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June 5, 2019

Chairman Gilbert Heim
Town of Clarkstown Planning Board
10 Maple Avenue
New City, NY 10956

RE: Schimpf Farm Senior Housing - Draft Environmental Impact Statement

To Chairman Heim and Planning Board Members:

As an ongoing interested party for the State Environmental Quality Review Act (SEQRA) process, the Rockland County Department of Planning has reviewed the Draft Environmental Impact Statement (DEIS) for the Schimpf Senior Housing project dated February 23, 2019. This proposal is also subject to the Planning Department's review as mandated in Sections 239-l and m of the New York State General Municipal Law (GML) as the site is within 500 feet of Germonds Road (County Road 27). Below are our comments for the DEIS, which are organized by chapter.

Executive Summary

1. Page 1-29 of Section 1.2.18, Consistency with Community Character, describes Germonds Road as having a semi-rural character, similar to a winding country lane. The proposed development is not consistent with this type of development; it is more of an urban design, with three stories and a 50% development coverage. The DEIS must acknowledge that the semi-rural community character will be impacted with this development. Adherence to buffer and yard requirements, required so as to better assimilate for intense housing designs into a single-family neighborhood, must be provided.

2. As mentioned above, the senior housing development is proposed to consist of seven, three-story buildings. The surrounding neighborhood, comprised of single-family dwellings, are only two-stories. Even the non-residential buildings in the area, the schools, bus garage, and the Rockland Board of Cooperative Educational Services main campus, are only two-stories in height. The DEIS states on page 1-31 that the "architectural mitigation measures consisting of adhering to the bulk requirements for side and rear setbacks, building height, architectural style similar to a single-family residential construction…will maintain a consistency with the architectural scale of the surrounding neighborhood…". This section

fails to mention or address the fact that variances are required for front buffer, rear buffer, side buffer and front yard. Furthermore, the building heights in the neighborhood are only two-stories, whereas the proposal is for three-story buildings. To state that the adverse impacts are mitigated against is misleading, as the buffers are being encroached upon, and the proposed buildings are not to scale with the surrounding neighborhood. This section must be modified.

3. The Interested Agencies list on pages 1-39 and 2-17 should be expanded to include the Rockland County Department of Public Transportation since this is a senior housing project, and service by T.R.I.P.S., a paratransit bus service for residents with disabilities or senior citizens who are aged 60 or over will most likely be requested to serve residents of this proposed community.

Description of the Proposed Action

4. Page 2-7 discusses parking requirements for the site. It is noted that 159 parking spaces are required and 167 proposed. It is further indicated that the eight extra parking spaces will be used as snow storage areas in the winter. Several concerns arise regarding the location of the parking spaces, and the use of the extra spaces for snow storage areas. These concerns include the following: the overflow of the snow piles can result in the encroachment of the snow into adjacent spaces meant for the residences; maneuverability out of the parking spaces on the site can be hindered as a result of the turnaround areas being used for the snow piles (northwestern parking area); visibility and safety issues can arise for vehicles backing out of the parking spaces adjacent to the piles, due to the immense piles blocking sight distance; snow storage spaces being located in the areas that would be used the most by the residences; the location of 16 of the parking spaces in the southwestern portion of the site are more remote for the residential parking needs; and no areas have been specifically designated guest parking. These issues must be addressed in the DEIS.

Environmental Setting

5. The document discusses the impact and mitigation measures for the environmental setting, addressing the impacts from the former use to the proposed use. However, no comparisons are provided if the site was to be developed according to the zoning district, as single-family dwellings on 22,500 sq. ft. lots. Comparisons must also be provided for the as-of-right use for the environmental setting topics.

6. It is indicated on page 3-5 that "foundations may be constructed for some/all of the buildings with framing and finish construction of the buildings occurring as demand for occupancy increases." What allowance is in place if demand does not arise? Is there a time limit to finalizing the construction? On the happenstance that demand does not exist, will the foundations be removed? This must be clarified.

7. The Phasing Plan provided is very difficult to read. The phasing description states that the buildings closest to Parrot Road will be constructed first, yet Building 7 is included in the Phase I Limit of Disturbance. Cross hatching, or some other method should be used to more clearly identify what components comprise each phase.

8. Two of the figures included in the DEIS contain symbols that are not identified in the legend. These include the Figure 3.5-1 and Figure 3.5-2. The legends must be updated so that all symbols drawn on the map are identified.

9. Section 3.8 discusses the impact of the Schimpf Farm development on agricultural resources. Though no agricultural district currently exists in Rockland County, the County is in the process of creating one. In fact, the State acreage requirement for an agricultural district was changed from 500 to 250 acres specifically for Rockland County. Specific sites in the County have been identified, and an Environmental Assessment Form has been prepared for the creation of an agricultural district. This section needs to be rewritten to acknowledge that the County is working towards creating an agricultural district, and mitigation measures stated for loss of this potential site.

10. The Impact on Aesthetic Resources is discussed in Section 3.9. The analysis provided compares the proposed development to what was previously on the site, but fails to discuss the impacts of developing the site with single-family residences. The building architecture and height, along with plantings and clearing limit lines, justify the mitigation for the project. However, there is no discussion regarding the size of the proposed buildings. Building lengths of close to 165' are proposed, and are not comparable to single-family dwellings, regardless of the architectural design or height.

    The description points out that the height complies with the bulk standard, but fails to acknowledge that variances for buffers and the front yard are required. Full compliance with the bulk regulations would decrease the impacts to the surrounding residential neighborhood. This section must address both the visual context of the large residential structures versus single-family dwellings, and the impacts to the surrounding properties since the buffer areas and front yard are not met.

11. Sections 3.13.2 and 3.13.3 address the impact of the proposed action on traffic generation and mitigation measures. Comparisons are provided between the former use and the proposed senior citizen housing use. However, no traffic generation information is provided if the site were to be developed as single-family dwellings. In addition, the traffic counts that are provided are based on 2016 information. Traffic is likely even heavier than in 2016 due to a better economy, lower unemployment rates, and less reliance on public transportation. The traffic counts are outdated and should be updated with statistics from 2019. This information must also be provided.

12. It is noted on page 3-69 that the level of service at the intersection of Strawtown Road and Germonds Road/Old Mill Road will decrease from a "D" to an "E". A level of service of and "E" is problematic, and is not considered an acceptable operating service for users. There is no discussion as to any proposed improvements to this intersection to resolve this issue. This must be provided in the DEIS.

13. The Transportation Section does not address traffic needs of the County T.R.I.P.S. service or pedestrian access to the bus routes available on NYS Route 304, which is less than 1/3 of a mile away. Since this project is proposed to construct Active Adult Residential housing,

there may be some residents who are unable to drive, and therefore need to take advantage of these transportation services. The Transportation Section should be expanded to discuss both access to bus service for pedestrians, as well as the feasibility of having the County's T.R.I.P.S. service access the site.

14. The Transportation Section should also discuss the required hauling permits for all level of roadways.

15. The proposed mitigation for odor on the site consists of vegetating the permanent pool in the detention basin, and ongoing maintenance to remove excess organic matter. It must be indicated who will be responsible for the maintenance of the detention pool, and the frequency of the maintenance.

16. Section 3.17.2 discusses the impacts of the proposed action on the surrounding land uses. It is noted on page 3-88 that the yard minimums for the senior housing development, based on the required 50-foot rear and side yards, and a 100-foot total side yards, have been met. Specifically, the paragraph states: "All building structures have been sited to comply with the bulk requirements of the Special Use Permit." This statement is inaccurate as the minimum front yard measurement of 75' is not provided, and that the buildings are situated only 58.86' and 59.38' from the front yard measurement. This statement is also contained on page 3-98 under Section 3.18.3. In addition, these measurements are also taken from the property line, and not from the designated street lines along both Parrot Road and Germonds Road, thereby resulting in a greater non-compliance (10' difference). Lastly, this section fails to acknowledge that the requirements for front, rear and side buffers are not met, and that the buffer measurements are deficient by as much as over 30%.

    Special permit uses are, by definition, subject to a higher standard of review than as-of-right uses. In addition to complying with the bulk requirements of the zone in which they are proposed, they must meet the general and individual special permit standards outlined in Section 290-17O(A). The proposed senior citizen housing development must be designed so that no variances are required. This section of the DEIS must acknowledge that variances are in fact required, and provide justification as to why they should be granted.

17. Section 3.17.3 discusses surrounding land use patterns with the proposed project. The text states that the proposed use is more harmonious than the previous use as a commercial nursery and landscapers' supply yard. However, the DEIS fails to compare the proposed use with a conforming single-family development, which is permitted as of right. Further in the text it is stated: "Upon implementation ...building height, observing recommended buffer areas, ...the proposed action is anticipated to be in harmony with the existing surrounding area thus no significant adverse impact with respect to surrounding use patterns are anticipated." This statement is also incorrect as the buffer areas, as required in Section 290-20I.(4), are not observed, and in fact, variances for over 30% deficiencies are required for the proposed development. As noted above, this section of the DEIS must acknowledge that variances are in fact required, and provide justification as to why they should be granted, and why a compliant design is not feasible.

18. Section 3.18.3C. describes the consistency with the architectural scale. While acknowledging that the building footprints are larger than a single-family residential building, the paragraph fails to recognize that a 165' long building is not consistent with the architectural scale of a single residence. In addition, the side buffer is deficient by over 30%, exacerbating the scale differential between the senior housing development and the adjacent single-family residences. To state "buildings have been sited to comply with the bulk requirements of the special use permit" is untrue, and the DEIS must note the scale and yard deficiencies.

Alternatives

19. The Conceptual Subdivision Alternative notes that the layout would have a greater land disturbance than the Senior Citizen Housing Alternative. However, an average density subdivision or cluster could be developed that would help to reduce the impact of the development on the existing wetland and stream. This would also decrease the impact on plants and animals on the site. An average density layout should also be considered as one of the alternative proposals.

20. The design of the Conceptual Subdivision Alternative is laid out so that the cul-de-sac roadway crosses the wetland and stream, and is accessed from Germonds Road, a county highway. To reduce the impact to these environmental resources on site, and to avoid the additional intersection on a county highway, the internal roadway could be designed to connect to Parrott Road instead. This would create a better design scenario for the conceptual subdivision alternative.

21. The design of the Senior Citizen Housing Alternative, Conforming Plan, Three Stories is less than ideal, resulting in a community that is not cohesive. Parking is located far from the residential units, and separates the buildings from each other. No handicapped parking is available for Buildings 1 and 2. The recreational amenities are on the edge of the community, far from the residences. In addition, 159 parking spaces are required and 168 are proposed. It must be clarified why nine additional parking spaces are needed. A design that provides a cohesive community that focuses on the amenities as a central unifying feature must be provided.

22. One of the notations in Section 4.3 is that the design of the Senior Citizen Housing Alternative, Conforming Plan, Three Stories, provides parking areas that are less convenient to Buildings 1 and 2. Underground parking, similar to what is proposed for Buildings 6 and 7 could be provided so that the parking is very convenient to the residents of these units. This would also reduce the need for such a large parking area in the center of the site, provide parking for guests, and perhaps allow the recreational amenities to be more centrally located. A redesign of this alternative concept should be provided.

23. The design of the Senior Citizen Housing Alternative, Conforming Plan, Two Stories provides buildings that are significantly longer than the proposed plan, parking partially underground, 4 additional units and 63 more parking spaces. It is not specified in the text why this design consists of more units for a total of 131 units, and why 231 spaces are proposed, when only 168 are required. A more comparable two-story design, that includes

sufficient parking, but not an overabundance of spaces, and an equal number of units, must be provided.

Additional Comments

24. The comments in the May 13, 2019 letter from the Rockland County Highway Department must be addressed.

25. The comments in the May 16, 2019 letter from the Rockland County Sewer District No. 1 must be addressed.

26. A review must be completed by the Rockland County Department of Health.

27. A review must be completed by the Rockland County Department of Public Transportation.

28. A review must be completed by the United States Army Corps of Engineers and any required permits obtained.

29. The following is a listing of tables and figures that are incorrectly labeled, either in the document, or on the table/figure itself.

    a. Page 2-11 refers to Table 2.1-1; this should be corrected to Table 2.2-1
    b. Figure 3.3-4 on page 3-21 is not labeled as such; the figure number should be added to the map.
    c. Page 3-23 refers to Figure 3.5-1 (Drawing D-1); the Drawing Number on the map is 3-24; the text should be corrected to refer to the drawing number provided on the map.
    d. Page 3-26 refers to Figure 3.5-2 (Drawing D-2); the Drawing Number on the map is 3-228; the text should be corrected to refer to the drawing number provided on the map.
    e. Page 3-29 refers to Table 3.3-3; this must be corrected to Table 3.5-3
    f. Page 3-37 indicates that Figures 3.9-1 through 3.9-6 are photo simulations; Figure 3.9-1 is the Photo Simulation Key Map, and the text should be corrected to first reference this map.
    g. Drawing Numbers 3-44 through 3-48 do not contain figure numbers, though the text refers to them using figure numbers; the Cross Section Location Plan and the four cross sections must include figure numbers. In addition, the text on page 3-37 should describe Drawing 3-44 separately, since this is not a cross section but rather a map identifying the locations of the cross sections.
    h. Page 3-57 refers to Table 1 in the Traffic Report. The text does not reference Table 3.13-1. Are these the same tables? This must be clarified and the correct table number provided in the text.
    i. Figure 3.16-1 is not referenced in Section 3.16.1. The context of the map to the text must be provided.
    j. Figure 4.1-1 is not referenced in Section 4.1. The context of the map to the text must be provided.
    k. The Conceptual Subdivision Alternative references Drawing 25. This drawing is labeled as Figure 4.2-1 and page 4-9. This reference must be corrected so that it coincides with the figure number.

l. The Senior Citizen Housing Alternative, Conforming Plan, Three Stories references Drawing 26. This drawing is labeled as Figure 4.3-1 and page 4-14. This reference must be corrected so that it coincides with the figure number.

m. The Senior Citizen Housing Alternative, Conforming Plan, Two Stories references Drawing 27. This drawing is labeled as Figure 4.4-1 and page 4-19. This reference must be corrected so that it coincides with the figure number.

Thank you for giving us the opportunity to review the Draft Scoping Document for the Schimpf Farm Senior Housing project.

Very truly yours,

Douglas J. Schuetz
Acting Commissioner

C: Rockland County Department of Highways
Rockland County Sewer District #1
Rockland County Department of Public Transportation
Rockland County Department of Health
New York State Department of Environmental Conservation
United State Army Corps of Engineers
Orange & Rockland
SUEZ New York