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Central Valley, New York 10917  
September 30, 2014

Attention: Tim Miller Associates  
Cold Springs, New York  
Email: [tim@timmillerassocaites.com](mailto:tim@timmillerassocaites.com)

RE: Scoping document for annexation of 164 acres

I would like to submit the following comments regarding the above proposed action:

- 1) First and foremost, this action, in light of a recent application to annex over 500 acres which includes part of the land referenced in this reduced annexation proposal, does not meet the spirit or the letter of the State Environmental Quality Review Act (SEQRA) but it does meet the definition of segmentation. Attempting to bypass the full review of the larger annexation which is still “on the table” is a classic example of segmentation and must be addressed, not merely considered as an alternative to the larger annexation. Even when a project comes in using a phased approach, it must address all the impacts of full build out. In this case, full build out means addressing impacts of the larger annexation which has already been proposed and for which an application exists.
- 2) The issue of growth inducement due to annexation of 164 acres into the rapidly growing Village of Kiryas Joel must be addressed in more than the superficial manner in which it was not really addressed in the environmental review for the New York City Aqueduct Pipeline. In that document, the issue of growth inducement, a required impact under SEQRA, was brushed aside with the statement that regardless of limited resources (in that case water) the Village will continue to grow because of its cultural and religious practices. No analysis was done. When Orange County took the Village to court regarding the incompleteness of its pipeline environmental review, the court specifically found the Village had not addressed the issue of growth inducement, along with issues regarding sewage and wetlands. The court did not accept the above blanket statement as satisfactory in addressing grow inducing impacts. While the County settled regarding the sewage issue, the matter of growth inducement remained incomplete. This issue must be addressed in the annexation application.
- 3) The matter of increased water needs associated with this annexation remain unresolved since the Village does not have a permit from the DEC for the back up well in Mountainville which is needed to meet the requirements of the New York City DEP for connection to the City Aqueduct. The additional population that will result from this annexation, based on historical data of Kiryas Joel densities and intense usage of land that does not include parks or other open space, must be calculated for the additional water supply that will be needed. Since the Village does not have sufficient back up supplies for its current population, it must demonstrate how it will get additional water to meet NYC Aqueduct requirements for this additional growth.

Increased water needs must also include the approximately 3-4 months of increased water usage due to religious observances in which the population of Kiryas Joel expands and water must be trucked in to meet this increased demand.

- 4) Another impact to be examined with annexation and anticipated population growth based on historical Village trends relates to the area of social services. The impacts of the potential full build out on the local community as well as upon the County, which is facing budgetary problems, must be analyzed
- 5) In the pipeline review, questions arose regarding water needed for fire- fighting since there were questions about whether water needed for fires was included in drinking water supply calculations. These calculations must clearly separate water usage for these two distinct needs.
- 6) While the County made an out of court settlement regarding the pipeline environmental review relating to providing sewage, the annexation SEQRA review should include the documentation of all County studies of how and when expansion of existing sewage facilities will occur so as to demonstrate that this annexation and attendant growth will have the necessary sewage treatment capacity. It is not sufficient to state that the County will expand the facilities when it reaches 80% capacity—the studies demonstrating the ability to do this should be included in supporting documentation. Such documentation should also include how this expansion will be paid for and by whom since the Village is relying on the County to meet their needs. Since this settlement happened a few years ago, there should be studies to document how and when the needed expansion is planned and who will pay for it.
- 7) Other impacts in the required criteria also need to be examined thoroughly such as wetlands, which was another impact ruled incomplete by the courts in the pipeline environmental review.
- 8) Visual impacts and their affects upon the surrounding, non-Village areas need to be analyzed since the Village housing designs are not isolated from those non-Kiryas Joel residents who live outside of the Village proper.

I would respectfully request that these comments be made part of the official record. Thank you.

Sincerely,

Sheila A. Conroy