

APPENDIX C
Correspondence



KARL A. BRABENEC
Assemblyman 98th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

RANKING MINORITY MEMBER
Labor Committee

COMMITTEES
Aging
Cities
Election Law
Local Governments

June 15, 2015

Hon. Dov Hikind
LOB 551
Albany, New York 12248

Dear Assemblyman Hikind,

I am writing to you today in response to comments you made this past Wednesday, June 10, at the public hearing regarding the proposed Kiryas Joel Annexation.

At that hearing I was troubled by your assertion that those of us who are opposed to this annexation are motivated by hatred and by anti-Semitism. In your words, we're "not anti-annexation but anti-Hasidic Jew."

As you know, I have the privilege of representing the Town of Monroe, including the Village of Kiryas Joel, in the State Assembly. I am, therefore, in an excellent position to know the hearts and minds of all of the members of this community, and I can state unequivocally that the opposition to annexation has nothing to do with the religion, customs, language, or dress of those proposing it. To suggest otherwise is nothing less than an incitement to resentment and division.

Our concerns regarding the proposed annexation are based in fact: the fact that the Village of Kiryas Joel has grown by nearly 70% over the past 15 years; the fact that Orange County will have to keep pace with infrastructure demands and increased traffic for such concentrated growth; the fact there will be a massive increase in effluent into the Ramapo River; the fact that the population of Kiryas Joel is already 93% enrolled in Medicaid; and the fact that the political leadership of the Village has steadfastly refused to answer their neighbors' legitimate questions regarding these and other pressing issues.

And I assure you these questions would be raised whether Kiryas Joel was composed of Buddhists, atheists, or Anabaptists! This was the essence of my message when I spoke at the same public hearing as you did. Our community needs peace and we need to be better neighbors to each other, but there will be no peace so long as public debate is supplanted by name-calling and obstinacy.

Ironically, that is precisely what you purport to condemn, even as you perpetuate the language of accusation and acrimony. Assemblyman Hikind, if you truly hope to, in your words, "find a way... to make things work for the sake of everyone," then I will be proud to stand with you. But that way will elude us so long as Kiryas Joel's political leadership and its supporters attempt to conflate honest concern with naked prejudice.

Please consider this the next time you feel compelled to travel up from Brooklyn to condemn my constituents.

Sincerely,

Karl A. Brabeneck
Member of Assembly



DOV HIKIND
Assemblyman 48th District

ASSISTANT
MAJORITY LEADER

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

PLEASE REPLY TO:
DISTRICT OFFICE
1310 48th Street
Brooklyn, New York 11219
(718) 853-9616
FAX: (718) 436-5734

Room 551
Legislative Office Building
Albany, New York 12248
(518) 455-6721
FAX: (518) 455-5948

June 17, 2015

Hon. Karl Brabenec
LOB 523
Albany, NY 12248

Dear Assemblyman Brabenec,

I was surprised to see your letter of June 15, which was addressed to me, appearing on a local news site especially in light of having never received a copy at either of my offices. Nevertheless, I believe it's important to address some of the misconceptions that you put forth.

Clearly, as a representative in the Assembly of the Town of Monroe, including the Village of Kiryas Joel, it's clear you're aware of the conflict that's growing in your district. But I'm a trifle uneasy with your contention that you "know the hearts and minds of all the members of [your] community." Unless you're employing an instrument that the rest of us would love to utilize, it's fairly difficult to read minds, let alone hearts. And if, indeed, you *have* manifested this uncanny ability, you certainly aren't tuning into a large segment of your constituents who identify as Hasidic and find themselves heart-broken with minds ill at ease, targeted publicly by those who oppose their community's expansion with anti-Semitic rhetoric.


But you don't like the term anti-Semitism. Indeed, you noted that you were troubled by my assertion that those who opposed the Kiryas Joel Annexation were motivated by hatred and anti-Semitism. Perhaps it's possible that you missed the beginning of the meeting when the attorney representing the petitioners asked, rhetorically, "If the Hasidic community were not to grow in Kiryas Joel, where would you like them to go?" Members of the audience shouted, "Back to Brooklyn!" They may as well have shouted, "Back to Poland." Either way, the applause couldn't have been louder.

For the record, I did not travel "up from Brooklyn" to "condemn your constituents." I travelled "down from Albany," and would do so again, to stand with a large body of those constituents who find themselves unfairly treated. They are easy to identify: Not only do they appear different and have different customs but also they sat respectfully at the Public Hearing I attended and allowed those who opposed their expansion plans to speak without attempting to shout them down. It was a lesson in manners and tolerance for those whose hearts and minds you say you know so well who would not allow others, like myself, to speak without jeers and heckling.

That's not hatred? Perhaps you prefer *extreme dislike*.

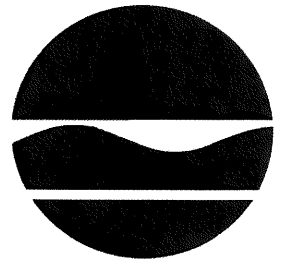
Either way, it's just semantics. And we don't want to be anti-semantic.

Sincerely,



Dov Hikind
Member of Assembly

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, 5th Floor, Albany, New York 12233-4757
Phone: (518) 402-8935 • **Fax:** (518) 402-8925
Website: www.dec.ny.gov



Joe Martens
Commissioner

June 23, 2015

Frederick P. Wells, RLA
Tim Miller Associates
10 North Street
Cold Spring, NY 10516

Re: Annexation of 507 acres from the Town of Monroe to the Village of Kiryas Joel for likely future residential development

Town/City: Monroe.

County: Orange.

Dear Frederick P. Wells, RLA :

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities, that our database indicates occur, or may occur, on your site or in the immediate vicinity of your site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

Our database is continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, as listed at www.dec.ny.gov/about/39381.html.

Sincerely,

Andrea Chaloux
Environmental Review Specialist
New York Natural Heritage Program



**The following state-listed animals have been documented
in the vicinity of your project site.**

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about potential impacts of your project on these populations, how to avoid, minimize, or mitigate any impacts, and any permit considerations, contact the Wildlife Manager or the Fisheries Manager at the NYSDEC Regional Office for the region where the project is located. A listing of Regional Offices is at <http://www.dec.ny.gov/about/558.html>.

The following species have been documented within 2.5 mi of the project site. Individual animals may travel 2.5 mi from documented locations.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Mammals				
Indiana Bat <i>Hibernaculum</i>	<i>Myotis sodalis</i>	Endangered	Endangered	12787

The following species have been documented within 5 mi of the project site. Individual animals may travel 5 mi from documented locations.

<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>	<i>NY STATE LISTING</i>	<i>FEDERAL LISTING</i>	
Mammals				
Northern Long-eared Bat <i>Three hibernacula have been documented within 5 mi of the project site.</i>	<i>Myotis septentrionalis</i>	Threatened	Threatened	14145

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.



The following rare plants, rare animals, and significant natural communities have been documented in the vicinity of your project site.

We recommend that potential onsite and offsite impacts of the proposed project on these species or communities be addressed as part of any environmental assessment or review conducted as part of the planning, permitting and approval process, such as reviews conducted under SEQR. Field surveys of the project site may be necessary to determine the status of a species at the site, particularly for sites that are currently undeveloped and may still contain suitable habitat. Final requirements of the project to avoid, minimize, or mitigate potential impacts are determined by the lead permitting agency or the government body approving the project.

The following significant natural communities are considered significant from a statewide perspective by the NY Natural Heritage Program. They are either occurrences of a community type that is rare in the state, or a high-quality example of a more common community type. By meeting specific, documented criteria, the NY Natural Heritage Program considers these community occurrences to have high ecological and conservation value.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Upland/Terrestrial Communities			
Pitch Pine-Oak-Heath Rocky Summit			High-quality Occurrence of Uncommon Community Type
Schunnemunk Mountain House: The summit is small and in good condition. The community is intermediate between rocky summit and chestnut oak forest.			10155

The following plants are listed as Endangered or Threatened by New York State, and/or are considered rare by the New York Natural Heritage Program, and so are a vulnerable natural resource of conservation concern.

COMMON NAME	SCIENTIFIC NAME	NY STATE LISTING	HERITAGE CONSERVATION STATUS
Vascular Plants			
Glaucous Sedge	<i>Carex glaucodea</i>	Threatened	Imperiled in NYS
Schunnemunk Mountain House, 2002-07-03: The plants are growing along an old road in an oak-hickory forest. The dominant tree species are <i>Quercus rubra</i> and <i>Carya glabra</i> .			7853
Green Rock-cress	<i>Boechera missouriensis</i>	Threatened	Imperiled in NYS
Schunnemunk Mountain, 2003-07-03: This population is in a <i>Carya ovalis</i> or <i>Carya glabra</i> -dominated woodland or forest on a slight southwest-facing slope. The canopy is somewhat open. The area is adjacent to a powerline cut and a disturbed field. Other species present include <i>Carex umbellata</i> and <i>Cerastium arvensis</i> .			10778

This report only includes records from the NY Natural Heritage database. For most sites, comprehensive field surveys have not been conducted, and we cannot provide a definitive statement as to the presence or absence of all rare or state-listed species. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the rare animals and plants in New York, including habitat, biology, identification, conservation, and

management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, from NatureServe Explorer at www.natureserve.org/explorer, and from USDA's Plants Database at <http://plants.usda.gov/index.html> (for plants).

Information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org. For descriptions of all community types, go to www.dec.ny.gov/animals/97703.html for Ecological Communities of New York State.

Note: Map attached to this report has been omitted at the request of the NHP so as not to publish the known locations of protected species.



County Legislature

L. Stephen Brescia, Chairman
Jean M. Ramppen, Clerk

15 Matthews Street – Suite 203
Goshen, NY 10924

Tel: (845) 291-4800 ☎ Fax: (845) 291-4809

July 17, 2015

Town of Monroe
Harley E. Doles, III, Supervisor
11 Stage Road
Monroe, New York 10950

NYS Dept. of Environmental Conservation
Daniel Whitehead
Regional Permit Administrator
Region 3
South Putt Corners Road
New Paltz, NY 12561-3042

NYS Office of Parks, Rec. & Historic Preservation
Peebles Island
PO Box 189
Waterford, New York 12188-0189

Regulatory Branch
Department of the Army
New York District, Corps of Engineers
Jacob K. Javits Federal Building
26 Federal Plaza
New York, NY 10278-0090

NYS Dept. of Transportation-Region 8
Attn: William J. Gorton, P.E.
Regional Director
4 Burnett Boulevard
Poughkeepsie, N.Y. 12603

Federal Highway Administration
Attn: Michael Canavan
Acting Division Administrator
11A Clinton Avenue, Suite 719
Albany, New York 12207

Re: Larkin Drive West

To Whom It May Concern:

The County of Orange is proposing to construct Larkin Drive West between NYS Route 208 and County Route 105 in the Town of Monroe. A copy of Part I of the Environmental Assessment Form prepared pursuant to the requirements of the State Environmental Quality Review Act (SEQRA) is enclosed, which describes, generally, the project and preliminarily (if any), potential environmental impacts.

You are hereby notified that your agency or municipality has been identified as an interested or involved agency as those terms are defined in the SEQRA regulations, and that the regulations require that a lead agency be agreed upon within thirty days from the date of this letter. You are hereby further notified that the Legislature of the County of Orange intends to assume lead agency status for the environmental review required by SEQRA, and to conduct a coordinated review of the project pursuant to 6 N.Y.C.R.R. section 617.6(b)(3).

Please notify us within thirty days of the date of this letter whether you consent to the designation of the Legislature of the County of Orange as lead agency.

Very truly yours,

L. Stephen Brescia
L. Stephen Brescia
Chairman, Orange County Legislature

Encl.

Cc: Steven M. Neuhaus, County Executive
Antoinette Reed, Esq.
Langdon Chapman, Esq.
Christopher Viebrock, P.E., Acting Commissioner of Public Works
James C. Purcell, Mayor, Village of Monroe
Abraham Wieder, Mayor, Village of Kiryas Joel