

PRELIMINARY DRAFT September 5, 2014

SCOPING OUTLINE

FOR

**PROPOSED ANNEXATION to VILLAGE OF KIRYAS JOEL
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT**

VILLAGE OF KIRYAS JOEL & TOWN OF MONROE

ORANGE COUNTY, NEW YORK

Date Adopted: _____

Lead Agency and Contact Person:

Village of Kiryas Joel Board of Trustees
51 Forest Road, Monroe, New York 10950
Contact: Mr. Gedalye Szegedin, Village Administrator
(845) 783-8300

Petitioner:

Monroe KJ Consulting LLC
P. O. Box 51, Monroe, New York 10949
Contact: Steven Barshov, Esq.
Sive, Paget & Riesel, PC
460 Park Avenue, 10th Floor, New York, N.Y. 10022
(646) 378-7229

Involved Agency:

Town of Monroe Town Board
Town Hall
11 Stage Road, Monroe, New York 10950
Contact: Harley E. Doles III, Town Supervisor
(845) 783-1900 Ext 227

GENERAL GUIDELINES

The Draft Generic Environmental Impact Statement (DGEIS) will cover all items in this Scoping document. Each impact issue will be presented in a separate subsection as it relates to existing conditions, future conditions without the project and future conditions with the project as presently planned, and any mitigation measures intended to minimize the identified impacts.

Narrative discussions should be accompanied by appropriate tables, charts, graphs, and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion should merely summarize and highlight the information presented graphically. All plans and maps showing the site should include the adjacent properties.

Information should be presented in a manner which can be readily understood by the public. Efforts should be made to avoid the use of technical jargon in the narrative text; technical subject matter should be placed in a technical appendix.

The DGEIS should address only those potential significant adverse environmental impacts that can be reasonably anticipated and/or have been identified in the scoping process associated with the proposed action.

Discussions of mitigation measures should indicate which measures may be incorporated into future site specific project plans.

The document and any appendices or technical reports should be written in the third person (i.e., the terms "we" and "our" should not be used). Any assumptions incorporated into assessments of impact should be clearly identified. In such cases, the reasonable "worst case" scenario analysis should also be identified and discussed.

CONTENTS of the DGEIS

COVER SHEET

- A. State it is a draft generic statement.
- B. Title/name of the action.
- C. Location (county and municipality) of the action.
- D. Name and address of the lead agency; name and telephone number of the person to contact at the lead agency for information.
- E. Date of acceptance of the document.
- F. Date of public hearing
- G. Deadline date by which comments are due.
- H. List names of individuals or organizations that prepared any portion of the statement.

SUMMARIES

- A. Table of Contents
- B. Brief description of the Proposed Action.
- C. Outline significant beneficial and adverse impacts.
- D. Issues of controversy.
- E. Proposed mitigation measures.
- F. Adverse impacts that cannot be avoided.
- G. Alternatives considered.
- H. Irreversible and irretrievable commitment of resources.
- I. Growth inducing aspects.
- J. Use and conservation of resources.
- K. Approvals.

I. DESCRIPTION OF THE PROPOSED ACTION

Information will include the following:

A. PROJECT DESCRIPTION

The proposed action involves the review and determination under the Municipal Annexation Law, Article 17 of the General Municipal Law, of the petition of August 20, 2014, by the private property owners to annex approximately 164 acres of territory comprised of 71 tax lots from the Town to the Village. The territory proposed to be annexed to the Village is located in the Town and abuts the Village. The Village, likewise, is located entirely within the Town. The petitioners are the landowners and persons who have petitioned for annexation into the Village. The annexation is proposed so that petitioners' properties will be within the Village and provided with Village services, including central water and sewer services, public and private schools, public safety and fire protection services, full-time paid EMS, places of worship and mikvahs, daily sanitation pick-up, day care, head start services, pedestrian friendly communities with access to sidewalks, use of Village parks and public transportation, streetlights, municipal water supply for fire protection (hydrants), and affordable housing and health care services with specialty care to accommodate larger families, among others.

The determination by the Town and Village is whether the petition for annexation complies with the provisions of Article 17 of the General Municipal Law (the "Municipal Annexation Law"), and "whether, on the basis of considerations including but not limited to those relating to the effects upon (a) the territory proposed to be annexed, (b) the local government to which the territory is proposed to be annexed, (c) the remaining area of the local government in which the territory is situated and (d) any school district, fire district or other district corporation, public benefit corporation, fire protection district,

fire alarm district or town or county improvement district, situated wholly or partly in such territory, it is in the over-all public interest to approve such proposed annexation.”

A previous Annexation Petition had been filed in December 2013 proposing a larger annexation to the Village and including the lands proposed to be annexed in this action. To assure a full and complete environmental review, the potential environmental impacts of the previous Annexation Petition involving a total of 510 acres will be identified and assessed in the Alternatives chapter.

1. Background

The Village of Kiryas Joel was incorporated as a village in 1977, and expanded through annexation in the 1980s. The Village presently consists of approximately 700 acres of land located north of New York State Route 17 within the Town of Monroe.

The Village since its inception has been almost entirely comprised of members of the Satmar Hasidic Jewish community. For purposes of preparing the DGEIS, this is significant in projecting future population growth of the Village with and without the proposed action. A cultural norm of the Satmar Hasidic community is that practically all women marry and raise their families in the community where they have been raised. Men choosing to marry Kiryas Joel women are either living in the community already or move into the community when married. It is believed and will be analyzed in the DGEIS that there has been less than one percent in-migration to the community in recent years and that is not expected to change. Similarly, it is believed and will be analyzed in the DGEIS that there is a low rate of out-migration from the community and, with typically large families, the community has experienced a predictable, steady population growth rate.

These foregoing demographic characteristics have been documented in detail in the 2009 demographic study that is part of the Amended FEIS developed for the Village in support of its NYC Aqueduct connection and pipeline project. The 2009 study projected an average annual population growth rate in the Village of approximately 4.52 percent. The DGEIS will update this projection.

B. PROJECT PURPOSE, NEED AND BENEFITS

1. Background and history of the municipality and annexation lands, historic growth and anticipated trends.
2. Needs and benefits to private annexation petitioners for services provided by Village of Kiryas Joel and Town of Monroe.
3. Public need for the action, including social considerations, and municipal objectives relative to local and County plans.
4. Economic benefits of the action.

C. APPROVALS NEEDED

No development proposals have been submitted by any of the annexation petitioners as part of this Annexation action. Therefore, the only approvals required for the Annexation action are the Annexation Approval Resolutions by both the Town Board of the Town of Monroe and Board of Trustees of the Village of Kiryas Joel pursuant to the Municipal Annexation Law, Article 17 of the General Municipal Law. Should future development proposals be presented, whether with or without annexation, additional specific project approvals may be required from local, County and State agencies, including approvals related to zoning, subdivision, site plan, water supply, sanitary sewers, roads, stormwater, natural resources, and other necessary public services.

II. ENVIRONMENTAL SETTING, ANTICIPATED IMPACTS AND PROPOSED MITIGATION MEASURES

A. LAND USE AND ZONING

1. Existing Conditions

- a. This section will describe the existing land uses and residential densities of the Village of Kiryas Joel and the Town of Monroe.
- b. The existing zoning of the Village of Kiryas Joel and Town of Monroe will be presented.
- c. Local and Orange County land use plans, applicable to Kiryas Joel and the Town of Monroe will be summarized.

2. Potential Impacts - Without and With Annexation

- a. Discuss reasonable development scenarios based upon historic development patterns in the Village and Town.
- b. Potential development activities, densities, timeframes will be projected and discussed.
- c. County land use plan and municipal comprehensive plan consistency will be reviewed and evaluated.

3. Mitigation Measures

B. DEMOGRAPHICS AND ECONOMICS

1. Existing Conditions

In this section, the following topics will be presented:

- a. Existing population and housing types in Kiryas Joel and the annexation lands in Monroe
- b. Existing household size
- c. Existing and projected population growth
- d. Existing tax revenue sources and budgets for Town of Monroe, Village of Kiryas Joel, Monroe-Woodbury School District, Kiryas Joel School District and Orange County

2. Potential Impacts - Without and With Annexation

The following topics will be reviewed in both scenarios:

- a. Population density
- b. Tax revenues generated for Town of Monroe and Village of Kiryas Joel
- c. School populations and tax revenues generated for Kiryas Joel and Monroe-Woodbury school districts
- d. Assessed property values

3. Mitigation Measures

C. COMMUNITY SERVICES AND FACILITIES

1. Existing Conditions

Staffing, equipment and service levels for Kiryas Joel and the annexation lands in Monroe will be presented based on available information and interviews with service providers in the following areas:

- a. Police Services
- b. Fire Protection and EMS Services
- c. Health Care Services
- d. Schools
- e. Water - discussed in section E
- f. Sewer - discussed in section E
- g. Other Services (Sanitation, public works)

2. Potential Impacts - Without and With Annexation
 - a. Demands on each service and its facilities based on population growth and location of said growth
 - b. Anticipated costs of services versus future tax revenues in Village and Town
3. Mitigation Measures

D. TRAFFIC AND TRANSPORTATION

1. Existing Conditions
 - a. Describe the roadway network serving Kiryas Joel and the annexation parcels.
 - b. Describe public transportation and existing sidewalk network.
 - c. Describe the size and capacity (i.e., number of lanes) of the following key locations:
 - Northeast of Forest Avenue/Schunemuck Road Bridge over Route 17
 - Bakertown Road north of CR 105
 - Acres Road west of CR 105
 - CR 44 (Seven Springs Mountain Road) east of Seven Springs Road
 - d. Document existing weekday a.m. and p.m. peak hour traffic on the four link locations.
 - e. Document existing transportation network including bus routes, park & ride lots.
 - f. Discuss projects in the project area that NYSDOT has identified relative to areas of existing congestion or safety issues under the NYS Transportation Improvement Program.
2. Potential Impacts - Without and With Annexation
 - a. Discuss density of both development scenarios and identify trip generation of future development activities.
 - b. Identify other major development activities in the vicinity which will affect the roadway network.
 - c. Identify overall traffic growth rates for the area.
 - d. Compare project's relative effect on traffic volumes in areas of existing or potential congestion.
 - e. Qualitative analyses for existing conditions, future conditions without the project and future conditions with the project.
 - f. Conceptual discussion of how the transportation use will evolve in the future.

3. Mitigation Measures

- a. Discuss availability of public transportation and extension of sidewalk network to accommodate annexation area.

E. COMMUNITY WATER AND SEWER

1. Existing Conditions

- a. Discuss existing water supply capacity and infrastructure in Kiryas Joel and in the annexation lands of Monroe. Discuss plans for future capacity and infrastructure including connection to NYC water supply. Map of annexation parcels that currently have public water infrastructure and which municipality if any is providing said service.
- b. Status of the Village's or Town's ability to provide water service for any future development.
- c. Discuss limitations to establishing private wells in annexation area.
- d. Discuss sewer service capacity and infrastructure for the municipal plant in Kiryas Joel and the Harriman Plant and anticipated expansions or infrastructure improvements. Map of annexation parcels that currently have sewer infrastructure and which municipality if any is providing said service.
- e. Proximate location of Village infrastructure for water and sewer transmission in vicinity of annexation lands.
- f. Status of the Village's or Town's ability to provide sewer service for any future development.
- g. Discuss limitations to establishing private septic in annexation lands.

2. Potential Impacts - Without and With Annexation

- a. Demand for water and ability of facilities to accommodate same with or without annexation.
- b. Demand for sewer and ability of facilities to accommodate same with or without annexation.

3. Mitigation Measures

- a. Provision of public water and sewer to annexation lands.

F. NATURAL & CULTURAL RESOURCES

1. Existing Conditions

- a. Discuss existing characteristics of Kiryas Joel and annexation lands as they apply to any unusual or constraining condition in the following areas:
 - Geology, soils, topography
 - Unique or unusual habitats, including Designated Significant Natural Communities
 - NYSDEC/federal regulated wetlands
 - Water resources, stormwater
 - Historic/cultural resources

2. Potential Impacts

- a. Estimate future development disturbance and potential implications for natural resources in annexation lands.

3. Mitigation Measures

- a. Avoidance; mitigation; timing.

III. THRESHOLDS FOR FUTURE ENVIRONMENTAL REVIEWS

Individual actions subsequently proposed to be carried out in conformance with thresholds or conditions identified in the generic EIS may require no or limited SEQRA review.

This section will set forth specific conditions or criteria under which future actions may be undertaken or approved, including requirements for any subsequent SEQRA compliance. These may include thresholds and criteria for supplemental studies of site specific significant impacts that were not substantially addressed or analyzed in the generic EIS.

Discuss any environmental thresholds to which future site plan applications would need to conform, and conditions under which further SEQRA review would be required.

IV. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED IF THE PROJECT IS IMPLEMENTED

List those potential adverse environmental effects identified in Section II that can be expected to occur regardless of the mitigation measures considered.

V. ALTERNATIVES

This section will describe and evaluate a range of feasible alternatives to the proposed annexation action. Discussion of each alternative will be at a level sufficient to permit a

comparative assessment of environmental costs, benefits and risks of each alternative against the annexation action.

1. No Action.
2. Annexation of smaller land area
3. Annexation of the larger land area identified in previous Annexation Petition (December 2013) in the Town of Monroe.

VI. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Identify those natural and human resources that will be consumed, converted or otherwise made unavailable for future use.

VII. GROWTH INDUCING ASPECTS AND CUMULATIVE IMPACTS

1. Growth inducing impacts of the proposed action.
2. Cumulative environmental impacts related to an expanded annexation (Petition of December 2013 involving a total of 510 acres) will be identified and assessed.

VIII. EFFECTS ON THE USE AND CONSERVATION OF ENERGY RESOURCES

APPENDICES

- A. List underlying studies, reports and information considered and relied on in preparing the document.
- B. List all federal, state, regional or local agencies, contacted in preparing the document.
- C. Technical exhibits including technical computations and analyses.
- D. Relevant correspondence regarding the proposed action.