe condition for all of us. I hope that the Planning Board will retain their own Traffic Consultant who will provide guidance on keeping us safe.

I would like the following questions addressed in regards to the Traffic Survey

1. Why wasn't an analysis of Prospect Road done which would evaluate its present condition and provide a determination of its ability to handle the significant increase in volume and type of traffic this project and others that are proposed, such as the new school, will generate?
2. Why wasn't the option of an alternative access, such as providing direct access to NYS Route 208, instead of Prospect Road, analyzed as part of this Traffic Study?
3. All of the information I have been able to review indicates that the portion of Prospect Road, in front of this project, is a Town of Blooming Grove road. Why hasn't the Village been able to demonstrate that, as it believes, it is a Village road.

Zoning:

The Site Analysis Map provided indicates under the title "Conservation Analysis" that after the "wetlands" are removed from the overall 73 acres of the site, 64 acres are buildable. Under the current zoning laws "Base Lot Calculations" only 36 dwelling units may be constructed. It also indicates that under Sec. 235-14.1 (A) (3) after analysis of both water supply and wastewater treatment the number of dwelling unit maybe adjusted to a maximum of 54 units. Using these calculations, the current VSBG Zoning Law does not provide for the construction of 174 dwelling units, on this size property, in RR zoning. Nor does it provide for a community center or multiple family dwellings as described in this plan. It is my hope that the Planning Board, after its review of this plan and the aforementioned applicable law, In its required written response, according to Sec. 235-14 1A (2), reject this plan until it is revised and comes into compliance. I also request that the Public Comments concerning this application be left open until these issues and the many others I have requested information on are resolved.

Also I would like to have the following addressed in regards to the Zoning

1. The applications analysis has determined that the maximum number of dwelling units allowed in accordance with the Village's RR zoning is 36. There have been no studies, in regards to the Village's Water Supply or Sanitary Sewer Systems, presented by the applicant to support any increase to that number. Why then is the proposal to develop this property into 174 dwelling units being proposed by the applicant or considered by the Planning Board?
2. The RR Zone does not appear to allow any type of land use other than single family detached homes. How then can the applicant propose uses such as multi family, multi story housing and community centers as part of this application?
3. No information is provided as to what is the status of the undeveloped property. How will it be owned? Future use as undeveloped open space? Also the size of the developed and the conserved areas should be clearly indicated on the plan
4. It should also be noted that I believe that this plan, with its grid-like road pattern and cookie-cutter lots is also not in compliance with the intent of the RR zone, which requires the development plan to be creative in the setting of the homes and roads to mitigate the disturbance to the site and the sensitive environmental areas.

Thank you for your attention. Dan Brown 178 Prospect Rd, Blooming Grove, NY

Sent from my iPad

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### Comment # 6

"Prospect Gardens" proposed subdivision comments- VSBG Planning Board Public Hearing continuation, June 15, 2023

\* How can the public make a thorough review when voluminous documents were posted just 2 days prior to this Public Hearing?

\* posted maps are extremely difficult to read online-printing them does not help in deciphering them! How can residents review if the material is unreadable? Planning Board needs to ensure that the developer provides materials/documents in ways that residents have an easier access to review them in order to make comments.

\* Biological Review: 42 pages! This took place on March 21, 2023, after the clear cutting that took place on March 17-just one day after "PG" was first presented to the public. It would seem to me, that this review should've been done prior to the clear-cutting, as that clear-cutting would alter any flora/fauna at the site. Can these reported findings be considered accurate? So too with the fish and wildlife report-shouldn't that have been done prior to the clear-cutting for accuracy?

\* Short EAF had many unanswered sections, eg pg. 31 #13A was checked "yes" and a description was required and yet none was given.. EAF was unsigned and undated.

\* Site Analysis: legend was illegible making any review/comment a challenge if it even could be done

\* Archeological: 36 pages! no archeological or structures noted on National Registry...only local memories of what once was...

\* Traffic Study: 111 pages! pg. 6 notes "potential 201-203 Prospect development" and yet there's no mention of the proposed school for 277-279 Prospect and its potential impact; no mention of the current House(s) of Worship/schools at 206-212-216 Prospect and their potential impact; "recently approved Clovewood"- that is inaccurate, ie Clovewood has NOT been approved! As per NYS DEC on June 8, 2023, they have NOT issued any permits for approval at Clovewood! pg. 11 summary: "with minimal improvements Prospect Gardens is not expected to cause any significant impact" yet by NOT including these other proposed projects, "significant impact" appears to be false. pg. 31 states 174 dwelling units-which has the potential for at least an additional 174 vehicles traveling on Prospect Road.

Much more information/clarification needs to be presented/received by the public before any approval of this project. I request the Public Hearing remain open for oral comments in addition to written comments.

Sue Anne Vogelsberg  
242 Prospect Road Monroe 10950