

June 21, 2015

Lead Agency: The Village of Kiryas Joel
%TIM MILLER ASSOCIATES, INC.
10 North Street, Cold Spring, New York 10516
FAX 845.265.4418
tmiller@timillerassociates.com

By email and fax, to be included in the Public Record

Response to the **Annexation of 507 Acres Annexation Town of Monroe to the Village of Kiryas Joel DRAFT ENVIRONMENTAL IMPACT STATEMENT**

Dear Village of Kiryas Joel Mayor and Trustees:

There are two annexations being considered. One is for **164 acres** and the other for **507** (including part of a County Park-where a previous water tower request by the Village was denied). Since the 164 acres annexation is a **segment** of the 507 acre annexation request, and segmentation is contrary to NYS law, it should be summarily dismissed if all parties desire to comply with the law.

The NYS Constitution Article 9 section 1d, State annexation law Article 17 of the GMU and prevailing case law clearly indicate that the annexation must be in the “**overall public interest**”. That means in the overall public interest of **ALL of the involved and interested communities**, not just the overall public interest of one municipality. How does it benefit Monroe, or for that matter, Woodbury, Blooming Grove and the County, to have a city forced upon them? Because that is what is being proposed. And please note, **Smart Growth** involves more than sidewalks and public transportation. It involves open space and wise use of resources and no reliance on taxis as public transportation.

Is it in the **overall public interest** for one municipality to impose its lifestyle on its neighbors through a hostile takeover?

*“The annexation lands are currently largely vacant or underdeveloped and provide an open space resource, although neither designated nor protected as such. In the future, whether or not the proposed annexation land becomes part of the Village of Kiryas Joel, **it will likely be developed to accommodate the projected population growth.**”* 507 Annexation DGEIS 3.6-5

This means high density housing. Is this annexation an attempt to circumvent current zoning?

Current zoning in the 507 acres does not in any way restrict the practice of any religion, just the intense build out. Surely, religious worship is recognized whether you live in apartments or in a private homes. Surely religious worship is recognized whether you drive or not. (Page 1 of 3)

Is it in the **overall public interest** to develop housing to the point where you **exceed the capacity of natural and other resources**? To attempt to exceed physical limitations? (It is physically impossible for two separate objects of matter to occupy the same space at the same time.) That is what the Village is trying to do here especially in to **sewer capacity**.

In regard to sewer service, the DGEIS frequently refers to the lack of sewer service availability in the area to be annexed as one of the reasons for annexation. Since this area is already in OC Sewer District # 1, why would annexation be necessary for obtaining sewer service? The majority of the area is in that district, however approximately a quarter of the land “to be annexed” is in the Moodna Sewer district. The Moodna Group, because of litigation and other factors, does not have priority over OC Sewer #1.

IF annexation were to occur, the *entire* area would be in OC #1 and therefore that one quarter of the annexed land would ‘jump the queue” ahead of residents of Woodbury and other areas, who have been in the sewer district for years with no hook-up, due to “lack of capacity”. The residents in the annexed area would obtain that service at the expense of their neighbors.

There are numerous issues not addressed regarding **water supply**, which is inadequate currently and will be even more so if this annexation goes through. There are issues not addressed regarding inter-basin transfers that will help the Ramapo basin with increased flow but to the detriment of the already stressed Moodna basin.

The Village does not have a **water supply** adequate for the growth anticipated in its current territory; it definitely will not have an adequate water supply for the additional growth in expanded area should this annexation go through and be developed as indicated. And the Village of Kiryas Joel seems to be relying on water sources that are **not yet approved**, like the Mountainville wells, whose application was withdrawn back in January. Additionally, the Village plans on one well permit for a series of wells not connected or contiguous in anyway and these should be separate permits. Also, there is no back up water supply for redundancy as required. The water consumption rates are **underestimated** and this annexation and increased density will have a detrimental effect on the water supply in NYC should the Catskill Aqueduct connection be approved by the NYC DEP. It will have a detrimental effect on an approved Woodbury water source (a well nearby and not revealed by Village leaders to the NYC DEP) if the Mountainville wells are approved.

The DGEIS does not adequately address the increased **impervious surfaces** and the additional **runoff** due to high density housing as indicated above. Specifically, the document does not correctly address the effect that additional runoff will have on current drainage basins.

The DGEIS It does mention Inter-basin transfers as follows:

“Thus, the water resources of the Ramapo watershed will be augmented by the inter-basin transfer of water, increasing the surface flow volume without a corresponding withdrawal from the Ramapo Basin.” The transfer to the Ramapo basin is **from** the Moodna basin. What is not properly addressed is how this would affect the MOODNA basin, which is already stressed.

It is frequently asserted throughout the document that the anticipated, exponential growth is “natural” and therefore no other factors contributing to growth are included. However in order to be more accurate, the DGEIS, should also include growth due to the influx of Satmar from areas such as Brooklyn.

How can any municipality approve a document fraught with inadequacies on many fronts? I strongly urge BOTH boards to VOTE NO on this annexation in order to avoid an environmental fiasco!

Respectfully and Truthfully,

Lorraine McNeill
PO Box 767
Highland Mills NY 10930