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**Subject:**

FW: RE; SEQRA Public Hearing - Kiryas Joel Annexation petition.

**From:** itzik gold [<mailto:itzik2945@gmail.com>]**Sent:** Friday, June 12, 2015 2:07 PM**To:** [tmiller@timmlerassociates.com](mailto:tmiller@timmlerassociates.com)**Subject:** RE; SEQRA Public Hearing - Kiryas Joel Annexation petition.

My name is Itzik Gold

I live in the Village of Kiryas Joel, Town of Monroe NY

First of all, I would like to put on record that I support the the 507 acre annexation petition and I urge the Town and the Village boards to vote yes and approve the annexation.

First I will comment on the DGEIS and after then I will explain why this annexation is in the over-all public interest.

The DGEIS fails to address the following;

**Census figures.**

As someone brought up at the public hearing, the Census figures in the DGEIS is probably wrong. I follow the methodology from the US census for a quite few years and the result is getting more and more inaccurate from year to year.

**Election districts.**

There are Two Election districts within the proposed annexation area.(18 & 36) If this annexation succeeds, Two new election districts must be created in order to ensure that there is no election districts divided in two municipalities.

**The 'No Action' scenario.**

It must be noted in the DGEIS that 'no action' means a decision of action by the Town and Village boards to reject the annexation. And it must also recognize that such an action to reject the annexation may be illegal, particularly in this case. Because since the intention to annex these lands are partially because cultural and religious needs such a rejection will be a possible indirect violation of the general rule of the "RLUIPA"(Religious Land Use And Institutionalized Persons Act) that says; "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government can demonstrate that imposition of the burden on that person, assembly or institution. A) is in furtherance of a compelling governmental interest; and B) is the least restrictive means of furthering that compelling governmental interest."

The 'No Action' scenario also fails to review the possible negative consequences from such an action on the culture, society and lifestyle from the community at-large.

**Yiddish language comments.**

I was at the public hearing and I recognize that there are many Hasidic people that want to comment but they didn't because the don't speak English well. according to the law the purpose of the Hearing is to define what the over-all public interests are. If a majority of the people in the Town of Monroe don't use English as their first language, it would be appropriate to accept written comments in Yiddish too.

## **Zoning.**

Every municipality is divided in multiple Zoning districts. Residential, commercial, industrial, Parks e.t.c.- Even Residential are divided in different zoning areas. Like rural, semi rural, high density and urban.

It would be appropriate to impose this zoning districts together with the annexation approval.

Now I will explain why this annexation is in the over-all public interest.

There is no exact definition in law how to define 'over-all public interest' in annexation.

It could mean a majority of opinions, the importance of the issues brought up, How much it will affect the petitioners VS how far it will affect the other interested parties.

Either way, an opinion that doesn't met the minimum standard of humanity and legality can't be accepted and categorized as public interest.

While this is not required by law, I believe that if the annexation would go for a referendum for the residents of the Town of Monroe it would be approved.

The only rational concern over the annexation brought up:

Environmental and Preservation.

While there are environmental impacts with the annexation, this concerns are not enough to overwrite the reasons to approve the annexation. And I really question if environmental concerns are the real issue here. It is quite obvious that there are many large developments in the region now and in the past with the same or greater environmental impacts than the annexation that for some reason didn't draw the same large scale opposition of the same people.(For instance the proposed Casino the expansion of Woodbury commons).

Preserving land is great only after housing for those in need are addressed. And don't tell me that you can't sleep at night because of this Four percent of Town land and 1/2 percent of county land in question. I usually read about corporate and oil companies who have the ability harm the Environment. But you will never hear an argument on a large venue that housing for people did harm the Environment, even if that's truly the case.

I also believe that most of the environmental concerns could be addressed even with annexation. High density housing is more sustainable and uses less environmental resources.

I would really like to see an honest debate solely about environmental concerns regarding the annexation. Unfortunately it didn't happened.

The annexation will;

- 1) bring Affordable Housing.
- 2) Boost the local Economy.
- 3) Help keep Taxes affordable.
- 4) Encourage new services.
- 5) Give the opportunity for our raised children to live in our exceptional community.
- 6) Ensure that families and children who live and will live in the this areas will given the right to access Parks.
- 7) Ensure that people are not denied from their property and religious rights.

I believe that after all, the annexation is the only way to archive peace and harmony between the communities.Because this will maintain the cultural divide with respect one to each other.

This property owners had suffered for to long. Their property rights have been violated.  
They deserve some relief.  
I believe that this Lead Agency scenario would never happened in an other place.

I encourage you to make the right decision and approve the annexation.

Thank You

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