
Subject: FW: Comments for KJ Scooping Session
Attachments: DEC_Petition_Feb2014_Martens.docx

From: Andrea Trust [<mailto:trust2kids@yahoo.com>]
Sent: Tuesday, September 30, 2014 11:55 PM
To: tim@timmlerassociates.com
Subject: Comments for KJ Scooping Session

My name is Andrea Trust and I live in Monroe (the unincorporated Town)

Please find my comments attached. This was my research to Joseph Martens covering the concerns for why KJ should not be Lead Agency in the first Annexation Petition . The same facts and information hold true for this second.

I would like to add this document as concerns for WHY ANY Annexation the Village of KJ wants should not be allowed and have a Positive declaration. We all know that the residents of KJ were told what to do and say.

Best regards
Andrea

February 17, 2014

Mr. Joseph Martens, Commissioner
New York State Department of Environmental Conservation
625 Broadway
Albany, NY 12233

Dear Commissioner Martens:

With the threat of an annexation of 500+ acres and Planned Unit Development (PUD) Districts emerge apocalyptic growth and development. There is grave concern for adequate water, increased effluent, increased traffic and air pollution having a direct negative impact on the environmental health of our natural habitat, own and neighboring towns, villages, peoples and communities.

The Town of Monroe ("Monroe") attracts families from all over the NY/NJ area because of its rural nature, natural beauty and surrounding areas. The NYS Thruway, Route 17 and Interstate 84 make this area heavily travelled through Monroe to the mountains to summer homes. In addition, the location of Woodbury Common Premium Outlets ("Commons"), one of the most productive shopping destinations in the world, at the junction of the NYS Thruway and terminus of Route 17 makes Monroe a tourist destination. Increased travel is expected due to the current expansion to 240 stores and over 900,000 square feet.

Nestled between Schunne-munk Mountains, Goosepond Mountain State Park, Highland Lakes State Park, Harriman State Park and Storm King State Park resides "Monroe ." Schunne-munk Mountain State Park has over 2700 acres of rolling meadow and spectacular mountain top. Goosepond Mountain State Park has 1,558 acres of open space almost completely wooden.

Highland Lakes State Park consists of more than 3,000 acres of undeveloped woods and lakes in Orange County. Harriman State Park which is the second-largest park in the parks system, with 31 lakes and reservoirs, 200 miles of hiking trails, two beaches, two public camping areas, a network of group camps, miles of streams and scenic roads, and scores of wildlife species, vistas and vantage points. Storm King State Park offers unsurpassed views of the Catskills and the Hudson Valley. All of these parks are managed by NYS Office of Parks, Recreation & Historic Preservation (NYS OPRHP.)

Through the Potential Wildlife Corridors, Core Biological Diversity Areas can be connected to one another and fragmented habitat conditions can be partially overcome. Because small, isolated habitats are unlikely to maintain viable populations over the long-term, and because climate change and disturbances require that organisms be able to move over large distances, corridors are recommended as an important conservation measure to counter the negative effects of habitat fragmentation and isolation. The 500+ acres identified in the annexation petition butts up against the Wildlife Corridors which makes it extremely important that the SEQR environmental review process guarantee minimal impact on all our biological resources. The Village of Kiryas Joel ("KJ") has a reprehensible history of dealing with the environment: look at the 13-mile water pipeline project. It took numerous court orders before they conducted an EIS. We cannot trust "KJ" to act as Lead Agency in this SEQR.

After decades of absence, a threatened white-flowered orchid known as the small whorled pogonia (*Isotria medeoloides*) has resurfaced on New York soil in Schunne-munk Mountain State Park. It was spotted in the Orange County Park by a botanist for the NYS Natural Heritage Program while conducting botanical surveys for other rare plants. ⁽¹⁾

(1) <http://nysparks.com/newsroom/press-releases/release.aspx?r=800>

Five of seven recommendations for landscape connections included in the Orange County Open Space Plan (2004) encompass “Monroe”: between Goosepond Mountain to Sterling Forest, Goosepond Mountain to Schunne-munk Mountain, Schunne-munk Mountain to Stewart State Forest, Otter Kill/Moodna Creek corridor, and stream corridors throughout the Watershed. Sadly, Orange County and NYS OPRHP have not yet denoted much of the land in the Town as Permanently or Temporarily Protected Open Spaces except for the Municipal Parks. This emphasizes the importance the SEQR environmental review process has to guarantee minimal impact on all our biological resources. . Our landscape is too important to let KJ be trusted to act as Lead Agency in the SEQR.

“Monroe” has a total area of 21.3 square miles, of which, 20.1 square miles is land and 1.2 square miles (5.55%) is water. The 2010 US Bureau of the Census population was 39,912. The projected 2020 population is 52,137. Within the Town is “KJ” which is 1.1 square miles with a population of 20,175 in 2010. Orange County reported that the change in the population from 2000-2010 increased by almost 55%.: an unprecedented population explosion, with no end in sight. The projected 2020 “Village” population is 33,994. ⁽²⁾ The KJ school age population ratio is roughly 145:1 per square mile compared to the Monroe-Woodbury Central School District (MWSD) (approximately 12,000 students in 1.1 square miles versus 7500 students in 100 square miles.) ⁽³⁾ The unbridled burden on the MWSD taxpayers will increase proportionally with the population. The MWSD Board of Education will have a vested interest in this situation since they will be legally responsible to give financial assistance. There is no confidence in “KJ” to look past their belief that they must populate all this land AND do an honest assessment as Lead Agency in this SEQR.

“KJ” puts an unreasonably heavy strain on the current resources of our entire region with customary use of mid-rise housing. It is anticipated that the use of PUDs (6 story, high density housing) within a small land mass will increase density by 50%. However, it is not known what impact the explosive growth has already done to the Public Wellhead Protection Areas located within “KJ.” The Orange County Water Authority (OCWA) data was made public in 1993 when it had a population of 8500. Although the “Town” is included in the proposed growth area, the 500+ acres in the Annexation Petition are NOT included in the municipal water service area.

“Monroe” is located within the Passaic River Basin boundaries while the Ramapo River is a selected priority watershed. “The Ramapo and its associated aquifer have been declared a ‘Sole Source’ of drinking water for the community of Mahwah, NJ. A total of two million people living and/or working in Rockland County, NY, and northern New Jersey rely on the Ramapo aquifer. The watershed, in Orange County, includes the Towns of Blooming Grove, Monroe, Tuxedo and Woodbury, and the Villages of Harriman, Monroe and Tuxedo Park. Protection of this priority water bodies can be accomplished through land use regulations throughout the watershed as well as creating or maintaining vegetative buffers along the water body itself. It is of utmost importance to ensure a maximum of natural land cover within these watersheds and minimize the amounts of runoff and other pollutants that are discharged into the ground or onto the ground surface.” ⁽⁴⁾

According to Passaic River institute director, Meiyin Wu, “...Urban development, pollution, natural and agricultural processes, wildlife and changes in water movement all dramatically impact the flow and quality of water throughout the area.” He goes on to say, “Pavement materials on roads, sidewalks, driveways and parking lots create impervious surfaces which seal the soil surface, eliminating rainwater infiltration and the recharge of underground groundwater aquifers.” ⁽⁵⁾

(2) http://www.orangecountygov.com/filestorage/124/1362/3210/Demographic_Profile_Becky'sRevisedVersion_

(3) The Photo News, “*What’s the connection with the school districts?*” by Nancy Kriz, Friday, February 7, 2014 pp 2, 10

(4) Orange County Open Space Plan June, 2004

(5) http://www.nj.com/morris/index.ssf/2013/04/speaker_urban_development_and.html

Reported February 2013 in the *ELEVATED SPECIFIC CONDUCTANCE LEVELS of an unnamed tributary of the Ramapo River, Town of Monroe, NY*: “As of September 2012, specific conductance levels at station 4089_005 continue to substantially exceed the NYS DEC’s level of concern (800 μ S/cm). The Kiryas Joel wastewater treatment plant was implicated as the primary source of specific conductance in 2008 and it is likely that the plant’s discharge is continuing to negatively impact downstream waterbodies, including the unnamed tributary of the Ramapo River where site 4089_005 is located.” This attests to “KJ’s” indifference to health and safety of their neighbors. Another reason KJ cannot be trusted to act as Lead Agency in the SEQR.

The Moodna Creek Watershed sub-basins: Seely Brook and Trout Brook envelop the “Town” (among others.) Seely Brook covers 18.98 square miles while Trout Brook covers 6.37 square miles. Eventually, all streams in the County end up in the Hudson, Delaware or Passaic Rivers. Recognizing that everyone lives in a watershed and that rain falling on land eventually drains into a stream, river, lake or ocean, it is not hard to understand why the actions we take on land could easily have an impact on the health and quality of our most important water resources.

Impervious surfaces do not allow water to absorb into the soil and includes any land that is covered with concrete, asphalt, or rooftops. Groundwater recharge which replenishes groundwater levels can be depleted through the withdrawal of water from wells. A land area with a high percentage of impervious surfaces will generally have a low volume of groundwater recharge due to the fact that precipitation that falls on an impervious surface will not be able to soak into the ground and eventually reach the groundwater; it will instead become storm-water runoff (runoff) until it reaches a water body.

“Too commonly, development creates a negative feedback loop with groundwater supplies. Land development increases not only impervious surface ... but also the human demand on the existing water supply through the creation of new homes, industries, businesses and other facilities that require potable water. Groundwater resources may then be compromised or eliminated due to the decrease in groundwater recharge and the increase in water withdrawals from wells. The more land that is developed, the higher the demand for potable water is; yet the opportunities for groundwater recharge are fewer because of increased impervious surfaces. Low Impact Development (LID, also called Better Site Design) design principles were formulated in order to help alleviate this conundrum by reducing the amount of impervious surfaces.”⁽⁶⁾

Looking into “KJ’s” Code that deals with overdevelopment of land and the issue of runoff: § 155-21 Section C(3)(a) states: “Developments of 50 units or more shall provide 1/2 acre of playground area per 50 units unless restricted to adult occupancy only” while § 155-21 Section C(3)(g) is not specific in controlling storm-water runoff. Factor in the tradition family size between 6 and 8 children and the use of PUDs creating a scenario of even higher density. There is no proof that this can be successfully carried out. Lack of adequate space for families and recreation, large amounts of land covered with development will ultimately lead to flooding and damage to the environment within and around these developments. This nonchalant attitude is akin to a shrugging one’s shoulders: why worry? This attitude is indicative of their disrespect for our mutually shared resources and environment. Yet another reason KJ should not be entrusted to act as Lead Agency in the SEQR.

(6) http://waterauthority.orangecountygov.com/PROJECTS/MOODNA_CREEK_WATERSHED/Moodna%20Creek%20Watershed%20Plan%20Final.pdf

(7) 1996 New York State DEC Priority Water Bodies List for Orange County, Orange County Water Authority

The 1996 New York State DEC Priority Water Bodies List for Orange County lists the condition of two of the larger lakes in the Town: Mombasha Lake as “Threatened” by “urban runoff” and Walton Lake as “Stressed” by “On-site systems.”

The Village of Monroe gets their drinking water from Mombasha Lake. Walton Lake serves the Village of Chester and is identified as a reservoir in the Moodna Watershed by the Orange County Water Authority. ⁽⁷⁾A “key finding” of the Orange County Final Draft Water Master Plan (2010 OCWA) was that the “KJ” water demand will exceed supply by 2018 based on the current population growth. The supply indicated as 1,928,800 while the demand for water as 2,020,699 yielding a deficit of 91,899 gallons per day.

The Plan presented some key water supply planning initiatives geared at addressing these inadequacies and the County’s overall water supply needs over the next 10 years. These include: conservation and drought management, source water/watershed protection, research and monitoring. The Plan relied on an integration of these initiatives for an overall success for Orange County as a whole. ⁽⁸⁾ Since 1977 when KJ incorporated as a Village, we can find many examples of isolation and interests in their needs alone. In 2008, KJ sued Orange County over charges levied for removal of chicken blood and guts from the effluent that flows daily from the KJ slaughter house to a nearby sewage-treatment plant run by the county. Several KJ institutions sued the County over the plant charges. In addition, Orange County had to appeal KJ’s blockage of nearby communities in sharing of the expansion of the treatment plant in nearby Harriman. ⁽⁹⁾ KJ did not and does not cooperate with its’ neighbors or does it care about the damage it does to the environment. They cannot and should not act as Lead Agency in the SEQR.

The 507 acres identified in the Annexation Petition is included in the proposed growth area however it is not included in the municipal water service area in the Town of Monroe. According to the Orange County by the Numbers, Orange County Demographics in the 21st Century, the population of Kiryas Joel in 2010 was 20,175 with a population density of 18,198.7 people per square mile. The projected population for the year 2015 is 26,188 with a density of 23,622.7 and for 2020 is 33,994 and density of 30,664.0 per square mile.

Ten of the 15 annexation zones have more than 10 contiguous acres of vacant property. Given the Village’s Code concerning PUD Districts, housing density will be astronomical on relatively small parcels of land. The units would be six (6) stories instead of four (4) which increase the capacity by 50%.

Given the vast amount of land that would be converted to housing, paved streets and sidewalks, and the minimal attention to recreation, aesthetics and benefits to the environment, it behooves the DEC to take Lead Agency status or Co-Lead with the interested, involved and financially able agency Monroe-Woodbury Central School District (MWCS D) to perform the SEQR. The DEC and MWSD are the only two agencies that are capable of providing a thorough and fair environmental assessment of the proposed annexation of 500+ acres as well as having the broadest governmental powers for investigation into potential impacts.

Sincerely,

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(8) http://www.orangecountygov.com/filestorage/124/1362/1460/4304/Supplement_2_Water_Master_Plan.pdf

(9) <http://www.vosizneias.com/23474/2008/11/28/kiryas-joel-ny-village-suing-orange-county-over-bill-for-waste-from-kosher-slaughterhouse/>