



Steven M. Neuhaus
County Executive

Orange County Department of Planning

124 Main Street
Goshen, NY 10924-2124
Tel: (845) 615-3840
Fax: (845) 291-2533

David E. Church, AICP
Commissioner

www.orangecountygov.com/planning
planning@orangecountygov.com

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 #: *KJV01-15*

Tax Map #: *N/A*

Local File #: *N/A*

Comments (four pages):

The County Planning Department has received the Notice of Determination of Significance and Public Scoping document for the annexation of 507+/- acres from the Town of Monroe to the Village of Kiryas Joel, dated 6 February 2015. This memo is written in coordination with County Executive Steven Neuhaus. Orange County will continue to advocate to the NYS Legislature that annexation procedures for larger annexation proposals such as the one under review should include a decision-making role for the resident County.

We would like to re-state that there are currently three (3) proposed petitions for annexation within the vicinity of the Village of Kiryas Joel. This review applies specifically to the petition received by the Town of Monroe Town Clerk's Office on 27 December 2013 which proposes to annex approximately 507+/- acres from the Town of Monroe to the Village of Kiryas Joel (henceforth referenced as the "First Petition"). The County was in receipt of an additional petition for annexation, received by the Town of Monroe Town Clerk's Office on 20 August 2014, which proposes to annex approximately 164+/- acres also from the Town of Monroe to the Village of Kiryas Joel (henceforth referenced as the "Second Petition"). Lastly, the County was informed in late 2014 that an additional petition for annexation was received by the Town of Monroe Town Clerk's Office on 30 December 2014; this petition proposes to annex approximately 329+/- acres from the Town of Monroe to the Town of Blooming Grove and the Village of South Blooming Grove (henceforth referenced as the "Third Petition").

The County of Orange continues to request that we be an Interested Party throughout the SEQRA process. This is particularly important given the wide range of County services which could be impacted, as well as the reality that this proposal includes lands owned by the County including but not limited to certain rights of way or easements as well as a portion of the Gonzaga Park (Town of Monroe SBL 1-1-5). Because of the ongoing, potentially confusing relationship between these three (3) petitions, by attachment to this review we are also forwarding and referencing our September 22, 2014 review letter of the Second Petition subject to a SEQRA scoping session at that time. This Department acknowledges that the majority of comments raised by the County are now included in the current proposed Scoping Outline for the Second Petition; however, for emphasis we restate the following subjects which were recommended for evaluation in our review letter of the Second Petition, and are now included in the current proposed Scoping Outline for the First Petition:

- 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
 - 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.

However, on behalf of the County of Orange, we have four (4) additional sets of comments in response to the Notice of Determination of Significance and Public Scoping document for this First Petition:

First, the SEQRA review should include expectations of any service decisions or adjustments the County of Orange may need to make as a result of this annexation, as well as those that would be expected under other annexation alternatives. 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 recommends that Chapter V of the DGEIS (“Alternatives”) should explain in detail the status of the subject annexation proposal (the First Petition) with regard to the later annexation proposal from August 2014 (the Second Petition), which proposes to annex 164 acres from the Town of Monroe into the Village of Kiryas Joel. We recommend that the August 2014 annexation petition be fully analyzed as a potential alternative to this proposal. Additionally, as item VII-2 includes a reference to “an expanded annexation” which has not yet been mentioned nor detailed anywhere in the Scoping Outline, we also recommend that this scope and any environmental assessments include analyses of all potential alternatives as well as related no build / no annexation alternatives.

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 DGEIS also examine the annexation proposals in the context of the outdated comprehensive plan and zoning map documents currently in use by the Village of Kiryas Joel. Although the comprehensive plan received an update in 1999, the document was originally produced in 1977 and should be amended or overhauled to regard for recent development and population growth within the Village. Additionally, the zoning map currently in use by the Village was created in 1977 and only depicts zoning for the approximately 350+/- acres which originally comprised the extent of the Village upon incorporation. A map of current zoning districts must be produced in order to evaluate the implications of the proposed annexations and their relationship to current zoning within the Village of Kiryas Joel.
- Within Section II, we recommend that evaluation for all potential impact items also make reference to the configuration of build-out scenarios for the annexation proposals. Through a preliminary analysis conducted by the Orange County Department of Planning, it was determined that approximately 276+/- acres of the 507+/- acres proposed for annexation are vacant and could accommodate 1,432 new housing units based on the current housing density (5.18 units/acre) within the Village of Kiryas Joel. When analyzing the potential for redevelopment of current single-family residential parcels with regard to current housing density, it was determined that approximately 90+/- acres of the 507+/- acres proposed for annexation could be redeveloped to accommodate 468 new housing units. Considering the average household size (5.53 persons) within the Village, the combined total of 1,900 new households has the potential to increase the Village population by 10,507 persons.
- Within Section II, we additionally note that the configuration of build-out scenarios in evaluating potential impact items must also utilize demographic and/or socio-economic profiles to estimate the future demand for social services within the Village of Kiryas Joel. As reported by the Census Bureau's 2009-2013 American Community Survey 5-year estimates, the Village of Kiryas Joel has a poverty rate of 59.8%; approximately 57.3% of households receive food stamps / SNAP, and 91.5% of these households have children under the age of 18. Other recent reports have documented that a high percentage of Village residents are reliant on government aid programs and County services such as Medicaid. Evaluating these demographic profiles and the projected proportion of Village residents that will enroll in or become dependent on such government aid programs is critical towards understanding the future demand for such government programs, as well as the implications for such programs upon build-out of any of the annexation proposals.
- Within VIII-1 and VIII-2, 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.

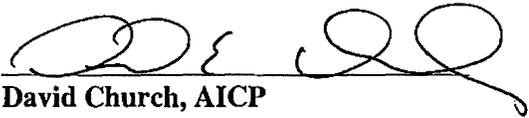
In addition to the topics listed in the document, the following subjects should be evaluated during the SEQRA process for the First Petition, the Second Petition, and for each alternative including the no build / no annexation options:

- Impacts to local aquifers and surface water resources, and the cumulative effects of increased groundwater withdrawals and wastewater / effluent discharges within the Ramapo River Watershed and the Moodna Creek Watershed

Fourth, we also note that the following parcels were not included from the annexation proposal: 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 believe the scope should discuss emergency services, academic services, and other differences that those properties may experience in comparison to the properties which surround them.

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: March 3, 2015



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**David Church, AICP
Commissioner of Planning**

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