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County Reply: Non-Mandatory Review of Local Planning Action

Local Referring Board: Village of Kiryas Joel
Applicant: Village of Kiryas Joel
Project Name: Annexation of land into Village of Kiryas Joel
Proposed Action: Scoping for SEQRA

Referral ID #: KJV01-14
Tax Map #: N/A
Local File #: N/A

Comments (three pages):

The County Planning Department has received the Notice of Determination of Significance and Public Scoping document for the Annexation of 164 acres from the Town of Monroe to the Village of Kiryas Joel. This memo is written in coordination with County Executive Steven Neuhaus. Initially, we want to restate the original County interest to be both the Lead Agency and/or an Involved Party to this proceeding. Orange County will continue to advocate to the NYS legislature that annexation procedures for larger annexation proposals such as proposed should include a decision-making role for the resident County.

On behalf of the County of Orange, we have four (4) sets of comments in response:

First, the County of Orange requires to be formally recognized as an “Interested Party” under SEQRA. Our direct interests relate to a broad range of significant services we provide to the Village of Kiryas Joel, it’s constituents, and to land holdings now in the Village or proposed to be annexed. These services include lands within both Orange County Sewer District 1 and within Orange County Water District 1. Other services provided by the County range from transportation and transit, to social and recreational services. These services can and should be itemized and analyzed for impacts prior to any decision on annexation. Additionally, the SEQRA review should include expectations of any service decisions or adjustments the County of Orange may need to make. As such, please insure that ALL SEQRA and annexation documentation and public notices are forwarded to the Orange County Department of Planning – contact information above – who will coordinate for County of Orange agencies and departments.

Second, the County of Orange has a fundamental question in regard to the status of the subject annexation proposal versus the previous December 2013 annexation proposal, which proposed then to annex 510 acres from the Town of Monroe into the Village of Kiryas Joel. We are unsure whether this proposal has been withdrawn or if there are now two annexation proposals. The status of the December 2013 annexation proposal should be made explicit to all parties for transparency and so that an appropriate environmental review can be completed. We recommend the December 2013 be fully analyzed as a potential alternative to this proposal. We also recommend that this scope and any environmental assessment include analysis of alternatives including both annexations as well as the no build / no annexation alternative.

Third, the County of Orange has the following comments on the contents of the Scoping Outline that is included within the Notice of Determination of Significance and Public Scoping document:

- Regarding item II-A-1, we request that the proposed annexation’s relationship to not only the comprehensive plans but also the zoning codes of the Town of Monroe and Village of Kiryas Joel be

evaluated. As indicated, consistency with the County's Comprehensive Plan should also be discussed; the most recent amendments to the County Plan are now dated 2010. Furthermore, the annexation should be evaluated for its consistency with the Mid-Hudson Regional Sustainability Plan as well as the Mid-Hudson Regional Economic Development Strategy and Progress Reports, all important regional public policy documents.

- Regarding item II-B-1, we request that population projections be based on the full build-out under applicable zoning options of the annexation area once it has been incorporated into the Village. We also request the same for a set of alternatives to the proposed annexation.
- Regarding item II-C-1, we request that financial and other impacts to the school districts of Kiryas Joel and Monroe-Woodbury be discussed in detail.
- Regarding item II-E-1, we request that the impact on Orange County Sewer District #1 be discussed in detail and that this discussion include estimates on volumes of additional sewage that will enter the District's wastewater system under the proposal and alternatives, as well as under full or phased build out for the proposal and alternatives. If additional infrastructure would be needed to accommodate this volume, details on those elements should also be included. Any existing deficiencies in the Village's or the District's wastewater system that would be exacerbated by additional volume should be identified, the potential impacts should be assessed, and solutions should be presented.

In addition to the topics listed in the document, the following subjects should be evaluated during the SEQRA process for both the proposal, the December 2013 proposal (noted above), and for each alternative including the no build / no annexation option:

- Impacts to County facilities, infrastructure and services, including:
 - Social services
 - Emergency services
 - Parkland, including Gonzaga Park
 - OC Sewer District #1
 - County Routes 44 and 105
- Overall fiscal implications of annexing land from the Town of Monroe to the Village of Kiryas Joel
- Compatibility of annexation with surrounding land uses
- Noise impacts
- Air quality impacts, including emissions of greenhouse gas
- Visual/scenic impacts
- Impacts to local hydrology, streams, wetlands, habitats, and soils expected with land development in the Village such as due to impervious surfaces and management of stormwater

- Impacts to local aquifers and surface water resources due to groundwater withdrawals
- Cultural resources, including trails notably the Highlands Trail/Long Path that uses Seven Springs Road to connect from Gonzaga Park to the Orange and Rockland Lands to the east of Orange and Rockland Lake. For example, Seven Springs Road is currently a low-volume road but could likely become heavily-traveled if the proposed annexation takes place. Discussion of this recreational trail, especially in reference to its safety, should be included.
- Growth-inducing impacts
- Impacts to overall local quality of life and community character in the Monroe / Kiryas Joel area.

Fourth, we also note that the following parcels were not included from the annexation proposal: 1-3-16.1, 1-3-16.2, 2-1-4.31 & 2-1-5.221. Their exclusion would result in a 5.7-acre “island” of parcels in the Town of Monroe that are surrounded by parcels in the Village of Kiryas Joel. We question why these parcels were not included in the annexation proposal; their exclusion could complicate existing fire, school, legislative, election, or other districts, as well as future redistricting efforts.

In closing, we again confirm we are an Interested Party. This Department must receive all future SEQR documentation so that we can have the opportunity to review and respond.

Date: 9/17/14

**David Church, AICP
Commissioner of Planning**

**On Behalf of
Steven M. Neuhaus
County Executive**