

State Environmental Quality Review (SEQR)

FINAL Environmental Impact Statement

for

**Park Point New Paltz
NYS Route 32 South
Town of New Paltz
Ulster County, New York**

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Lead Agency & Prepared for:

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FEIS Acceptance Date _____

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New & Revised Exhibits

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- F-2 Sidewalk Extension
- F-3 Lighting Cut Sheets
- F-4 Bedrock Elevation
- F-5 Letter of Authorization to Represent
- F-6 Bruce Boncke Memo to Planning Board, 8/29/12

Revised Exhibits:

- F-II-2A Site Rendering
- F-II-10 Pedestrian and Circulation Plans
- F-II-14 Proposed Watermain Layouts
- F-II-16 Recreational Areas Plan
- F-III-2 Proposed Cut and Fill Map
- F-III-5 Existing Drainage Plan
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Original Exhibits:

- F-II-6 Alternative Plans

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Final Appendix

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- Appendix A** Written Comments
- Appendix B** Transcripts from Public Meetings
- Appendix C** Final Stormwater Management Report
- Appendix D** MHI Report
(Volume I is included, Volume II will be supplied on CD)
- Appendix E** J.G. Barbour NRI Report
- Appendix F** Biodiversity and Habitat Assessment Report, NCES
- Appendix G** McFarland-Johnson Responses to NYSDOT
- Appendix H** McFarland-Johnson Traffic Report
(Report is included; Appendix & Synchro files to be supplied on CD)
- Appendix I** LaRocque Business Management Services Letter Report
- Appendix J** LEED Comparison Report - National Green Building Standard
- Appendix K** Donald P. Christian Letter, 1/4/13
- Appendix L** Ulster County Area Transportation (UCAT) Letter, 3/11/13
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- Appendix T** Sanitary Pump Station Design Calculations
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1 **1. Introduction**

2 **1.A Environmental Review Process**

3 The Planning Board of the Town of New Paltz, having determined that the Park Point New Paltz
4 Project (the “Project”) is a Type I action under the State Environmental Quality Review Act
5 (“SEQRA”), and having made a positive declaration of potential environmental impact, has
6 required the Project to undergo an environmental review process involving the preparation of an
7 Environmental Impact Statement (“EIS”).

8 Throughout the entire course of this environmental review, the Planning Board has endeavored
9 to fulfill the SEQRA requirements to identify the relevant areas of environmental concern, take a
10 hard look at these areas, and render a reasoned elaboration for its decision. In so doing, the
11 Planning Board has further sought to solicit and take into consideration the input of all interested
12 and involved agencies, organizations, and individuals.

13 Consistent with SEQRA’s requirement of a review [6 NYCRR Part 617.9], the Planning Board,
14 as Lead Agency, has engaged in an environmental review process that has allowed the public,
15 including organizations, neighbors, other citizens, and all other involved and interested agencies,
16 to fully participate in the process at every stage. The environmental review process will be
17 completed with the acceptance and review of this Final Environmental Impact Statement
18 (“FEIS”), opportunity for further public / agency comment, publication / filing compliance, and
19 the completion of the associated SEQRA Findings Statements.

20 **1.A.1 The Scope**

21 Under SEQRA, scoping is an optional process which allows the public and involved and
22 interested agencies to articulate the nature and extent of the matters and issues that should be
23 addressed in the EIS [6 NYCRR Part 617.8]. The Planning Board initiated a formal, public
24 scoping process beginning in January of 2011. Before the Planning Board finalized the Scope,
25 input was solicited by circulation of a draft Scope to the interested and involved agencies, and
26 public notice was given of a public comment period on the draft Scope. Based on extensive input
27 from citizens, involved agencies, and interested agencies, the Planning Board developed and
28 adopted a final Scope for the EIS on April 11, 2011 (“Final Scope”), a copy of which is included
29 in Appendix AA to the Draft Environmental Impact Statement (“DEIS”).

30 **1.A.1a Comments not addressed (Not In Scope)**

31 SEQRA requires a Lead Agency to take a "hard look" at significant environmental impacts and
32 how they may be mitigated, but SEQRA does not require an encyclopedic review. The scoping
33 process is intended not only to focus the EIS on potentially significant adverse impacts, but also
34 “to eliminate consideration of those impacts that are irrelevant or non-significant” by requiring
35 all relevant issues to be raised before issuance of a final scope. 6 NYCRR §617.8(a) and (g).

1 SEQRA requires this FEIS to respond to substantive questions or comments, but not speculative
2 comments or unsupported assertions. Furthermore, the Planning Board's adopted Final Scope
3 limits the environmental review to those issues included therein. The Project Sponsor and Lead
4 Agency are not required to address additional issues that arise during the public comment period
5 unless the commenter provides new information / proof that the issue raised has a potentially
6 significant environmental impact. Procedures for raising additional issues, after final scoping are
7 provided in 6 NYCRR Section 617.8(g). Although many opinions were expressed during the
8 public DEIS review process, some were speculative and / or outside of the Final Scope adopted
9 by the Lead Agency. Further, neither the Project Sponsor, nor the Lead Agency were provided
10 with the information required by SEQRA to analyze these additional issues in accordance with
11 6 NYCRR § 617.8(g). Therefore, pursuant to 6 NYCRR § 617.8(h), the Lead Agency has
12 decided to exclude from the FEIS issues not included in the extensive Final Scope. A response
13 of (N.I.S. - Not In Scope, see Section 1.A.1) is provided for those comments not addressed in the
14 FEIS.

15 ***1.A.2 The DEIS***

16 The Applicant first submitted the DEIS to the Planning Board in July of 2012. After extensive
17 review and consultation among the members of the Planning Board, and upon the advice of the
18 Planning Board's consultants and Town staff who regularly engage in the planning, zoning, and
19 building approval process, the Planning Board accepted a revised DEIS on September 24, 2012.
20 The DEIS is incorporated herein by reference, as if fully set forth at length.

21 ***1.A.3 The Public Comment Period/Public Hearing***

22 The approved DEIS was filed and circulated for public review in accordance with SEQRA [6
23 NYCRR Part 617.12]. A copy of the DEIS was distributed to all involved and interested
24 agencies, and to each organization or individual that requested a copy. Copies of the DEIS were
25 also made available for public review at the Town Hall, Elting Library, and Sojourner Truth
26 Library. Concurrently, an electronic copy of the DEIS was made available online by the
27 Applicant through the Town website.

28 A notice of the availability of DEIS and the commencement of the public comment period on the
29 DEIS, including the schedule for a public hearing, was also sent to the same parties, posted in the
30 Town Hall, published in the New Paltz Times, and placed in the NYSDEC's Environmental
31 Notice Bulletin.

32 The Planning Board then held public hearings November 2, 2012, November 19, 2012,
33 November 26, 2012, December 10, 2012, and January 14, 2013, with a written comment period
34 extension until January 31, 2013, to receive oral and written comments on the DEIS, as well as
35 on the Applicant's site plan and subdivision. The Planning Board received 65 written comments
36 from individuals and various agencies, as well as numerous oral comments from other
37 organizations and individuals. Comments from identified Involved or Interested Agencies

1 included United States Department of Interior Fish and Wildlife Service, NYS Department of
2 Transportation, NYS Department of Environmental Conservation, Ulster County IDA, Town of
3 New Paltz Town Board, Village of New Paltz Village Board, Town of New Paltz Environmental
4 Conservation Board, Town of New Paltz Zoning Board of Appeals, Town of New Paltz
5 Building Inspector, Town Wetland Consultant, SUNY New Paltz, and the New Paltz Regional
6 Chamber of Commerce.

7 ***1.B Summary of Public Comment on DEIS***

8 A copy of each of the written comments and the certified stenographic transcripts from the
9 public hearings are collectively included in Appendix B of the FEIS.

10 A range of comments were received which largely paralleled the potential environmental impacts
11 identified in the adopted Final Scope. The majority of comments focused on the potential
12 impacts associated with financial considerations, green development practices, water supply,
13 sewer supply, and soil conditions.

14 Various improvements to the Project design have been made in response to comments. These
15 plan / design changes are depicted and / or described in this FEIS and shown on the final plans,
16 and supplemented by new and revised exhibits submitted with this FEIS. The final plans will be
17 subject to further ongoing Site Plan Review by the Planning Board after SEQRA findings are
18 issued.

19 ***1.C Format of FEIS***

20 This FEIS is comprised of the DEIS (which is incorporated by reference), Applicant submittals,
21 the written comments received, the transcripts from the public hearings and the Planning Board's
22 response to all substantive comments.

23 The written comments are documented with a name and number (1-65), and the transcripts are
24 noted as A, B, C, and D with a number following the letter designation. A letter is given to each
25 hearing at which the commenter spoke. Following are the letter designations:

26 A – November 2, 2012;

27 B – November 19, 2012;

28 C – December 10, 2012; and

29 D – January 14, 2013.

30 Please note, that no public speakers commented at the November 26, 2012 hearing. The number
31 following the letter designation is the page of the transcript in which the commenter began
32 speaking.

1 All of the written comments and the transcripts are included as Appendix A and B of the FEIS.
2 There are numerous speakers that gave multiple written comments and spoke at one or more
3 hearings; hence they have been assigned multiple numbers.

4 The comments have been categorized by topic with subcategories assigned as well. All of the
5 substantive comments which were duplicated and/or similar in nature have been answered
6 collectively and not individually.

7 For each topic listed in the Table of Contents, the corresponding section of this FEIS includes:

- 8 ➤ A compilation of comments received for each subcategory of the topic.
- 9 ➤ The Project Sponsor's response as approved / revised by the Planning Board to each topic
10 with references to the corresponding sections of the DEIS, new or revised exhibits, and
11 new or revised appendices.
- 12 ➤ A discussion of any revisions to the site plans made by the Project Sponsor during the
13 final design process, and/or revisions made to reduce / mitigate the potential
14 environmental impacts with regard to the topic.
- 15 ➤ Identification of any increase or decrease in the potential environmental impacts from
16 those discussed in the DEIS.
- 17 ➤ Descriptions of any additional mitigation measures included with the final design by the
18 Project Sponsor and / or in response to comments.

19

20 Also included, following this introduction, is a matrix identifying each commenter and the
21 section(s) in this DEIS in which his or her substantive comments are addressed.

22 The Planning Board has considered the environmental impact and merits of the Project proposed
23 by the Applicant, and will make SEQRA Findings. The Project Sponsor has stated to the Lead
24 Agency that the SEQRA procedures and record will show that consistent with social, economic
25 and other essential considerations from among the reasonable alternatives available, the Project
26 Sponsor's preferred alternative is the one that avoids, eliminates and / or mitigates, to the
27 maximum extent practicable, the potential significant environmental impacts of the Project.

28 Before the Planning Board or any other involved agency makes a final decision on whether to
29 approve or disapprove any element of the Project, this FEIS must be filed and distributed so that
30 all involved agencies, interested agencies, and the public have a reasonable time period of not
31 less than ten calendar days to consider this FEIS [6 NYCRR Parts 617.11(a) and 617.12(b)].

32 Furthermore, prior to rendering a decision on the Project, the Planning Board must issue a
33 Findings Statement that considers the relevant environmental impacts disclosed in this FEIS,
34 weighs and balances those relevant environmental impacts with social, economic and other
35 essential considerations, provides a rationale for its decision, and certifies that the requirements
36 of SEQRA have been met [6 NYCRR Part 617.11(d)].

1 Taken as a whole, this FEIS incorporates input from the Planning Board, the community and
2 from involved and interested agencies that has been offered throughout the comprehensive
3 environmental review process to date, so that the Planning Board and other involved agencies
4 can proceed to complete their respective SEQRA Findings, and to render decisions based on the
5 balancing analysis, which is required under SEQRA [6 NYCRR Part 617, et seq].

1 **I. COMMENTS / RESPONSES**

2 **SECTION A - SOILS**

3 *a. Arsenic / Pesticide Impacted Soils*

4
5 Jenna Dern (41)

6 The risks of disturbing contaminated soils to human health and wildlife is not something that can
7 be easily measured. I would recommend the Planning Board get the developer to hire a third-
8 party consultant on whether the proposed remediation is appropriate and effective.

9

10 SUNY Clubs (39)

11 Seven of the ten soil samples taken at the proposed site documented arsenic levels exceeding
12 both the Ulster County Department of Health and the State Department of Environmental
13 Conservation guidance levels. Additional soil and water testing needs to be done by a neutral
14 party hired by the Town Planning Board and unaffiliated with Wilmorite.

15

16 Environmental Conservation Board (38)

17 The presence of toxic materials on the property, arsenic in particular, is a matter of great
18 concern. We recommend that the Planning Board retain a consultant at the developer's expense
19 to advise on the health risks of disturbing the contaminants, and on whether the proposed
20 remediation is appropriate; and we recommend further that the consultant have no commercial
21 ties.

22

23 Students (34)

24 Concern for students and workers who will be working with/will be in the vicinity of soil
25 containing high levels of arsenic and other harmful pollutants.

26

27 Joaquin Raymundo (20)

28 Both arsenic and lead are cumulative toxins, the effects increase with more exposure, and the
29 human body has a great difficulty removing these elements once they are present. Levels are
30 claimed in the Park Point DEIS to be "safe for adults." Does that mean the levels are not safe for
31 children? If that is the case, can promises be made that children will never live in the Park Point
32 complex? Is such a restriction in place now?

1 Michael Wietecha (23)

2 These levels of arsenic are very high and of great concern. They would signify a very elevated,
3 feverish temperature which requires immediate medical attention.

4

5 J.G. Barbour (9)

6 Since soil surveys are based on extrapolations from limited sampling and testing, onsite soil
7 testing should be required to verify layer depths and contents, particularly beneath locations of
8 buildings.

9

10 ZBA Letter (47)

11 Is the safety of the neighborhood and the residents guaranteed by appropriate removal or
12 treatment of chemicals in the soil? How, and by whom, will be the procedures be monitored
13 before, during and after construction?

14

15 Andi Weil Bartczak (A-66)

16 Expressed concern over the soil sampling locations relative to pesticides, lead, arsenic etc. Not
17 appropriate to just sample under trees as there may be other hot spots. Should not just assume
18 first 3 inches off soils may be contaminated should check further down.

19

20 Mike Wietecha (A-70)

21 Has concern of the detected levels of arsenic in the soil and what will be done about this? Why
22 hasn't the groundwater been tested for arsenic?

23

24 Rebecca Berlin (A-81)

25 Concerns with soil contamination and how it will be treated and how the construction workers
26 and students will be protected. Idea of spraying it with water, does not feel this is sufficient. Is
27 the soil going to be moved somewhere else on campus? Will someone have to be paid to move it
28 somewhere else? Suggest that additional soil and water test be performed by independent
29 consultant.

30

31

1 Roberto M. Lobianco (A-117)

2 Encourage outside consultant to evaluate arsenic in the soils more than 3 feet below the surface.
3 Is it safe to bury the contaminated soil under sidewalk and asphalt?

4
5 Zachary Rousseas (A-125)

6 Why aren't the toxins in the ground being adequately addressed?

7
8 Sylvia Logodka (A-128)

9 Expressed concern over the effects of heavy metal poisoning and that the soil testing was done
10 by a private contractor.

11
12 Michael Wietecha (B-37)

13 Expressed concern over the levels of arsenic found in the soil and possible health affects

14
15 John House Wilson (B-139)

16 Expressed concern over the arsenic and lead in the soils and how it will be properly treated with
17 the development of the project and prevented from getting into the wetlands and watercourse.

18
19 Ben Miller (C-17)

20 Concerned over arsenic in the soils and possible effect on the groundwater.

21
22 ENCB (39)

23 The Planning Board needs expert advice on remediation of pesticides.

24
25 Al Wegener (53)

26 It took thousands of years to build these native "top soils", which contain organic matter and
27 nutrients very beneficial to trees. Their use, under non-contaminated soils, would be a big
28 improvement over the soils used widely for tree planting.

29
30
31

1 David Porter (D-15)

2 There should be independent inspection and monitoring of the contaminated soils throughout the
3 construction of the project.

4
5 Jim Littlefoot (C-5)

6 Soils on a sunny day the temperature of the asphalt can reach 150 degrees on a square foot.
7 Asphalt will be about 300 degrees when installed. Arsenic is a metallic substance that can burn
8 from a matter state to a gaseous state under these high temperatures regardless of how much
9 water you put on the soil.

10

11 Planning Board (64)

12 Are there bio remediation techniques used to remove arsenic from the soil?

13

14 Mike Wietecha (A-70)

15 How will (construction) workers be protected and how will the construction process be affected
16 by the presence of arsenic in the soil.

17

18 ***Response:***

19 ***Soil sampling was performed on the site to assess for the possible presence of pesticides and***
20 ***arsenic at levels that could present a concern to occupants of the site or to groundwater***
21 ***beneath the site. Thirty two (32) samples were collected from soils at a depth of 0 to 6 inches***
22 ***(surface), ten (10) samples were collected from a depth of 6 to 12 inches and five (5) samples***
23 ***were collected from a depth of 12 to 18 inches across the site and analyzed for arsenic and***
24 ***pesticides. The sampling locations are shown on Drawing Number 1 in Appendix O of the***
25 ***FEIS which also includes the proposed site development layout. Analytical results are***
26 ***included on Table 1 in Appendix O of the FEIS. The results of the testing were compared to***
27 ***threshold guidance criteria for site use set by the New York State Department of***
28 ***Environmental Conservation (6 NYCRR Part 375) in the guidance document entitled***
29 ***“Technical Guidance for Site Investigation and Remediation”. The pesticide Dieldrin, and***
30 ***arsenic were found in surface samples (0 to 6 inch depth) at levels above guidance criteria set***
31 ***by the New York State Department of Environmental Conservation for Restricted Residential***

1 *Use. Levels of all chemical compounds dropped below threshold concentrations for*
2 *Residential Use in samples collected below 12 inches.*

3

4 *The soil impacted with arsenic and pesticide levels above of NYSDEC guidance criteria were*
5 *found to exist in the abandoned apple orchard area (see Existing Conditions Plan). Soils in*
6 *the pear orchard, along Route 32 north of the proposed primary project entrance and in the*
7 *wooded area where Stormwater Management Pond B-1 is to be constructed, did not have any*
8 *elevated levels.*

9

10 *Bio-remediation techniques are not practical for removal of arsenic from the soil in the time*
11 *frame available. As such, site conditions will be created that meet the requirements for*
12 *Residential Use Criteria contained in the above referenced guidance document by using*
13 *physical control means. The proposed project will eliminate the potential for exposure of*
14 *occupants of the site to these chemical compounds in three ways. First, the proposed*
15 *development will contain building structures and paved or hardened parking and pedestrian*
16 *surfaces. The potential for exposure to subsurface soils containing elevated levels of*
17 *chemicals of concern will be eliminated. Secondly, the proposed site grading plan calls for*
18 *removal of 8 inches of the surface soil layer containing elevated levels of pesticides and*
19 *arsenic and placement of this soil in four designated controlled fill areas of the site. The*
20 *controlled fill areas and any surface areas around the development not covered by building or*
21 *pavement will then be covered by a minimum of 6 inches of clean topsoil meeting guidance*
22 *criteria thereby eliminating the possibility of exposure to soils with elevated levels of*
23 *compounds of concern. Thirdly, gardening will only be allowed in designated plots on the site.*
24 *Warning barriers will be installed over the subsoils beneath a 12" depth of clean topsoil cover*
25 *to prevent any potential of exposure to impacted soil, even though it is very unlikely that the*
26 *subsoils would be impacted.*

27

28 *Site Plan Drawing 2260-12 was prepared to show how the impacted topsoil will be handled*
29 *during construction in conjunction with implementation of erosion control measures. The*
30 *plan identifies the location of impacted and clean topsoil and shows where the impacted and*
31 *clean topsoils will be placed. The "Sequence of Construction Notes" on the plan identifies the*

1 *order in which: erosion control measures are to be installed; stormwater management areas*
2 *are to be constructed; and impacted and clean topsoil will be stripped and stockpiled / used for*
3 *fill areas and berm construction. Clean topsoil from Areas 1, 4, 9 and 12 is to be stripped and*
4 *placed in stockpile Areas 2 and 5 for re-use in landscape areas. Impacted topsoil from Areas*
5 *2, 3, 6, 7, 8 10, and 13 is to be placed in Areas 3, 4, 7, and 11 to create landscape berms for*
6 *aesthetics and buffering. Impacted topsoil will also be placed in the non-structural backyard*
7 *fill Area 11. All impacted topsoil berm and fill areas are to be covered with a minimum 6"*
8 *thick depth of clean topsoil. The proposed berm area 4 will exist adjacent to the faculty / staff*
9 *housing. Therefore, prior to placing 6" of clean topsoil over berm Area 4, a continuous layer*
10 *of non-woven geotechnical fabric will be installed over the berm to act as a warning barrier.*

11
12 *As referenced previously in a few cases (3 of 7), arsenic was found in the subsoils at a*
13 *diminished concentration, but slightly above NYSDEC thresholds to a depth of 12". All*
14 *subsoils within the grading limits will be covered with either hard surfaces or clean topsoil.*

15
16 *All local and state regulations or guidelines regarding the protection of construction workers*
17 *relative to soil conditions or other work safety related practices will be followed.*

18
19 *Construction workers will be protected during the movement of impacted soils by following*
20 *some simple site work procedures. Earthmoving crews will wear dust masks and shower, and*
21 *change clothes before they leave the site. All personal vehicles will be parked in designated*
22 *"clean" zones away from the site construction activities to prevent dust and dirt from being*
23 *carried from the site. All equipment used for the moving of the impacted soil will remain on*
24 *site until the work is done or be decontaminated before it leaves the site.*

25
26 *A community air monitoring program will also be implemented. Dust levels will be monitored*
27 *at the fence line of the project. The Developer will retain the services of a licensed*
28 *professional engineer to implement the program which will include conducting periodic*
29 *inspections of site activities and air monitoring for dust while the soils of concern are being*
30 *moved and placed into the control fill areas. Site work will be stopped and corrective*
31 *measures taken if dust levels exceed DOH criteria. Procedures will be in place for*

1 *communication with regulatory agencies to respond to any unforeseen site conditions*
2 *throughout the remainder of the project execution phase.*

3
4 *It should be noted, where paved surfaces are planned the subsurface must first be prepared by*
5 *applying a layer of new structural fill (stone). This layer of stone will receive the layer of*
6 *pavement. Since subsurface soils only marginally exceed guidance levels, and because a*
7 *layer of stone will be placed between the soils and pavement, the temperature of any soil*
8 *containing residual levels of arsenic will not reach temperatures that could result in*
9 *volatilization of any chemical compounds. Moreover, the arsenic binds with the soil and this*
10 *eliminates the potential for translocation in any event.*

11
12 *b. Miscellaneous*

13
14 Planning Board (64)

15 Will integrated Pest Management (IPM) be used in lieu of pesticides?

16
17 Ariana Basco (B-104)

18 Is there a commitment by Wilmorite not to use herbicides or pesticides? If we have campus
19 community gardens can we have the students work on the gardens like Students for Sustainable
20 Agriculture have? What are the gardens going to be used for and where will the plants come
21 from?

22
23 ***Response:***

24 *The Project Sponsor will utilize an IPM program to maintain the landscaped areas of the site.*
25 *An IPM program involves a number of steps including monitoring/identifying pest, prevention*
26 *and ultimately control. Once monitoring and identification indicate that control is required an*
27 *IPM program will then evaluate the proper control method for both effectiveness and risk. The*
28 *Project Sponsor will, when needed, engage an IPM consultant to chose the most suitable*
29 *means of implementation as required. This does not, however, rule out the possibility of using*
30 *herbicides or pesticides on unwanted invasive species if the IPM program cannot control these*
31 *plants and/or insects.*

1 *The community gardens have been established for the express use of the residents of the*
2 *project. The sourcing of individual plant materials will be left up to the project residents.*

3
4 Al Wegener (53)

5 Adequate volume of non-compacted soil containing at least 2% organic matter is important to
6 help trees retain healthiness and immunity to insects and diseases through periods of severe
7 weather variability. Also, an adequate volume of soil, on all sides of the tree, is needed for trees
8 to develop the extensive, horizontal root systems necessary for stabilization in stormy wet
9 weather. And so space is needed to provide this. Studies to determine what is "adequate" soil
10 volume consist of work mostly by Cornell's Institute of Urban Forestry. Unfortunately, so many
11 variables are involved that it is not possible to relate specific findings directly to the site.
12 However, soil volume is deserving of serious consideration as the site plan undergoes further
13 refinement. And I will be pleased to meet with and discuss this in detail with the Project
14 Sponsor, the earlier in this process the better.

15
16 ***Response:***

17 *The team of Landscape Architects and Landscape Designers that have been working on the*
18 *project have developed a landscape plan that takes into consideration the soil conditions on*
19 *the site and adequate area has been given for healthy tree growth and development.*

20
21 c. Exhibits / Appendices

22
23 ***The following Appendix and site plan drawing:***

24
25 ***Appendix O – Soil testing (new)***

26 ***Drawing #2260-12 Construction Erosion Control and Soil Remediation Plan***

27
28 d. Environmental Assessment

29
30 ***Three pesticides (4,4'-DDE, 4,4'-DDT, and Dieldrin), arsenic and lead were found in***
31 ***surface samples (0 to 6 inch depth) at levels above guidance criteria set by the New York State***
32 ***Department of Environmental Conservation for Restricted Residential Use. Levels of all***

1 *chemical compounds dropped below threshold concentrations in samples collected below 12*
2 *inches.*

3
4 e. Mitigation Measures

5
6 *The following mitigation measures are proposed as described in the DEIS and FEIS:*

7
8 • ***Erosion Control:***

9 ➤ *Erosion control techniques and practices follow "New York State Standards for*
10 *Erosion and Sediment Control." A Final Stormwater Pollution Prevention*
11 *Plan has been submitted to NYSDEC for approval prior to commencing*
12 *construction.*

13 ➤ *The Erosion Control Plans include a sequence of construction and installation*
14 *of silt fence, interceptor swales, sediment traps, check dams and provisions for*
15 *early seeding and stabilization of disturbed areas to protect adjacent properties,*
16 *streams and wetlands from sediment discharges.*

17
18 • ***Rock Removal:***

19 ➤ *From the extensive geotechnical investigation, it does not appear that blasting*
20 *rock will be required. Should any blasting be required at the project site, a pre-*
21 *blast survey, proper notification, the utilization of blasting mats and other*
22 *standard protocol will be utilized. Any rock that may need to be removed will be*
23 *reused or buried in non-structural fill areas. Some of the safety measures to be*
24 *employed include proper blasting notification and signage, coordination of*
25 *timing with the Town, and use of blasting mats to prevent ejection of soil and*
26 *stone materials from the blast area. The contractor will be required to obtain a*
27 *Demolition Permit from the Town of New Paltz Building Inspector as part of*
28 *the Ministerial Permit Review [6 NYCRR Part 617.5(c)(19)].*

1 **Remediation of Arsenic / Pesticide Impacted Soils:**

- 2 • **Impacted soils will be buried on site to eliminate potential human contact during and**
3 **after construction by complying with the following mitigation measures:**
- 4 ➤ **Construction workers will be protected during the movement of impacted soils**
5 **by following some simple site work procedures. Earthmoving crews will wear**
6 **dust masks and shower, and change clothes before they leave the site. All**
7 **personal vehicles will be parked in designated "clean" zones away from the site**
8 **construction activities to prevent dust and dirt from being carried from the site.**
9 **All equipment used for the moving of the impacted soil will remain on site until**
10 **the work is done or be decontaminated before it leaves the site.**
- 11 ➤ **A community air monitoring program will also be implemented. Dust levels will**
12 **be monitored at the fence line of the project. The Developer will retain the**
13 **services of a licensed professional engineer to implement the program which**
14 **will include conducting periodic inspections of site activities and air monitoring**
15 **for dust while the soils of concern are being moved and placed into the control**
16 **fill areas. Site work will be stopped and corrective measures taken if dust levels**
17 **exceed DOH criteria. Procedures will be in place for communication with**
18 **regulatory agencies to respond to any unforeseen site conditions throughout the**
19 **remainder of the project execution phase.**
- 20 ➤ **The proposed project will eliminate the potential for exposure of occupants of**
21 **the site to these chemical compounds in three ways. First, the proposed**
22 **development will contain building structures and paved or hardened parking**
23 **and pedestrian surfaces. The potential for exposure to subsurface soils**
24 **containing elevated levels of chemicals of concern will be eliminated. Secondly,**
25 **the proposed site grading plan calls for removal of 8 inches of surface soil layer**
26 **containing elevated levels of pesticides and arsenic and placement of this soil in**
27 **four designated controlled filled areas (landscape berms) of the site. The**
28 **controlled filled areas and any surface areas around the development not**
29 **covered by building or pavement will then be covered by a minimum 6 inches of**
30 **clean topsoil meeting guidance criteria thereby eliminating the possibility of**
31 **exposure to soils with elevated levels of compounds of concern. Thirdly,**

1 *gardening will only be allowed in designated plots on the site. Warning barriers*
2 *will be installed over the controlled fill areas beneath the topsoil cover to*
3 *prevent access to the layer that could contain impacted soil thereby preventing*
4 *accidental exposure. A landscape berm (controlled fill area) is proposed*
5 *adjacent to the faculty / staff housing. Therefore, prior to placing 6" of clean*
6 *topsoil over this berm, a continuous layer of non-woven geotechnical fabric will*
7 *be installed over the berm to act as a warning barrier.*

8
9 • ***Pesticide / herbicide use after project completion:***

- 10 ➤ *The Project Sponsor will utilize an integrated pest management system (IPM) to*
11 *the maximum extent practicable. An IPM program involves a number of steps*
12 *including monitoring/identifying pest, prevention and ultimately control. Once*
13 *monitoring and identification indicate that control is required an IPM program*
14 *will then evaluate the proper control method for both effectiveness and risk.*
15 *The Project Sponsor will, when needed, engage an IPM consultant to chose the*
16 *most suitable means of implementation as required. However, there may be*
17 *instances on the project site that may warrant the use of pesticides and/or*
18 *herbicides. For example, the use of pesticides and/or herbicides may be used on*
19 *invasive species that have encroached on the site and their removal or*
20 *eradication may be beneficial to maintain the health of existing and proposed*
21 *flora and fauna on the site. Only approved pesticides and herbicides will be*
22 *applied by licensed applicators per the use and safety requirements as outlined*
23 *within local, state and federal regulations. No impacts are anticipated from the*
24 *use of these permitted compounds.*

25
26
27 **SECTION B - GEOLOGY (No Comments in this Section)**

28
29 **SECTION C - TOPOGRAPHY (No Comments in this Section)**
30

1 **SECTION D - SURFACE WATER**

2
3 a. Stormwater Runoff

4
5 Curt Lavalla- Village of New Paltz (27)

6 A significant reduction in required parking, as may be permitted by the town Zoning Board of
7 Appeals, would also greatly mitigate adverse environmental impacts upon delineated onsite
8 federal wetlands, due to the decreased quantity and increased quality of post-development
9 stormwater runoff. This measure should be facilitated by the town Planning Board and Zoning
10 Board of Appeals, in conjunction with the project sponsor.

11
12 Planning Board (64)

13 Provide information that shows how this project fits with and into the campus watershed
14 regarding increased drainage discharges.

15
16 J.G. Barbour (9)

17 Projections of flooding levels, areas and duration should be calculated according to updated data
18 and analysis based upon the potential for increased precipitation from anticipated climate change
19 effects.

20
21 Bob Cook (30)

22 Preface this with the observation that 20 years ago, one could jump over the stream and actually
23 take a path from Cross Creek over to the college properties. Recent building at the college (and
24 probably Cross Creek), have turned more and more of this property into wetlands throughout the
25 year. As I try to figure out the different staging areas of groundwater to control flooding, I can't
26 get a handle on the impact to the "unnamed tributary", only the site itself and the minimal effect
27 on the Wallkill River. Plus, their usage of "minimal" and "limited" don't quantify things very
28 much.

1 Bob Cook (30)

2 Reference is made to rainfall greater than 1.2 inches. How is that handled? Is water let out of
3 the retention areas prior to storms at a controlled rate so will they normally be dry or act as
4 mosquito magnets?

5
6 Mike Blaha (A-116)

7 Expressed concern over flooding of the creek especially if there is going to be more run off from
8 the project.

9
10 Bob Cook (30)

11 Who is accountable if stormwater facilities cause flooding to Harvest Hills properties?

12
13 Bob Cook (30)

14 Sewage treatment plant will be expected to process 50,000 gallons/day (sometimes referenced as
15 a 55,000 gpd), but could handle capacity up to 250,000 gallons. So which output was used for
16 the studies on impacts to streams/rivers?

17
18 Roberto M. Lobianco (A-117)

19 What impact will tapping into the aquifer have on the creeks, will they dry up?

20
21 ***Response:***

22 ***A significant amount of hard surface parking will be land banked allowing for reduction in***
23 ***impervious surfaces and an increase in greenspace. As stated in Section F.e., a total of 236***
24 ***spaces will be land banked and the amount of hard surface parking will be reduced by 38%***
25 ***below the amount required by Code. However, for stormwater design, it was conservatively***
26 ***assumed that the land banked parking spaces would be constructed for design of the***
27 ***stormwater management ponds and green infrastructure practices. If the impervious surfaces***
28 ***are never built, then the water quality improvement treatment and flow rate reduction will be***
29 ***effectively increased providing for further flood control and further improved water quality***
30 ***treatment.***

31

1 *The northern 2/3 of the site drains to tributaries that discharge through the SUNY campus.*
2 *The stormwater management ponds were designed to hold back and slowly release runoff*
3 *from them in order to reduce peak runoff rates to or below existing peak runoff rates.*
4 *Therefore, the design should not increase runoff rates to the campus drainage facilities.*

5
6 *The Project Sponsor's engineers are not aware of any data that would provide information*
7 *relative to an expected increase in precipitation due to climate change. The stormwater*
8 *management ponds, however, are designed to attenuate existing flows below existing*
9 *conditions. Therefore, the ponds are typically oversized(see Appendix C of the FEIS) such that*
10 *increases in precipitation can occur without exceeding the capacity of the stormwater*
11 *management ponds.*

12
13 *As discussed above, and in accordance with the NYSDEC SPDES Permit GP-0-10-001*
14 *Regulations, the stormwater management is designed to reduce surface runoff from the site to*
15 *or below existing conditions. References to minimal and limited effects on the Wallkill River*
16 *refer to the small percentage of site runoff rates as compared to the large flow rates of the*
17 *Wallkill River. As such, the minor reduction in flow rates that occur from the site stormwater*
18 *management design would not reduce flow rates in the Wallkill River by any measurable*
19 *amount.*

20
21 *With respect to groundwater effects on surface runoff, surface runoff can be increased by*
22 *groundwater flow under some circumstances where soil conditions are such that surface water*
23 *from precipitation events infiltrates into the soil and is conveyed along an impermeable layer*
24 *eventually discharging to the surface such as within the wetlands or to a stream. With respect*
25 *to the Project, the geologic conditions are such that some of the water that infiltrates into the*
26 *soil does discharge to the wetlands in the form of small springs or "seeps" that are visible*
27 *within the wetlands, particularly during the spring and fall when the perched groundwater is*
28 *the highest. The green infrastructure design for the project supports and facilitates the*
29 *continuation of this groundwater supply to the wetlands. Green infrastructure practices*
30 *include infiltration basins and bio-retention areas. The intent of the green infrastructure*
31 *design is to replicate the pre-existing infiltration properties of the site for 90% of the*

1 *precipitation events, which for this area includes all precipitation events up to 1.2 inches.*
2 *Therefore, the amount of precipitation that infiltrates and surfaces in the wetland under*
3 *existing conditions is designed so that it is replicated under developed conditions. The*
4 *stormwater that infiltrates and discharges is also filtered by the soil for water quality*
5 *improvement prior to discharging to the surface water or groundwater.*

6
7 *The four stormwater ponds will have water permanently ponded in them at a level equal to the*
8 *perched groundwater level, or the invert elevation of the outlet structure, whichever is lower.*
9 *The ponded water promotes additional water quality improvement by allowing for settlement*
10 *of particulate matter and by bio-absorption of pollutants through wetland fringe plantings.*
11 *Storage is available above the ponded surface levels to allow for detention of stormwater*
12 *runoff up to and including 100 year storm events.*

13
14 *Computer models of existing and proposed stormwater runoff conditions were created using*
15 *methodology described in Technical Release 55 of the US Department of Agriculture Soil*
16 *Conservation Service. Models of the post-development outflows from the stormwater*
17 *management ponds were determined using pond routing calculations that determine outflow*
18 *rate in consideration of the inflow rates, outfall structure configuration, and stormwater pond*
19 *geometry (see Appendix C of the FEIS). The four stormwater ponds are designed to reduce*
20 *the potential of downstream flooding by reducing flow rates to at or below existing conditions.*
21 *Therefore, it cannot reasonably be expected that flooding will occur in Harvest Hills or other*
22 *off-site areas resulting from increased runoff caused by the Project.*

23
24 *b. Sewage Water Dispersal / Discharge*

25
26 Bob Cook (A-56)

27 It is not clear where the discharge from the wastewater treatment plant is being directed. There
28 are currently neighbors that experience flooding during major rain events, where is all of this
29 stormwater being directed.

1 Bob Cook (6)

2 The maps that I saw seemed to truncate the stream water flow after it leaves the parcel, so I was
3 unable to determine where the water dispersed nor where the water from the sewage treatment
4 plant goes after processing. It appeared to flow into the wetlands that may disperse into the
5 stream along and under Cross Creek. Since that area already floods quite easily in major
6 rainstorms/thaws, the added water and even the direct disbursement into the wetlands from the
7 site (instead of water permeating into the ground as it travels to the wetlands, it will now flow
8 into streams such that more water will actually reach the wetlands) will undoubtedly stress a
9 stream that already struggles with handling water flow. While our house would not be affected,
10 it would affect at least three houses along Cross Creek.

11

12 ***Response:***

13 ***The original design of the stormwater management assumed the treated effluent from the***
14 ***sewage treatment plant would discharge to the adjacent stormwater management area where***
15 ***the flow rates could be controlled. As a result of the coordinated SEQRA review process, the***
16 ***NYSDEC has now determined that the effluent can not be discharged to the stormwater***
17 ***management pond. Therefore, the plans have been revised accordingly to further mitigate this***
18 ***potential impact and the discharge effluent will now be piped and discharges to the ground***
19 ***surface west of the Waste Water Treatment Plant (WWTP) as shown on the final site plans.***

20

21 ***Due to this design change, the stormwater management calculations have been revised. The***
22 ***flow rate of the WWTP effluent discharge pipe is very low (2% -100 yr. - 9%-1 yr.) as***
23 ***compared to the stormwater runoff within its watershed.***

24

25 ***The maximum effluent discharge rate for the initial 50,000 gpd treatment plant will be 75***
26 ***gpm. At full capacity of 250,000 gpd, the maximum discharge rate could be 375 gpm or 0.84***
27 ***cfs. The stormwater management pond (C-1) in the vicinity of the sewage treatment plant has***
28 ***been made larger such that the pre-existing runoff rates will be sufficiently lowered and***
29 ***attenuated, even if the Town decides to expand the sewage treatment plant to full capacity of***
30 ***250,000 gpd as demonstrated on the following table:***

31

TABLE D-1

Design Storm	1. Existing Conditions Peak Runoff Rate (cfs) @ Analysis Point C	2. Proposed Runoff Rate after Detention @ Analysis Point C	3. Maximum STP Outflow Rate @ Full 250,000 gpd	4. Total Flows 2 & 3 @ Analysis Point C	5. % Reduction from Existing
<i>1 yr.</i>	<i>13.53</i>	<i>8.07</i>	<i>0.84</i>	<i>8.91</i>	<i>34%</i>
<i>2 yr.</i>	<i>17.78</i>	<i>10.57</i>	<i>0.84</i>	<i>11.41</i>	<i>36%</i>
<i>5 yr.</i>	<i>27.02</i>	<i>16.01</i>	<i>0.84</i>	<i>16.85</i>	<i>38%</i>
<i>10 yr.</i>	<i>36.79</i>	<i>21.76</i>	<i>0.84</i>	<i>22.60</i>	<i>39%</i>
<i>25 yr.</i>	<i>41.81</i>	<i>25.55</i>	<i>0.84</i>	<i>26.39</i>	<i>37%</i>
<i>50 yr.</i>	<i>46.89</i>	<i>31.17</i>	<i>0.84</i>	<i>32.01</i>	<i>32%</i>
<i>100 yr.</i>	<i>57.18</i>	<i>38.50</i>	<i>0.84</i>	<i>39.34</i>	<i>31%</i>

The above table indicates that flow rates from the watershed that eventually discharge to the stream / ditch along the north side of Cross Creek will be decreased after development and construction of the C-1 stormwater management pond. Therefore, the flood potential will be decreased from the existing conditions.

It is possible that a more consistent flow in the stream / ditch will be noticed since the sewage treatment plant will discharge treated effluent every day at a low rate. By contrast, under existing conditions, there could be time periods in the summer months when flows in the stream / ditch either don't occur or occur at a low rate of flow. However, as analyzed above and demonstrated in Table D-1, the flood potential should be decreased.

c. Exhibits and Plans

The following exhibits and plans are related to this section:

Exhibit FIII-5 (updated DEIS Exhibit III-5)

Exhibit FIII-5A (updated DEIS Exhibit III-5A)

Exhibit FIII-7A (updated DEIS Exhibit III-7A)

Appendix C (updated)

Final Site Plans

1 *d. Environmental Assessment*

2
3 *The final design completed concurrent with the FEIS included final design of the proposed*
4 *stormwater management facilities for the project. The stormwater management ponds and*
5 *green infrastructure design were updated based on the final grading design, final soil tests,*
6 *groundwater levels, and infiltration rates. The updated design calculations are included in*
7 *revised Appendix C of the FEIS. The calculations show that the assumptions made when the*
8 *DEIS was prepared were substantially met, even though some of the green infrastructure*
9 *practices have been refined from bio-retention practices to infiltration basins, based on*
10 *perched groundwater levels and soil permeability test results. Infiltration basins provide more*
11 *mitigation than bio-retention basins. Bio-retention basins filter runoff and then slowly*
12 *discharge it to the stormwater management ponds. Infiltration basins infiltrate surface*
13 *runoff, therefore a portion of the stormwater runoff is not discharged to the surface.*

14
15 *The regulations generally require that the Runoff Reduction Volume (RRv) provided in green*
16 *infrastructure practices be equal to the Water Quality Volume (WQv)(see updated Stormwater*
17 *Management Report - Appendix C of the FEIS, for a definition of these terms). The final*
18 *design indicates that all impervious runoff from the site will be treated in a green*
19 *infrastructure practice. The green infrastructure practices, in conjunction with the*
20 *stormwater management ponds, are designed to treat 100% of the WQv meeting NYSDEC*
21 *permit requirements.*

22
23 *e. Mitigation Measures*

24
25 *The following mitigation measures are proposed:*

- 26
27
 - *Stormwater management ponds are designed to:*
 - 28 *➤ Comply with the NYS Design Manual.*
 - 29 *➤ Reduce runoff rates to or below existing conditions for flood control.*
 - 30 *➤ Allow for settlement of sediments for water quality improvement.*
 - 31 *➤ Incorporate a wetland fringe for bio-absorption of pollutants.*

1 ➤ *Discharge cooler waters for reduced thermal impacts.*

2

3 • *Green Infrastructure is designed to:*

4 ➤ *Replicate the pre-development infiltration rates.*

5 ➤ *Maintain groundwater recharge levels similar to existing conditions.*

6 ➤ *Filter pollutants from stormwater runoff.*

7 ➤ *Use enhanced buffer plantings to encourage evaporation and transportation of*
8 *stormwater runoff, improve the wetland buffer habitat, and add to the landscape*
9 *aesthetics.*

10 ➤ *Maintain groundwater flows to the wetland replicating existing conditions and*
11 *maintaining wetland hydroperiods.*

12

13 • *Sewage treatment plant effluent discharges are designed to:*

14 ➤ *Meet water quality standards as required by NYSDEC, including control of nitrate*
15 *and phosphorus levels.*

16 ➤ *Provide for continual remote monitoring and operating by a NYS licensed operator.*

17 ➤ *Provide stand-by operators for continuous operation during power outages.*

18 ➤ *Ensure that flows from the sewage treatment plant will not impair water quality or*
19 *increase runoff rates.*

20

21 **SECTION E - GROUNDWATER**

22

23 a. *Aquifer / Wells*

24

25 Alan Goodman & Kathleen Mazzetti (1)

1 It seems the water supply may require wells to be drilled. There are many homes, as well as our
2 apartments, that use wells for their water. Please make sure care is taken not to adversely affect
3 our wells.

4
5 NYSDEC (60)

6 The project requires a Water Supply Permit from this department since the maximum day
7 demand is more than 100,000 gpd. Please see DEIS, page 277. Please note that a withdrawal of
8 100,000 gpd or more for irrigation from the ponds will require a water supply permit from this
9 department. Please see DEIS, page 207.

10

11 NYSDEC (60)

12 The proposed pumping test protocol is acceptable except for one important issue. Section 2.2,
13 Aquifer Test Withdrawal Rate, states that "several bedrock wells may be required to meet the
14 proposed demand." The protocol does not address whether multiple wells will be tested
15 simultaneously. If multiple wells are required in order to meet demand it must be determined if
16 well interference exists between them, and the degree to which it exists. This is a critical issue
17 because if interference exists between wells, the resulting lowering of water levels can
18 significantly reduce production at all wells. The Project Sponsor must address this issue in a
19 revised test protocol and resubmit it to DEC.

20

21 Bob Cook (30)

22 The wells do not exist on either part of the parcel so it is not clear how they are financed along
23 with the lines, water tower and purification plant. Wilmorite would probably pay for it but it is
24 not clear how much is covered by Moriello and how much by Wilmorite. I could only find 3
25 wells on the map but supposedly there are 4. They will be checking impacts of well on homes
26 within a 1/4 and 1/2 mile radius - will that be shared with those homeowners (before and after)?

27

28 Bob Cook (30)

29 As we have drought issues every other summer - how is that handled with the four wells (276)
30 since even homeowners with wells get more careful.

31

1 Bob Cook (6)

2 The well on the other side of 32 will tap into an aquifer to provide water to all the housing. Is
3 there any analysis to determine if that aquifer is shared with any other housing.

4

5 Bob Cook (30)

6 It also appears that the SBR is expandable beyond 250k gpd which is good but scary at the same
7 time. Groundwater Well Supply is 700 feet west of project site - where is this and how close is it
8 to property boundaries on Cross Creek and Hawk Hill?

9

10 Bob Cook (30)

11 Since these homes have wells and not a public water supply, it is difficult to assess the impact of
12 these processed waters should they flood into a home's well cap.

13

14 Joaquin Raymundo (20)

15 We believe that the offsite wells will drain the local aquifer, forcing Park Point to be connected
16 to the Water District in the near future.

17

18 Karen Rhinehart (28)

19 Water sources for residential properties are jeopardized and have no public water source to hook
20 on to. What is environmental impact of 1000's of feet of piping through private property under
21 road? These are major wells - why should the town take over in 40 years when there will be
22 major expenses for repairs only for this project. The water and sewer facilities required double
23 the size of the project. Why aren't these utilities on the premises instead of potentially
24 compromising the water supply of existing homes on the east side of 32 solely dependent on
25 private wells?

26

27 Karen Rhinehart (B-4)

28 Has the parcel for the water source been designated for this important resource? Shouldn't this
29 be a major part of the submission. Water sources for residential properties could be jeopardized
30 What is the environmental impact of installing thousands of feet of water piping through private
31 property. Why should the Town take over the utilities in 40 years if they are only serving the

1 project? Why aren't these utilities on the project site instead of compromising residential water
2 supplies?

3

4 Karen Rhinehart (28)

5 Understand water source will be wells on east side of Route 32. Has a parcel of land been
6 designated for this important resource? Shouldn't this Water Project be a major part of the
7 submission? I haven't seen anything.

8

9 Karen Rhinehart (28)

10 In any event, the water source and sewer project needs to be looked at in relation to the entire
11 project no matter what color the horse is.

12

13 John Pierson/Elizabeth Peck (11)

14 Test wells should be developed on site to determine suitability and availability of water if
15 groundwater supply wells will be the source of a potable water supply for the project in case the
16 Village water supply is not available for any reason. Well location should be established with
17 the assistance of a hydrogeologist to determine location, and provide data on yield, depth and
18 impacts on wells and water bodies within 1/4-1/2 mile. Should a suitable well be established,
19 then a drawn down test should be conducted using NYSDEC "Recommended Pump Test
20 Procedures for Water Supply Application", Appendix 10, TOGS 3.2.1 and applicable NYS
21 Health Department Part 5 standard well testing protocols.

22

23 John Pierson (A-88)

24 Expressed concern that the proposed wells are being drilled into the aquifer that he and 3 or 4 of
25 his neighbors rely on.

26

27 Joe Rotullo (A-108)

28 Concerned that the wells for the project may drain the aquifer that supply nearby homes. If the
29 wells run dry will the Village have to extend their supply to the project?

30

31

1 Robert Glecko (C-39)

2 Will people who rely on groundwater need to switch over to public water?

3

4 David DeMers (18)

5 My wife and I live at 98 Rte. 32 south. Our one main concern with this proposed development is
6 its impact on our water supply. The test drillings/wells for "P.P" will be directly behind our
7 property. Assuming they will be drawing thousands of gallons to supply the hundreds of new
8 residents in our area, how can that not affect our well? And, what if we suffer a drought?

9 Can/will Wilmorite/Goshawk/JAM guarantee that we will continue to have an interrupted supply
10 of water from our own well?

11

12 Rachel Logodka (B-97)

13 What is the viability (quality and quantity) of the water source for the project, an independent
14 consultant should provide data. Will there be enough water for future Village use if it is ever
15 needed?

16

17 Paul Brown(52)

18 The Project Sponsor refers to the wastewater treatment plant. What is planned for the well and
19 the well water treatment plant?

20

21 Jim Littlefoot(C-5)

22 Can the aquifer handle the amount of water needed?

23

24 ***Response:***

25 ***All testing of the proposed well field was conducted in accordance to the New York State***
26 ***Department of Environmental Conservation Appendix 10, TOGS 3.2.1, March 2011. All wells***
27 ***proposed to meet the project water use requirements were pumped simultaneously to establish***
28 ***well interference effects.***

29

30 ***The groundwater supply assessment study presented in the MHI Report, Appendix D of the***
31 ***FEIS, addresses the potential for groundwater withdrawals to affect water levels in***

1 *neighboring wells. Observation of water levels in the wells at the Bella Terra apartment*
2 *complex indicates no effects from the test pumping at the project site. All wells proposed to*
3 *meet the project water use requirements were pumped simultaneously to establish well*
4 *interference effects. Water quality samples were collected prior to the conclusion of the well*
5 *testing and submitted for analytical analysis according to the New York State Department of*
6 *Health Part 5 water quality standards for public water supplies. Results from all wells show*
7 *that all concentration levels of all substances tested were below the limits for water quality*
8 *standards required by the New York State Department of Health (see Appendix D of the*
9 *FEIS).*

10
11 *The ecological impact of construction of the offsite water supply system that includes the*
12 *wells, raw water piping to the water treatment plant, the water storage tank, access drives, and*
13 *potable water piping to the site is analyzed in Appendix F of the FEIS. The offsite location of*
14 *the wells were determined based on the hydrogeological studies that revealed the potential*
15 *source of sufficient well water supply. No onsite locations for wells were identified by the*
16 *hydrogeologist. Eight wells were drilled, three of the eight wells were found to be limited in*
17 *water capacity; therefore, five wells will be used for the project water supply. The water tank*
18 *location is proposed near the top of the hill, east of the project site, so that sufficient water*
19 *pressure is available to serve the site. The water treatment plant is located adjacent to the tank*
20 *so that both can be maintained at the same site (see Exhibit FII-14 and final site plans). The*
21 *entire water system design and construction will be funded by the Project Sponsor.*

22
23 *The capacity of the well supply is 97 gpm with the highest producing well out services as*
24 *required by NYS Health Law, Project demand is 67 gpm; therefore, substantial reserve*
25 *capacity is available.*

26
27 *The water supply for the project can be met with pumping 67 gpm. The water supply testing*
28 *indicated that a flow of up to 97 gpm is available therefore excess capacity is available from*
29 *the well water supply.*

1 *The Town may or may not decide to acquire the water supply system in the future. If they do*
2 *not, it will continue to be maintained as a private supply system for the project.*

3
4 *The maximum daily demand approved by the health department is 94,352 gpd; therefore, a*
5 *water supply permit is not necessary.*

6
7 *The Project Sponsor has decided not to provide irrigation using the onsite ponds. If they*
8 *should opt to consider this in the future the draw from the pond would not exceed 20,000*
9 *gallons per day.*

10
11 *Should the Town decide to take over the water supply system, it would provide water to Town*
12 *residents, not Village residents.*

13
14 *The water supply analysis assumed drought conditions in accord with NYSDEC requirements.*
15 *A drought condition is defined as 180 days of no recharge.*

16
17 *Water supply infrastructure (pipes, pumps, treatment facility, and like appurtenances) will be*
18 *located wholly upon the lands of Goshawk, LLC, and JAM of New Paltz, Inc. There will be*
19 *no significant environmental impacts to adjacent or nearby property owners as a result of this*
20 *infrastructure installation.*

21
22 *Noise from the water treatment plant is anticipated to be low as all equipment except the*
23 *generator is housed in a building. The generator will be housed in a weatherproof, sound*
24 *attenuating enclosure.*

25
26 *b. Groundwater Contamination*

27
28 *Jim Littlefoot (42)*

29 EPA has set the arsenic standard for drinking water at .010 parts per million (10 parts per billion)
30 to protect consumers served by public water systems from the effects of long-term, chronic
31 exposure to arsenic. Water systems must comply with this standard by January 23, 2006,
32 providing additional protection to an estimated 13 million Americans.

1 Jim Littlefoot (42)

2 What human activities can pollute ground water? Bacteria and nitrates: These pollutants are
3 found in human and animal wastes, Septic tanks can cause bacterial and nitrate pollution. So
4 can large numbers of farm animals. Both septic systems and animal manures must be carefully
5 managed to prevent pollution. Children and some adults are extra risk when exposed to water-
6 born bacteria. Fertilizers can add to nitrate problems. Heavy metals: Activities such as mining
7 and construction can release large amounts of heavy metals into nearby ground water sources.
8 Some older fruit orchards may contain high levels of arsenic, once used as a pesticide. At high
9 levels, these metals pose a health risk. These products are also used on golf courses and suburban
10 lawns and gardens. The chemicals in these products may end up in ground water. Such
11 pollution depends on the types and amounts of chemicals used and how they are applied. Local
12 environmental conditions (soil types, seasonal snow and rainfall), also affect this pollution.
13 Many fertilizers contain forms of nitrogen that can break down into harmful nitrates. This could
14 add to other sources of nitrates mentioned above. Some underground agricultural drainage
15 systems collect fertilizers and pesticides. This polluted water can pose problems to ground water
16 and local streams and rivers.

17

18 Andi Weil Bartczak (A-66)

19 Concern that the pesticides from the lands associated with the project and the surrounding lands
20 may be getting into the groundwater and contaminated drinking water supplies.

21

22 Joe Rotullo (A-108)

23 Expressed concern with the levels of arsenic in the groundwater. Concerned that the wells for the
24 project may drain the aquifer that supply near by homes. If the wells run dry will the Village
25 have to extend their supply to the project?

26

27 Annmarie Courtens (B-32)

28 Concerned over toxins in the groundwater and associated health effects

29

30 Ben Miller (C-17)

31 Concerned with the potential of the arsenic in the soils contaminating the ground water.

1 **Response:**
2 *Soil sampling was performed on the site to assess for the possible presence of pesticides and*
3 *heavy metals at levels that could present a concern to occupants of the site or to groundwater*
4 *beneath the site. Thirty two (32) samples were collected from soils at a depth of 0 to 6 inches*
5 *(surface) and ten (10) samples were collected from a depth of 6 to 12 inches and five (5)*
6 *samples were collected from a depth of 12 to 18 inches across the site and analyzed for arsenic*
7 *and pesticides. The sampling locations are shown on Drawing Number 1 in Appendix O of*
8 *the FEIS which also includes the proposed site development layout. Analytical results are*
9 *included on Table 1 in Appendix O of the FEIS. The results of the testing were compared to*
10 *threshold guidance criteria for site use set by the New York State Department of*
11 *Environmental Conservation (6NYCRR Part 375) in the guidance document entitled*
12 *“Technical Guidance for Site Investigation and Remediation”. Three pesticides (4,4'-DDE,*
13 *4,4'-DDT and Dieldrin), arsenic and lead were found in surface samples (0 to 6 inch depth) at*
14 *levels above guidance criteria set by the New York State Department of Environmental*
15 *Conservation for Restricted Residential Use. Levels of all chemical compounds dropped below*
16 *threshold concentrations in samples collected below 12 inches. These results confirm that*
17 *these chemical compounds remain in surface soils and have not, in any significant*
18 *concentrations, migrated to groundwater.*

19
20 *Further, as a part of the investigation for a new water supply, groundwater samples were*
21 *collected from test wells installed at the well field. Four (4) water samples collected from the*
22 *wells all met groundwater standards.*

23
24 *The proposed project will reduce any potential for migration of chemical compounds found at*
25 *the site. First, the proposed site grading plan calls for removal of the surface soil layer*
26 *containing elevated levels of pesticides and arsenic and placement of the soil in designated*
27 *controlled fill areas of the site. These controlled fill areas will then be covered by soils*
28 *meeting guidance criteria. This activity will eliminate the total area of soils containing*
29 *elevated levels of chemical compounds thereby reducing the volume of rainwater passing*
30 *through the affected soils. Further these controlled fill areas will be graded in berms sloped to*
31 *drain off to further minimize infiltration of surface water into and through the soils beneath.*

1 *The proposed development will also reduce the permeable area of the site by the addition of*
2 *building structures and paved parking and pedestrian surfaces. The reduction in permeable*
3 *surface area and the control of storm water runoff from the site through the application of*
4 *physical storm water control structures (piping, catch basins, roof drains, etc.) will reduce the*
5 *potential for migration of chemical compounds contained in the soil by also reducing*
6 *exposure to rainwater. Also, as described in the Ecosystems Report, Appendix C of the DEIS,*
7 *pesticides containing arsenic are not water soluble, that is they remain in the soil column, and*
8 *do not dissolve and move into the groundwater.*

9 c. Water Table

10
11 J.G. Barbour (9)

12 What would be the effect on this groundwater if the two building foundations disrupt the
13 impervious soil layer - in effect, punching a hole through that soil layer? The depth to the
14 highest impervious layer is critical to the question. Puncturing that first impervious layer could
15 reduce wetland depth and area, and increase water in soil beneath the impervious layer.
16 Impacts on surface waters including ponds and wetlands could include reduced hydroperiods due
17 to more rapid drainage through impervious soil layers. All of the above are important
18 consideration for project review.

19
20 J.G. Barbour (9)

21 In conjunction with and support of this analysis, additional and deeper subsurface soil and water
22 testing on site might reveal more information for site preparation and planning.

23
24 **Response:**

25 *Borings and test pits were completed so that the geologic characteristics of the site could be*
26 *thoroughly analyzed. The geotechnical report with test borings and test pits are included in*
27 *Appendix M of the FEIS. In general subsurface conditions include a thin layer of topsoil $\pm 6''$*
28 *underlayed by 4'-12' of sandy subsoil to a shale bedrock. As such, a higher impervious area*
29 *does not exist; therefore, the condition of foundations punching through an impervious layer*
30 *reducing groundwater levels that could reduce the groundwater supply to the wetland and*
31 *ponds does not exist. Also, the green infrastructure and stormwater management design*

1 *promotes groundwater recharge, which in this case supports the perched groundwater levels*
2 *that support the wetlands.*

3

4 d. Water Supply Calculations

5

6 Jim Littlefoot (42)

7 Your own per capita use: 148.18 gallons per day per person per day x 732 people (Park Point) =

8 108,336 x per year = 39 million 542 thousand, 640 hundred 39'542'640 x 40 years =

9 1'581'705'600. Does 148.18 gallons sound about right for the day's indoor-water activities?

10

11 Jim Littlefoot (C-3)

12 By use his calculations water use during the duration of the lease is 1,581,705,600 gallons. All
13 of that water, since they don't have a gray water system is going into the sewer system. Much of
14 the water could be saved if you had a gray water system for re-use for toilets, lawn irrigation, etc.

15

16 Planning Board (64)

17 Can gray water irrigation systems be considered to conserve water usage?

18

19 NYSDEC (60)

20 According to DEIS, III E, Groundwater (b), page 160, on site ponds will be used for firefighting
21 after construction. According to Appendix N, Water Calculations, the onsite water system will
22 be extended from Route 32 along the projects. It seems that the fire protection is provided by
23 wells. Please clarify if fire protection will be provided from onsite ponds.

24

25 NYSDEC (60)

26 According to Appendix N, Water Supply Calculations, the outside pool and hot tub were not
27 considered in the calculation. Please provide additional information and design calculation for
28 loading rate of 25 gpd/user for the club and loading rate of 75 gpm/bedroom (please see Design
29 Standards for Wastewater Treatment Works 1988). Were the flows from dishwashers and
30 laundries included in each apartment unit considered? Please see DEIS, page 419.

31

1 **Response:**

2 *The water supply calculations were updated (Appendix N of the FEIS) based on final design*
3 *and final locations of facilities (see Site Utility Plans). A peak domestic flow rate was assumed*
4 *to be 1 gpm/bedroom. The fire flow analysis was based on an average domestic use rate of 0.5*
5 *gpm/bedroom, in conjunction with a 350 gpm sprinkler system and hydrant fire flow of 750*
6 *gpm.*

7
8 *The 1 gpm/bedroom is equal to the calculated peak flow rate for domestic supply and is used to*
9 *evaluate domestic supply and pressure. The 0.5 gpm/bedroom is equal to the average daily*
10 *flow rate, which was added to the sprinkler flow and hydrant flow rates to evaluate the water*
11 *supply available during fire flow conditions. The fire flow calculation is conservative with*
12 *respect to NYS Fire Code, which does not require a hydrant flow coincidental with the*
13 *sprinkler flow. However, it is common practice to include a hydrant flow in design of new*
14 *systems in order to reduce fire insurance costs.*

15
16 *Calculations included in Appendix N of the FEIS determined the capacity/size of the water*
17 *supply facilities as follows:*

- 18
- 19 • *A total capacity of 97 gpm is available with four wells operating (67 gpm required). A*
20 *fifth well drilled and tested, and will be used as a back up well so that the total capacity*
21 *can be maintained with one or more wells out of service for maintenance.*
 - 22 • *37' diameter water storage tank 35' high - 265,000 gallon*
 - 23 • *Watermain sizing: water tank to clubhouse: 12 inch diameter*
 - 24 • *Water distribution system in project: 8" diameter from swimming pool maintenance*
25 *building throughout the project.*
 - 26 • *Water softening equipment to be installed in the swimming pool maintenance building*
 - 27 • *A booster pump will be provided to supply domestic pressure to apartments. Fire flows*
28 *can be accomplished without booster pumps.*

29

1 *The Lead Agency has evaluated the potential use of gray water for laundry use, flushing*
2 *toilets, etc., as presented by the Project Sponsor, and determined that it is not*
3 *practical/desirable for the following reasons:*

- 4
- 5 • *To reuse gray water, the site and internal plumbing for water supply would need to be*
6 *doubled adding significant cost to the project.*
- 7 • *Despite extensive treatment for water quality, the Lead Agency is very concerned with*
8 *the potential of bacteria and other pollutants making their way into the gray water*
9 *system and posing a health hazard.*

10

11 *The fire protection supply is provided by using the well water supply system. At the fire*
12 *department's request, a dry hydrant is proposed along Route 32 that can be used to pull water*
13 *from the pond adjacent to Route 32 into the fire department's pumper trucks. This water can*
14 *be used to fight fires at other locations in the Town where public water is not available or*
15 *limited.*

16

17 *The NYSDOH and NYSDEC approved an average water use rate of 47,176 gpd as shown in*
18 *Appendix A of the MHI Groundwater supply report (APPENDIX D). The water use rate was*
19 *determined by typical water use values for the uses proposed, which are published in the NYS*
20 *DEC Design Standards for Wastewater Treatment Works Intermediate Sized Sewerage*
21 *Facilities (1988 edition and 2012 draft edition). A water saving fixture credit of 20% was*
22 *applied. Water use bills from the Project Sponsor's Rochester Institute of Technology (RIT)*
23 *project that has the same facilities and appliances were also reviewed. Discussions by the*
24 *Sponsor with NYS DEC and Ulster County DOH resulted in submissions of water use data*
25 *from the RIT campus (similar project) showing the 47,200 gpd design flow as conservative.*

26

27 *e. Plans, Exhibits, Appendix*

28 *Exhibit FII-14 Proposed Watermain Exhibit (updated DEIS Exhibit II-14)*
29 *Exhibit FII-14 A Proposed Offsite Watermain Exhibit (updated DEIS Exhibit II-14A)*
30 *Appendix D Groundwater Supply Report (updated)*
31 *Appendix M Geotechnical Engineering Report (new)*

1 *Appendix N Water Supply Calculations (new)*

2 *Appendix O Soil Testing*

3

4 *f. Environmental Assessment*

5 *Borings and test pits were completed so that the geologic characteristics of the project site*
6 *could be thoroughly analyzed. The geotechnical report with test borings and test pits are*
7 *included in Appendix M. In general subsurface conditions include a thin layer of topsoil ±6"*
8 *underlaid by 4'-12' of sandy subsoil to a shale bedrock. As such, a higher impervious area*
9 *does not exist; therefore, the condition of foundations punching through an impervious layer*
10 *reducing groundwater levels that could reduce the groundwater supply to the wetland and*
11 *ponds does not exist. Also, the green infrastructure and stormwater management design*
12 *promotes groundwater recharge, which in this case supports the perched groundwater levels*
13 *that support the wetlands.*

14

15 *The groundwater supply assessment study presented in Appendix D addresses the potential for*
16 *groundwater withdrawals to affect water levels in neighboring wells. Observation of water*
17 *levels in the wells at the Bella Terra apartment complex indicates no effects from the test*
18 *pumping at the project site. All wells proposed to meet the project water use requirements were*
19 *pumped simultaneously to establish well interference effects. Water quality samples were*
20 *collected prior to the conclusion of the well testing and submitted for analytical analysis*
21 *according to the New York State Department of Health Part 5 water quality standards for*
22 *public water supplies. Water quality test results from all wells were below concentration*
23 *thresholds for substance of concern as required by the New York State Department of Health*
24 *and, therefore, the Project will be served by a safe water supply.*

25 *g. Mitigation Measures*

26 *Mitigation measures for groundwater impacts and well water supply include:*

- 27
 - *Provide for groundwater recharge through green infrastructure design as*
- 28 *evaluated in this FEIS. Green infrastructure practices are designed to improve*
- 29 *water quality by filtration through soils prior to discharging to groundwater.*

- *Testing / confirmation that groundwater wells will not adversely affect other existing wells as analyzed within this FEIS.*
- *Completed well testing in accordance with NYSDEC standards has been completed confirming adequate supply and quality for the project is available.*

SECTION F - TERRESTRIAL AND AQUATIC ECOLOGY

a. Invasive Species

ENCB (38)

There is no mention in the document of removing and replacing invasive between the limit of grading and the delineated edge of the wetlands, where they are rife.

J.G. Barbour (9)

Regarding invasive plants, the discussion in the DEIS should have been more substantial, and focused on more than elimination.

J.G. Barbour (9)

Although not in scoping, the FEIS should include an inventory of invasive species before construction, documentation of eradication measures actually used in the construction phase for each species in each project area or context.

J.G. Barbour(9)

More effective, however, might be an initial planting, and planting maintenance, program designed to facilitate the effective competitiveness of native species (planted and extant) and less aggressive extant non-native species.

Response:

The following information is provided regarding the existing invasive species and a removal/replacement maintenance plan. Within Appendix B of the DEIS (Biodiversity and Habitat Assessment Report written by North Country Ecological Services), Section 6 discusses the invasive species within the property.

1 *North Country states within the report that the only invasive plant species which could have*
2 *effects on the overall plant diversity is the Purple Loosestrife. The Loosestrife is currently being*
3 *controlled biologically by the presence of the Galerucella beetles. Poison Ivy is abundant*
4 *within the abandoned orchard areas as well.*

5
6 *The Project Sponsor will remove invasive species to the greatest extent practicable by*
7 *ecological methods. Areas with invasive species will be field located so the area can be*
8 *identified and managed. If necessary, the site contractor may utilize species specific*
9 *herbicides to help in the eradication of poison ivy and other identifiable invasive species across*
10 *the site. Also, topsoil within the areas to be disturbed containing invasive species (including*
11 *Purple Loosestrife, Phragmites, and Poison Ivy) on the site will be removed and buried within*
12 *deep berms. New, clean topsoil will be placed over the berms and proposed lawn/landscape*
13 *areas will be established to prevent continued propagation of invasive species. Much of the*
14 *disturbed areas will also be covered with impervious surfaces, i.e. buildings and pavement.*

15
16 *Eradicating and using herbicides where necessary will be beneficial to maintain the health of*
17 *existing and proposed flora and fauna and will help to diminish any invasive species within*
18 *those areas. The surface soils that contained the invasive species within the areas graded for*
19 *development will be buried in the berms as part of the impacted soil mitigation program. Re-*
20 *planting and seeding these areas with native species will help facilitate effective*
21 *competitiveness of the native species on the site and control of invasives. These native species*
22 *will provide a more diverse food source, shelter, and habitat for wildlife which was not on the*
23 *site before. It is evident that the establishment of native species throughout the site will be a*
24 *great improvement and enhancement for the wildlife habitat on portions of the site which were*
25 *formerly abandoned orchard lands.*

26
27 *The Project Sponsor, at its expense, will establish a monitoring program for a period of 3*
28 *years after construction for invasive species on the site to manage the disturbed areas and*
29 *confirm that the native species are established. An Environmental Specialist hired by the*
30 *project sponsor, will visit the site once a year and meet with the Town Wetland Consultant to*

1 *assess the site for invasive species. This monitoring program will be used to set up a*
2 *maintenance program in the future, if necessary, to control invasive species that re-emerge.*

3

4 *b. Amphibians and Vernal Pools*

5

6 ENCB (38)

7 Amphibians in particular could be harmed, especially since grading is proposed to take place
8 within fifty feet or less of wetlands, well within the 100' limit established in the Wetland and
9 Watercourse Protection Law as a minimal but less than ideal area of protection; amphibians
10 frequently travel much further.

11

12 ENCB (38)

13 The DEIS does not say how the characteristics of good-quality woodland pools - impermeable
14 soil, seasonally intermittent inflows of cool water, a thick layer of decomposing leaf litter - can
15 be duplicated, given such unpromising circumstances, but one essential characteristic, extensive
16 surrounding forest, certainly can't be provided. It appears from the plans that all five pools may
17 receive surface runoff. If so, that runoff cannot be seasonally controlled, may well be heated by
18 pavement and roofs, and is likely to transport pollutants. The DEIS states that "there may be
19 instances on the project Site that may warrant the use of pesticides and/or herbicides."

20 Commonly used herbicides are highly toxic to amphibians.

21

22 ENCB (38)

23 That said, we are skeptical about the value to wildlife of the purported improvements, especially
24 the value of the vernal pools, which will not be well-situated, and that may be little more than
25 "green" window dressing.

26

27 ***Response:***

28 ***The majority of amphibians on the site can be found in the farm ponds, wetland and stream***
29 ***areas where there is a hydrological source (see appendix K of appendix B of the DEIS) . These***
30 ***areas will not be disturbed. There were no existing vernal pools recorded on the site (see page***
31 ***137 of the DEIS). On page 176 of the DEIS NCES (North Country Ecological Services) had***

1 *found the amphibian breeding habitat within the farm ponds and the Red Maple Hardwood*
2 *Swamp. These two areas will not be disturbed. It was also found by NCES that “No specific*
3 *habitats associated with any endangered or threatened species were identified on the site. As a*
4 *result, no specific habitat avoidance or other mitigation measures appear necessary for the*
5 *project.” This statement can be found on page 197 of the DEIS.*

6
7 *The vernal pools designed for this project have been strategically placed and will be carefully*
8 *constructed to assure the best viability to amphibians. Each vernal pool has been placed near*
9 *a stream or wetland. This will help any amphibians access the nearest hydrological source*
10 *minimizing the travel to areas where they could be potentially harmed. The vernal pool located*
11 *in the north area of the site will be placed within the wooded area adjacent to the two ends of*
12 *existing wetlands. Over time, this “woodland pool” will develop a thick layer of decomposing*
13 *leaves. Although the other pools are not located within the forested area, native plant species*
14 *will be planted around the vernal pools to collect leaves in the fall for the following spring.*
15 *The vernal pools will receive run off from natural areas such as grasslands, shrub lands and*
16 *wetlands. The watersheds of these vernal pools are small and any surface runoff from*
17 *pavement or buildings will be directed away from the vernal pools by culverts, pitch and*
18 *swales.*

19
20 *All vernal pools on the site will be designed in conjunction with continuing involvement by the*
21 *Town's Wetland Consultant. Because each vernal pool will be located near a wetland or*
22 *stream, these resources will be examined strategically for their characteristics and how they*
23 *will interact with each vernal pool. Observations of the wetlands saturation and inundation*
24 *will assist with determining the proposed deepness of each vernal pool. The perched ground*
25 *water elevations found within some of the pits on the site will also assist in determining the*
26 *depth of the vernal pools for optimal hydrological success. The soils in each vernal pool will*
27 *have the silty loam needed to hold water in the spring and slowly drain water throughout the*
28 *season where it can be dry by fall. These soils can be found on site and they will be transposed*
29 *at the vernal pool locations, where necessary.*

1 *As stated, no vernal pools exist within the woodlots; however, spring and fall ponding of water*
2 *occurs intermittently within the wooded wetlands. Several measures are proposed to continue*
3 *active hydraulic supply and improve the water quality of runoff to the wetlands after*
4 *development as follows:*

- 5
6 • *Green infrastructure practices are proposed in the form of infiltration basins and bio-*
7 *retention areas. As described in Section D.a., stormwater runoff will be directed to*
8 *several infiltration basins and bio-retention areas to be constructed on the site.*
9 *Stormwater draining to these areas is first pre-treated for water quality improved by*
10 *construction of upstream desiltation basins or vegetative swales. After pre-treatment,*
11 *stormwater discharges infiltrate to the perched groundwater level through the*
12 *infiltration basin and bio-retention soils to further filter out pollutants. Some of the*
13 *perched groundwater discharges to the wetlands in the form of springs or seeps.*
14
- 15 • *Surface water runoff that infiltrates can be at a slightly higher temperature than*
16 *groundwater in the summer months when the rainfall can be heated by impervious*
17 *surfaces. The slowly infiltrated, relatively small volume, of warmer waters will mix*
18 *with larger volumes of cooler groundwater. Therefore, discharges of groundwater to*
19 *wetlands will be at a temperature close to that of the groundwater, and the heating of*
20 *surface water runoff will be adequately attenuated.*
21
- 22 • *All surface runoff that eventually discharges to the stormwater management ponds is*
23 *first treated in green infrastructure practices designed to treat the entire rainfall of less*
24 *than 1.2 inches in intensity (90% of the rainfall events), and the "first flush" runoff*
25 *for more severe storm conditions. The warmer waters discharged are the "first flush"*
26 *waters as the rainfall eventually cools the pavement. The "first flush" waters are*
27 *treated as discussed above in the green infrastructure practices. For stormwater runoff*
28 *that reaches the ponds, additional water quality treatment is available through*
29 *settlement in the ponded water and bio-absorption through wetland shelf planting*
30 *shown on the landscape plan. The wetland shelf planting will consist of a native wet*
31 *meadow mix, refer to landscape plans in Appendix R of the FEIS. Finally, any*

1 *stormwater that is discharged to the surface is drawn off of the cooler lower level of the*
2 *groundwater ponds, which further minimizes the potential of thermal discharges to*
3 *surface waters. See grading and utility plans for location of infiltration basins, bio*
4 *retention areas and stormwater management ponds and the site detail drawings for*
5 *details of these features.*

6
7 c. Wetland and Enhanced Buffer

8
9 Alan Goodman & Kathleen Mazzetti (2)

10 We noticed that there are Federal Wetlands on the southern part of the property adjoining ours.
11 We hope that these wetlands will not be disturbed or filled in.

12
13 David Porter (D-15)

14 The project should be built in accordance with the proposed Town Wetland Ordinance

15
16 Robert Glecko (C-39)

17 The plan states that there will be no fill or encroachment to Federal wetlands however there is
18 encroachment in the buffer zone of the Town wetland law.

19
20 ZBA Letter (47)

21 What precautions have been taken to ensure the sanctity of the wetlands on the property? Is
22 there a buffer zone? How has the preservation of wetlands impacted the design of the project, if
23 at all?

24
25 Alan Goodman & Kathleen Mazzetti (2)

26 We are requesting that these wetlands augment the buffer already required by Town zoning.

27
28 ENCB (38)

29 We note that some sort of replanting of graded areas near wetlands is necessary anyway (though
30 we approve of replanting with suitable, high-quality plant species rather than grass), and that
31 parking lots, playing fields and areas of grass maintained by mowing are inconsistent with the

1 purpose of a buffer, which is to moderate, reduce and filter sheet flow from storms before it
2 enters a wetland or stream, and to provide habitat for wetland-dwelling species and other
3 wildlife.

4
5 ENCB (38)

6 As to whether the project will result in a net gain or loss of good wetland habit, a net gain or loss
7 of species, including species of special interest, we defer to the expertise of the wetland
8 inspector, and encourage the Planning Board to solicit his views.

9
10 ENCB (38)

11 We do not believe that an extraordinary and precedent-setting retreat from the protective intent
12 of the Wetland and Watercourse Protection Law can be justified.

13
14 Jenna Dern (38)

15 The DEIS states that the 100' buffer will apply to the four larger wetlands, however, exhibit 111-
16 6 shows temporary and permanent areas of disturbance far within the 100' boundary. This is not
17 the only way in which the developer does not respect the stipulations in the proposed wetlands
18 law: grading within 50' of delineated wetlands, post construction mowing and the intrusion of
19 impervious, built structures.

20
21 Planning Board (64)

22 What measures can be put in place to make sure that the adjacent and connecting wetlands to the
23 west of this property is preserved as a part of SUNY future projects?

24
25 ***Response:***

26 ***Although the Town's wetland and watercourse law has not been legally adopted, the Project***
27 ***Sponsor has voluntarily maintained, with some limited exceptions, a 50' enhanced buffer on***
28 ***all regulated wetlands within the site. These wetlands and wetlands adjoining the onsite***
29 ***wetland will not be disturbed during and after the project's construction with the exception of***
30 ***modifications of two existing culverts, which modifications were previously approved by the***
31 ***USACOE, and a pedestrian trail crossing in the area of the existing two farm ponds. The***

1 *proposed pedestrian bridge will cross over the wetland so the wetland will not be disturbed in*
2 *that area. The culverts are located in areas where the width of the wetland is the actual width*
3 *of the stream. Therefore, use of bottomless culverts achieves the same wetland preservation*
4 *measures as the bridge. The preservation of the wetlands has been made possible by the*
5 *design of clustering structures within the site (see Exhibits FIII-6 and FIII-7)*

6
7 *The Project Sponsor has been working closely with the Town's Wetland Consultant (J.G.*
8 *Barbour) and has taken his views and interest of the wetland and buffer areas into careful*
9 *consideration. Many of the mitigation measure plantings proposed on the site result from Mr.*
10 *Barbour's recommendations (see Appendix E of the FEIS for his GPS Natural Inventory*
11 *Report). Discussions occurred among the Project Sponsor, wetland specialist Martin Janda of*
12 *BME Associates, and the Town's consultant, relative to the ecological value of the existing*
13 *wetlands buffer areas and potential encroachments. (See Exhibit FIII-6A for James*
14 *Barbour's letter on the wetland descriptions and buffer areas.) Mr. Barbour determined that*
15 *the wooded areas located along the western portion of the site are of far greater ecological*
16 *value than the abandoned apple orchard areas. The abandoned apple orchard includes many*
17 *dead trees, invasive species and poison ivy. These previously disturbed areas are of very low*
18 *quality with little to no value to the wetlands and wildlife within the area. As shown on the*
19 *landscape plans, the site work will result in a much higher quality habitat with greater*
20 *ecological value along the perimeter of the wetlands in areas where the buffer areas are*
21 *enhanced, and the wooded areas located along the western portion of the site will be*
22 *preserved.*

23
24 *The enhanced buffers are proposed for the main purposes of protecting the wetlands and*
25 *providing an additional and enhanced habitat for the ecological system of the wetlands. By*
26 *removing the lower quality non-native and invasive plants and replacing them with healthy*
27 *native plants with much variety and diversity, the ecological system on the site will improve.*
28 *The Planning Board's wetland consultant has indicated that the quality of habitats will be*
29 *much higher and will introduce new wildlife species to the area. The native planting sites*
30 *(enhanced buffer) will create additional shelter, food and nesting areas for wildlife. Shrub*
31 *species to be planted in the buffer areas such as dogwoods will provide a good food source for*

1 *birds and small mammals. The grassland areas will bring in song birds, and the nectar rich*
2 *flowers and plants will bring butterfly species. The proposed overall landscape and preserved*
3 *environment will provide a diversified and complex ecosystem with upland wetlands, vernal*
4 *pools, and stream corridors that will attract diversified wildlife species.*

5
6 *d. Woodlands*

7
8 ENCB (38)

9 We note that a clear-cut of almost five acres of woods is a substantial clearing, and that a
10 promise to preserve the remaining woods is empty without a legal instrument of protection.

11
12 ENCB (38)

13 We would like clarification as to why a legal instrument of protection can't be placed on the west
14 lying hardwood swamp and forest if preserving this acreage is truly intended.

15
16 ENCB (38)

17 We would like clarification as to why removing 4.60 acres of woods to build stormwater control
18 structures is necessary when the alternative is to reconfigure the project.

19
20 Jenna Dern (41)

21 The removal (clear-cutting) of 4.60+ acres of forest habitats and their replacement with storm
22 water management ponds and landscaped buffer zones will drastically change the current
23 ecosystems and habitats for all wildlife and amphibians. Is this necessary?

24
25 ***Response:***

26 ***In response to the storm water management pond comments, the necessity for this pond***
27 ***(regulations, topography) can be found within the Stormwater Management Report (Appendix***
28 ***F of the DEIS).***

29
30 ***The granting of a conservation easement or similar legal instrument would create significant***
31 ***legal issues for the SUNY New Paltz Foundation for reasons set forth in the February 9, 2011***

1 *letter (as supplemented by the April 2, 2013 letter attached hereto as Appendix P of the FEIS)*
2 *from Bond, Schoeneck and King, PLLC, to the Town Planning Board (See DEIS Exhibit III-*
3 *10A). Also, see Section J (c.) within the FEIS on Land Use and Zoning.*

4
5 *Approximately 3.5 acres of trees will be removed and replaced with a more diverse habitat for*
6 *wildlife. The Project will create an open water habitat for waterfowl, amphibians and reptiles*
7 *(turtles, snakes), a grass land and shrubland for birds and small mammals.*

8
9 *The proposed shrub plantings include red chokeberry, gray dogwood, red-osier dogwood,*
10 *witch hazel, elderberry and highbush blueberry. These shrubs will create a great habitat for*
11 *birds and small mammals. It will provide shelter and a good food source. A water source is*
12 *close by as well. The native wet meadow mix and native wildflower mix is ideal for attracting*
13 *butterflies and humming birds (see Exhibit FIII-7A and Exhibit FIII-8).*

14
15 *e. Miscellaneous*

16
17 *Irwin Sperber (A-59)*

18 *Has concern over Lyme disease epidemic and the proximity of the project to the woods and*
19 *wetlands. He would like an independent analysis of what will happen to the owls, the coyote, the*
20 *rattlesnakes and other predatory animals being driven out of the area.*

21
22 ***Response:***

23 ***Page 23 of the DEIS concludes that the project's impact on wildlife habitat will be***
24 ***"...minimal as sufficient available land areas composed of the same ecological communities***
25 ***and vegetative cover types are present immediately adjacent to the area to be developed."***

26 ***The Lead Agency has found no nexus between the proposed project and Lyme disease.***

27
28 *Sylvia Logodka (A-128)*

29 *Wetlands. If they are doing a full testing on wetlands, test for the flooding. And the capability of*
30 *what's happening needs to be done every single season of the year, not just at one point.*

31
32 ***Response:***

1 *Within Section D “Surface water” the flooding topic is addressed in various areas (Storm*
2 *water ponds, streams). Also on page 143 within the DEIS, wetland hydroperiods are addressed*
3 *and it is not expected that the project will have a significant impact on the fluctuating water*
4 *level within the wetlands (also see discussion in b. above).*

5
6 *As further described in these sections, flow rates are controlled to or below existing conditions*
7 *so that flood levels in the wetlands are not exceeded and the water supply will be maintained*
8 *or increased by the green infrastructure practices designed to replicate the ground water*
9 *supply. The storm water management ponds are designed to first treat the storm water runoff*
10 *for water quality improvement and then discharge the treated waters from the cooler low*
11 *elevations of the pond at a volume equal to or slightly greater than existing conditions. The*
12 *green infrastructure practices are designed to treat the storm water runoff for water quality*
13 *improvement and infiltrate the storm water runoff in volumes the same as existing conditions.*
14 *The green infrastructure and storm water management design together will allow the*
15 *proposed hydroperiods to mimic the existing hydroperiods. Some of the green infrastructure*
16 *practices to be utilized to promote and maintain existing ground water levels include*
17 *infiltrations basins and bio-retention areas.*

18
19 Eric Keeling (54)

20 The Park Point site plan shows a straight trail that crosses this light green area and connects
21 meandering paths within the Park Point project area (in the dark green, forested area on the map)
22 to the SUNY athletic field. I would like to request that this trail be removed from the plan, or
23 relocated well to the north, so as to bypass the forested the forested ecological study area. If a
24 trail is needed to connect the Park Point project to the campus, I would be happy to meet with
25 planners for the project to discuss alternative routes for the trail that would not impact the
26 ecological research site.

27
28 ***Response:***

29 ***The trail has been removed.***

30
31 Planning Board (64)

1 Indiana Bat Habitat to be addressed?

2

3 **Response:**

4 *Page 172 of the DEIS states, “None of the habitats identified on the site harbor any state and*
5 *or federally listed endangered or threatened species.” The Indiana Bat and its habitat is*
6 *addressed within Appendix B of the DEIS (Biodiversity and Habitat Assessment Report*
7 *written by North Country Ecological Services) on page 30.*

8

9 *The potential habitat criteria (documented by the NYSDEC and U.S. Fish and Wildlife Service*
10 *(USFWS)) for the Indiana Bat are trees over 5” dbh of a certain age class for summer*
11 *roosting. These trees need to be in a semi-open area to receive direct, prolonged periods of*
12 *sunlight during spring and summer months. The few trees on the site that would otherwise*
13 *meet this criteria are located in densely vegetated areas which do not receive the amount of*
14 *sunlight desirable for Indiana Bats. North Country found that the site’s existing conditions*
15 *are not consistent with the conditions that are documented by the NYSDEC and USFWS.*

16

17 Curt Lavalla (B-18)

18 Reduced parking could help reduce stormwater runoff and improve water quality to the wetlands.

19

20 **Response:**

21 *The Project Sponsor has agreed to land bank parking spaces as mitigation in order to further*
22 *reduce the number of paved parking spaces as shown on the site plans. The Lead Agency has*
23 *examined this issue in light of past practices, data and observation of the Bella Terra*
24 *Apartments, and as a result is comfortable reducing the paved parking to a ratio of just under*
25 *0.5 spaces / bedroom. Since the clubhouse will be used by residents only, its parking*
26 *requirements are minimal. Therefore, additional parking for the clubhouse is not necessary.*

27

28 *The Project Sponsor previously proposed to land bank 140 parking spaces within the DEIS.*
29 *The current proposal is to land bank an additional 96 spaces for a total of 236 spaces,*
30 *reducing the paved parking spaces to 335. The additional land banked spaces are along the*
31 *perimeter of the wetlands behind building 13, the clubhouse, and building 1 and 2, which will*

1 *effectively increase the buffer to the wetlands. Notwithstanding the land banked parking, the*
2 *Project has been examined for stormwater impacts in light of a full complement of impervious*
3 *parking spaces being utilized (see Exhibit FIII-10).*

4
5 Planning Board (64)

6 Will active recreation areas be located in the enhanced buffer areas, and if so, what types of uses
7 are being proposed? Clarify recreation areas, walking paths and different areas of recreational
8 activities.

9
10 ***Response:***

11 *There will be one general ball field located partially within the buffer area shown along Route*
12 *32. This field will be maintained as a natural grass field as currently exists. Also walking trails*
13 *for the residents for recreation and to access the ponds for canoeing or kayaking will be*
14 *located in the buffer areas adjacent thereto (see final site plans and Exhibit FII-16 for*
15 *recreation areas).*

16
17 f. Plans, Exhibits, Appendix

18 ***Final Site Plans (updated)***

19 ***Final Landscaping Plans (updated)***

20 ***Exhibit FIII-6 Town and Wetland Buffer Map (updated DEIS Exhibit III-6)***

21 ***Exhibit FIII-7 Wetland Enhancement/Natural Buffer (updated DEIS Exhibit III-7)***

22 ***Exhibit FIII-7A Green Infrastructure/Wetland Enhancement (updated DEIS Exhibit III-7A)***

23 ***Exhibit FIII-8 Wetland Buffer Cross Sections***

24 ***Appendix E Wetland Consultant J.G. Barbour GPS Natural Inventory Report (new)***

25 ***Appendix F North Country Ecological Service Report(new)***

26
27
28 g. Environmental Assessment

29 ***The existing habitat on the site is mainly made up of an old abandoned apple orchard with***
30 ***many non-native species. There are also wetlands, woods, streams and an active pear orchard***
31 ***on the site. A full environmental assessment of the site was provided by North Country***
32

1 *Ecological Services (NCES) and can be found in Appendix B of the DEIS. The watermain*
2 *route across the street was also assessed by NCES and can be found in Appendix F of the*
3 *FEIS.*

4
5 *No additional significant environmental impacts were identified during the course of*
6 *preparing this FEIS. The new NCES report assessing the ecology of the watermain route also*
7 *did not identify any significant ecological impacts for construction of the offsite water system*
8 *(see Appendix F of the FEIS). The watermains will be buried underground. Vegetation*
9 *removed for its installation is grass ground cover and apple trees. The grass ground cover will*
10 *be replaced in kind and an abundance of apple trees will remain. Therefore, the existing*
11 *habitat will be maintained. The watermain will be installed outside of the wetland and buffer*
12 *areas as shown on the off site water main plans and Exhibit FII-14A. The proposed access*
13 *drive to the water tank will be across the lands of Michael and Jean Moriello, via easement*
14 *and right-of-way from Apple Street. It will be constructed of a pervious crushed stone surface*
15 *and will be located between an existing hedgerow and apple orchard as shown on the offsite*
16 *water main plans.*

17
18 *The proposed water tank and treatment plant building located near the existing Town/Village*
19 *water tanks have a small impervious footprint of less than 2,500 s.f. and the access and*
20 *maintenance drive around them will be constructed of a pervious crushed stone surface.*
21 *Erosion Control Measures and early re-establishment of vegetation and crushed stone*
22 *surfaces are proposed to prevent silt run off from the site. A level spreader is proposed to*
23 *discharge run off from the tank/treatment plant area in a dispersed sheet flow to prevent*
24 *erosion and control runoff rates from increasing over existing conditions.*

25
26 *As shown on the site plans, the proposed water tank is 1.5 times smaller in size than the*
27 *existing tanks and at a low 35' height. The proposed tank is sited on lands approximately 15'*
28 *higher than existing tanks; therefore, the top of the new tank will be at the same elevation as*
29 *the existing tanks. As shown on Exhibit FII-14A and described in the DEIS, the water tank*
30 *will not be visible from surrounding roads or residences.*

31 *h. Mitigation Measures*

1
2 *The mitigation measures outlined in the DEIS have been augmented as described below.*

3
4 *Preservation of sensitive areas will include the establishment of silt fencing and erosion*
5 *control swales to control the discharge of unwanted sediments created during construction on*
6 *the site into the wetlands. Additional protection will be established for the existing wooded*
7 *areas within the site slated to remain. This will include installing tree protection fencing, and*
8 *survey and demarcation flagging of the areas not to be disturbed.*

9
10 *The majority of open/green space in the development will be accentuated to increase*
11 *environmental bio-diversity on the site. Enhancements will be made to both preserved natural*
12 *areas (wetland buffers) as well as the creation of new valuable natural areas.*

13
14 *Although there will be no disturbances to the wetlands (with the exception of moving and*
15 *extending the previously approved culverts), the project will create approximately 9 acres of*
16 *enhanced habitat for wildlife. These enhancements include upland grassland/meadow and*
17 *shrubland areas, vernal pools, enhanced wetland buffer areas, establishment of more valuable*
18 *bio-diverse plant species and restoration of and creation of open water areas (see Exhibit*
19 *F111-7A).*

20
21 *The enhanced wetland buffers are proposed for the main purposes of protecting the existing*
22 *wetlands and providing an additional and enhanced habitat within this important ecological*
23 *system. By removing lower quality non-native and invasive plants and replacing them with*
24 *healthy native plants having greater variety and diversity, the ecological system on the site will*
25 *improve. As a result, the quality of habitats will be much higher and will result in the*
26 *introduction of new wildlife species to the area. The native planting sites (enhanced buffer)*
27 *will create additional shelter, food and nesting areas for wetland wildlife. Native shrub species*
28 *to be planted in the buffer areas such as dogwoods, clethra, chokecherry and spicebush will*
29 *provide a good food source for birds and small mammals. The grassland areas will bring in*
30 *song birds, and the nectar rich flowers and plants will bring butterfly and pollinating insect*
31 *species. These created areas will provide a more diversified and complex ecosystem than exists*
32 *currently on the site.*

1
2 *Limited wooded areas will be replaced with stormwater management areas, which will include*
3 *a diversified habitat with deep water, shallow marsh, wetland meadows, and upland areas. The*
4 *stormwater ponds along with other proposed bio retention stormwater management facilities*
5 *will provide an accentuated physical barrier (buffer) between the student housing project and*
6 *the existing wetland and wooded areas.*

7
8 *Approximately 32 acres of the 50 acre site will be preserved, enhanced and/or restored with*
9 *native plant species. Approximately 8.5 acres of woods will be preserved on the site. Wetlands*
10 *comprising 10.3 acres will not be disturbed. The project will have approximately 6.6 acres of*
11 *native planted natural areas including vernal pools, storm water management areas, grass*
12 *lands, shrub lands and transplanted cedar lands.*

13
14 *Enhancements and mitigation of these areas, as stated previously, will be a combination of*
15 *transplanted tree species, 6” DBH (15 cm) and less. The Project will establish additional*
16 *spawning habitats for amphibians and reptiles, upland grass/prairie meadow habitats, upland*
17 *shrub areas valuable for food sources and habitat for a variety of insects, birds, and small*
18 *mammals. The Project Sponsor will plant native tree species as part of the streetscape*
19 *landscaping and introduce nectar producing plants to provide valuable habitat/food sources*
20 *for migrating butterflies and pollinating insects.*

21
22 *For additional information please see FEIS Section U for responses to Town Wetland*
23 *Consultant J.G. Barbour’s ecological comments and Appendix E of the FEIS (J.G. Barbour*
24 *report).*

25
26 **SECTION G - AIR QUALITY**

27
28 *a. Sewage Treatment Plant*

29
30 *A. Diachisin & Assoc (36)*

31 *Move the proposed STP westerly as far as is practically possible from the Bella Terra Apartment*
32 *building to lessen the impacts of noise and odors.*

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A. Diachisin & Assoc (36)

Assure that the influent structures are placed inside the control building and that the ventilators fans are equipped with activated charcoal odor filtration.

A. Diachisin & Assoc (36)

Cover all of the outdoor treatment units (MBBR, etc.) to minimize odors.

A. Diachisin & Assoc (36)

Place the aerators and treatment units, if possible, between the control building and the prevailing winds from the west using the control building as a sound and odor barrier for the Bella Terra Apartments further to the east.

Alan Goodman (B-42)

The wastewater treatment system should be designed to be free of odors and noise.

Response:
The influent force main is proposed to enter the treatment building where screening will take place and where odor potential is the greatest. This was done specifically to control odors as this area of the building is designed with activated carbon on the ventilation to address any odors. The main process train is in buried, covered tanks to minimize any fugitive odors. Every care has been taken to design for noise reduction by utilizing low noise equipment and providing shielding between the equipment and the closest neighboring property. Neither noise nor odor is expected to impact neighboring properties.

The Project Sponsor along with several concerned citizens and their consulting Professional Engineer, Robert James, toured several wastewater treatment facilities that will have similar treatment techniques as the proposed facility. Mr. James prepared a letter dated November 28, 2012 (located in Appendix A of the FEIS) which offered several recommendations to assist with both noise and odor control which have been considered by the Project Sponsor in the proposed design.

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The location and orientation of the facility mitigates noise and odors while meeting site constraints associated with wetland buffers, required vehicle turning radii and storm water requirements.

b. Miscellaneous

Planning Board (64)

Air Quality for idling construction vehicles.

Response:

The response to this comment has been previously addressed within the content of the Draft Environmental Impact Statement and supporting Exhibits and/or Appendices and can be found in Section III G.2.e page 203.

The Project Sponsor will follow the requirements set forth in NYS DEC Part 217-3 relative to idling vehicles.

c. Exhibits

Response:

There are no new or updated exhibits for this section.

d. Environmental Assessment

Response:

The proposed waste water treatment facility and idling construction vehicles were identified as potential concerns associated with air quality.

e. Mitigation Measures

1 *The introduction of solid waste within the proposed building along with an activated carbon*
2 *ventilation system will effectively mitigate any odors associated with the WWTP. Additionally*
3 *the location and orientation of the building along with vegetative buffering will further*
4 *mitigate any such impacts.*

5
6 *Idling construction vehicles will be required to follow all local and state regulations including*
7 *those set forth in NYS DEC Part 217-3 in this regard in order to minimize any impacts*
8 *associated with these vehicles.*

9
10 **SECTION H - AGRICULTURE**

11
12 *a. Loss of Agriculture Land*

13
14 John House Wilson (B-139)

15 Expressed concern over the loss of agricultural land within the community. The Town should
16 pursue different mechanisms to preserve farmland as previous (Town) studies have indicated.

17
18 Jonathan Wright (D-45)

19 Expressed concern over the value and loss of farmland associated with the project.

20
21 ***Response:***

22 *The remaining farmland of JAM of New Paltz, Inc./Apple Hill Farm, LLC will not be*
23 *adversely affected by removal of the Site from the Agricultural District, as these lands will*
24 *continue to be farmed and will enjoy the benefits of the Agricultural District designation. In*
25 *fact, the site was sold to Goshawk, LLC with the express recognition by the Moriello Family*
26 *that the project site would eventually be developed.*

27
28 *Appendix Q of the FEIS is a letter from Ulster County Cornell Cooperative Extension which*
29 *discusses the current condition and future potential of the site relative to a viable farming*
30 *operation. The letter indicates that “None of the land is prime or unique agricultural land and*
31 *the change in land use will have no demonstrable negative effect on the continued farming*

1 *operations of the Moriello family, nor will there be any adverse impact on the agricultural*
2 *community at large”.*

3

4 *b. Miscellaneous*

5

6 Planning Board (64)

7 Concern regarding possible old farm tile systems

8

9 ***Response:***

10 *As described by the former property owner, there are no known old farm tiles within the*
11 *project lands, as poorly drained lands were avoided because of costs and ample acreage of well*
12 *drained soils on the farm. If any are found during construction, they will be directed to storm*
13 *sewers and/or the stormwater and green infrastructure management facilities.*

14

15 *c. Exhibits*

16

17 *There are no new or updated exhibits for this section.*

18

19 *d. Environmental Assessment*

20

21 *No additional environmental impacts have been identified. The impacts on present or future*
22 *agricultural practices in the surrounding agricultural district adjacent to the property are not*
23 *expected to be negative. There will be no active farmlands situate in close proximity to the*
24 *development if all of the pear trees (active farmland) are removed from the site. In this regard,*
25 *the closest active agricultural lands will be found upon the property of JAM of New Paltz, Inc.*
26 *and will be in excess of 800 feet from the pear orchard and across NYS Route 32 South.*
27 *Therefore, the environmental analysis included in the DEIS addressing agricultural impacts is*
28 *adequate.*

29

30

31

32 *e. Mitigation Measures*

1
2 *There are no known subsurface drainage tiles or outlets on the project Site. There is a man*
3 *made pond overflow ditch which runs from the westerly pond on the Site to the federal*
4 *wetlands which are situate within the wooded area as shown upon the Existing Conditions*
5 *Map.*

6
7 *If old tiles are found, any water flow will be redirected to bio-retention, or infiltration basins.*

8
9 *Alternative agricultural activities would not be possible on this property if the project were not*
10 *built, since the lands are now owned by Goshawk, LLC, and are committed to College*
11 *residential purposes. Goshawk, LLC has committed to building a residential housing project*
12 *for students, faculty and staff at the Site. In the event the project is not built, processing or sale*
13 *of other agricultural products would not occur on the lands since SUNY New Paltz needs*
14 *housing/infrastructure and Goshawk, LLC paid a significant price for the lands. It would be*
15 *outside the purposes for which Goshawk, LLC was formed to commit this land to anything*
16 *other than college related development uses. Although limited gardening may occur on the*
17 *lands in the future, large scale agricultural production, processing and/or sales would not be*
18 *consistent with Goshawk, LLC's mission.*

19
20 *Conserving the three rows of pear trees will also provide a continuing natural buffer between*
21 *the lands of Joe and Kay Moriello and the planned faculty / staff housing. The pear trees will*
22 *require proper care, owing to their proximity to the planned faculty / staff housing. A*
23 *combination of integrated pest management low spraying, daylight work periods and*
24 *intermittent machinery use should prove effective.*

25
26 *Regardless, ample acreage exists elsewhere on the lands of JAM of New Paltz, Inc. for the*
27 *Moriello Family to plant, or transplant, additional pear trees for the sale of pears at the Apple*
28 *Hill Family Market.*

29
30 *The Moriello Family will continue to farm on lands owned by JAM of New Paltz, Inc.*
31 *following completion of the project. As such, 3 acres of converted pear lands, which are no*

1 *longer owned by the Moriello family, represents less than 3% of the remaining acreage which*
2 *is located within the Agricultural District upon lands of JAM of New Paltz, Inc. Therefore,*
3 *the loss of agricultural production will be negligible in terms of the overall production of*
4 *agricultural products which are farmed by the Moriello family.*

5
6 **SECTION I - TRANSPORTATION**

7
8 a. Parking

9
10 Brian Obach (29)

11 As such, the developer should reduce the overall amount of parking on site. Impose charges on
12 tenants who seek to use a parking space, so that non-drivers are not subsidizing parking for
13 drivers. Be a part of the regular bus route and have stops scheduled frequently. Make the
14 connection from the development to the campus safe and attractive for pedestrians and bicyclists.

15
16 Curt Lavalla (27)

17 Alternative E should also employ the same methodology for parking under the campus master
18 plan, whereby existing college parking facilities are utilized at their full extent, rather than the
19 development of 460 new parking spaces.

20
21 Brian Obach (A-36)

22 There appears to be an opportunity to reduce the amount of parking associated with the project
23 and/or include a separate charge for those who wish to park. The project design should make
24 walking and riding bikes as attractive as possible and provide opportunity for bus access and
25 ridership.

26
27 Planning Board (64)

28 Will an effect of closing internal SUNY parking lots encourage off- campus parking?

29
30
31 Planning Board (64)

32 Clarify why there are 21 parking spaces at the waste water treatment plant.

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Planning Board (64)

How does the number of parking spaces proposed agree with present campus parking ratios?

Rebecca Berlin (B-122)

Feels that people will still drive to campus because of the distance.

Zachary Rousseas (A-125)

How will the project minimize traffic if it encourages people to bring their cars at no extra cost?

Bob Cook (30)

How will parking be controlled? 1.25 to 1.5 (46) per 2 br. Apartment makes it difficult to give out more than 1 parking permit per apartment or you will quickly have a parking issue.

Elizabeth Clouth (31)

The document also mentions that the design of Park Point will "facilitate and encourage" students not to use a personal car. Considering in the plan parking spots are allotted for all those living at the building, how exactly will the school facilitate and encourage this?

Liz Clough (B-81)

There are a lot of parking spaces provided with project. How will the school encourage those living in the project to walk to school and not use their vehicles?

Response:

The Project Sponsor has further reduced the number of paved parking spaces as shown on the current site plans to a total of 335 spaces as a mitigation of traffic impacts. To determine the minimum number of paved parking spaces needed for the project, the Project Sponsor and Lead Agency considered:

- ***Parking required by Code***
- ***Parking used at their other student housing projects***

- *Parking needed at peak times such as move in / move out periods*

The Code requires 1-1/4 spaces / unit plus 1/4 spaces / bedroom for the student / faculty / staff housing. For full build-out, there will be 258 units and 732 beds, which requires 505 parking spaces by Code. The Town Code also requires 1 parking space / 200 s.f. for the clubhouse or 32 additional spaces for a total of 537 spaces required at full project build-out.

Approximately 0.75 spaces / bedroom are needed based on the number of parking permits issued at the Project Sponsor's RIT project. Using this ratio, 549 spaces would be required at Park Point New Paltz, slightly more than the 537 spaces required by Code. During move in / move out additional parking is also typically needed.

The Lead Agency proposes the following additional mitigation measures to help minimize the number of paved parking spaces:

- *A fee will be charged to the tenants to rent a parking space over the term of the lease in order to discourage tenants from bringing their personal vehicle to campus.*
- *Implementation of a staggered / scheduled move in / move out program.*
- *Provide grass parking for temporary overflow parking during move in / move out.*
- *Provide two shared-car parking spaces that can be shared by residents of the project to further reduce the need to bring a personal vehicle to campus.*

The project's close proximity to the campus, the extensive / convenient safe and attractive sidewalk system proposed, the direct roadway connection and proposed bus loop make walking, biking or using the bus service an attractive alternative to driving to class.

Furthermore, the college will encourage the use of means other than driving to class by its continued efforts to remove parking spaces within the campus. As referenced in President Christian's letter to the Planning Board, dated January 4, 2013, parking near the inner campus is very limited now and will be further reduced in the future as the College's long-term plan to relocate parking to the periphery of the campus is well underway. Therefore, as stated by President Christian, "...it is unreasonable to think that droves of future students

1 *living at Park Point will get in their cars, drive to campus, and reliably find parking closer*
2 *than their residences to their classrooms."*

3
4 *Considering all of the above, the Planning Board is in agreement with reducing the paved*
5 *parking to a ratio of just under 0.5 spaces / bedroom. Since the clubhouse is to be used by*
6 *residents only, its parking requirements are minimal. Therefore, additional parking for the*
7 *clubhouse does not appear to be necessary.*

8
9 *The Project Sponsor previously proposed to land bank 140 parking spaces. The current*
10 *proposal is to land bank an additional 96 spaces for a total of 236 spaces, reducing the paved*
11 *parking spaces to 335. The additional land-banked spaces are along the perimeter of the*
12 *wetlands behind building 13, the clubhouse, and buildings 1 and 2. The land-banked parking*
13 *effectively increases the buffer to the wetlands.*

14
15 *For safety and practical reasons, the Lead Agency is uncomfortable reducing the number of*
16 *paved parking spaces further, and the 38% reduction below the code requirement in paved*
17 *parking spaces is adequate in light of the documentation submitted. The inability to have*
18 *parking close by to the dwellings could also be a deterrent to college bound students from*
19 *choosing SUNY New Paltz. It is further noted that parking spaces, which are located in close*
20 *proximity to dwelling units, will negate the safety concerns associated with parking and*
21 *walking into the dwelling units at night-by students.*

22
23 *As a further mitigation measure, parking permits will be issued to residents at a number equal*
24 *to or less than the number of parking spaces available, so that parking does not exceed the*
25 *number of spaces provided and violators can be identified.*

26
27 *During the spring of 2011, there were 8,019 parking permits issued for students, faculty, and*
28 *staff. This relates to approximately one parking permit / student. As discussed above, less*
29 *than 0.5 paved parking spaces / bedroom is proposed for the project. Based on these numbers,*
30 *on-campus parking is being utilized to its fullest extent and additional spaces are not available*
31 *for Park Point New Paltz residents to use on campus parking.*

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Four parking spaces are proposed at the sewage treatment plant. These spaces are intended for visitors, vendors, and operators of the sewage treatment plant.

Also, see President Christian’s letter Appendix K of the FEIS, page 5, for additional information regarding parking and traffic.

b. Biking and Pedestrian

Gail Gallerie (56)

The Transportation Implementation Committee believes that Wilmore is to be commended for its attentiveness to the safety and other needs of pedestrians and bicyclists by planning walking/biking trails within the project site. The planned sidewalk along Rte. 32 is particularly welcomed and will offer benefits for non-Park Point residents living to the south of the site as well as to the residents of the complex.

Emily Sullivan (A-89)

There needs to be a more attractive bike and pedestrian access to the campus.

Karen Rhinehart (28)

The project needs to be scaled down, easily incorporated into the footprint of the college with bike trails, access roads and bus stops, be more dorm-like to allow more students the college experience.

KT Tobin (A-100)

Access to and from campus should be non-automobile on inside roads

Mark Sherman (B-66)

1 Thought there was going to be a pedestrian and bikeway connection to the campus. The project
2 could increase the traffic on Route 32 causing a problem. Concerned about safety of people
3 walking along Rout 32 without a side walk.

4
5 Jonathan Wright (D-45)

6 The plan should focus more on a walkable and sustainable community, the plan design and
7 parking appears to warrant driving to campus.

8
9 Planning Board (64)

10 Provide more information regarding multimodal transportation, including the loop bus system
11 and bike sharing.

12
13 Planning Board (64)

14 Clarify the amount of bike storage that is being provided and how much is interior storage and
15 how much is internal?

16
17 Planning Board (64)

18 SUNY needs to be encouraged to extend the sidewalk along the west side of Route 32 to provide
19 for pedestrians going to town.

20
21 Paul Brown (26)

22 Will the 'walkable community' public areas be open for Town of New Paltz residents to walk and
23 ride bikes?

24
25 ***Response:***

26 ***Exhibits FII-10, F-1, and F-2 show the proposed vehicular, pedestrian and bus circulation***
27 ***routes. As discussed in the DEIS, two driveway connections to Route 32 and a campus drive***
28 ***connection proposed at the northwest property corner are included. Sidewalks are proposed***
29 ***along all internal access drives along Route 32, and into the campus at the northwest property***
30 ***corner. President Christian stated at the January 14, 2013 public hearing that the college is***

1 *committed to construct a sidewalk on campus property on the west side of Route 32 between*
2 *the Southside Loop and the southern border of the campus.*

3
4 *Trails are shown from the residential areas through the open space and designated recreation*
5 *areas along Route 32, along the perimeter of the southeast wetland, and around the southwest*
6 *storm water management pond.*

7
8 *A bus loop has been endorsed by the New Paltz Transportation Implementation Committee*
9 *and authorized by UCAT that will circulate through the project to bring students to and from*
10 *the campus and other destinations within the community that are served by the UCAT system*
11 *(see Appendix L of the FEIS).*

12
13 *No bike sharing is currently proposed, however the project management will accommodate a*
14 *shared bike program if offered by the residents or a separate business operator.*

15
16 *The public will have access to the sidewalks and trail systems for walking/running, and the*
17 *roadways will be available to the public and for biking.*

18
19 *The project's close proximity to the campus, the extensive / convenient safe and attractive*
20 *sidewalk system proposed, the direct roadway connection to the campus at the northern end of*
21 *the project and proposed bus loop make walking, biking or using the bus service viable and*
22 *attractive alternatives to driving to class. This will provide further traffic mitigation as the*
23 *project inhabitants will not be drawn in large numbers to NYS Route 32 south for the*
24 *purposes of access to the SUNY campus.*

25
26 *Per Town code §140-52, one bike rack per dwelling unit (258 total units) is required for the*
27 *project. Approximate locations of the bike racks have been depicted on the Final Site Plans*
28 *and will comply with the remaining regulations within §140-52 of the Town code. The project*
29 *will provide a total of 498 bike parking spaces, 264 will be located outside in strategic locations*
30 *throughout the development to enhance visibility and encourage the use of bikes by the*
31 *residents of the project. The remaining 234 spaces will be located within the common roofed*

1 *areas of the buildings to provide increased security and protection from inclement weather*
2 *conditions.*

3
4 *Biking within and through the site will be accommodated along the internal roadway network*
5 *and its extension into the campus. The roadway widths and intended use of the site as a*
6 *student residential community will allow for the safe mix of bike and motorized vehicles on the*
7 *roadways. Bike sharrows will be painted along the centerline of the two-way roads to further*
8 *alert motorists that they are sharing the road with bicyclists as shown on the site plans.*

9

10 c. Traffic

11

12 ZBA Letter (47)

13 Has a traffic study been done? Does it show the resulting traffic to still be in accordance with
14 the connectivity character of the neighborhood?

15

16 Fred Bunt (59)

17 The proposed project is projected to reduce the amount of traffic within the Route 299 corridor
18 by some 30 vehicles in the AM peak hour and 40 in the PM peak hour. How can this project
19 with over 700 bedrooms and potentially 700+ vehicles not increase traffic on Rte. 299 and New
20 Paltz in general? The only way this can happen is if all of the 700+ bedrooms are filled through a
21 vacuum affect in the Village - basically stealing village renters and relocating them at Park Point.

22

23 Bob Gabrielli (55)

24 The Project Sponsor should be required to immediately change plans relating to access to include
25 a through east-west town bypass road. As the Board knows, this community has been the
26 recipient of a \$500,000 grant to study a bypass. This project would solve, not only the problem
27 extant in our community, but the imminent traffic inherent with this proposal. Again, the Project
28 Sponsor should be formally asked, in writing, if it is willing to change plans and construct such a
29 road. The written response must be made part of the public record.

30

31

1 Jason West (B-87)

2 Stated that although the DEIS traffic section indicates that traffic will not have an impact that
3 traffic will in fact get worse.

4

5 Leonard Loza (C-14)

6 Expressed concern over the additional traffic and if the road structure can handle it.

7

8 Robert Glecko (C-39)

9 Is Wilmorite going to help fund the proposed bus loop? It is already over extended. The project
10 is one mile from main street, concern that the project will add more cars to the road network.

11

12 Duane Ragucci (32)

13 As the project is described in the public hearing notice, there is only one entrance into the project
14 along Route 32. Once again we have one road going into a major project which is used as an
15 entrance and an exit. Concern was expressed at the last meeting that this would increase traffic
16 on Route 32 near the Middle School. In fact doesn't this project present an ideal opportunity to
17 accomplish a goal of every traffic study that has been done in New Paltz; that is to create another
18 east-west road as a bypass around the continuously clogged Main Street and ever busier Jansen,
19 Henry Dubois, Shivertown, and Horsenden Road? Why not build a road in the project which
20 connects Route 32 and 208 and give the people on the above-mentioned roads a greater
21 opportunity for the peaceful enjoyment of their property and relieve the traffic on Main Street
22 that we permanent residents suffer through at rush hour and on weekends. I think this proposed
23 project is a perfect opportunity for the town to finally accomplish a goal that has been discussed
24 for literally decades at no or low cost to the town and village - a bypass road south of Main
25 Street that will make life better for all New Paltz's residents.

26

27 David Porter (D-15)

28 The Friday p.m. peak traffic should be looked at as this is a busy time for traffic

29

30

31

1 Jonathan Wright (D-45)

2 The DEIS should look at the Transportation and Land Use study. There was consideration of a
3 road connection between South Putt Corners to Route 32 to Route 208, this project could take
4 that possibility away.

5

6 Bob Gabrielli (D-74)

7 The Board should look at and consider the road network bypass as suggested by the studies the
8 Town has done.

9

10 Planning Board (64)

11 Traffic warrant for turning lane and/or deceleration lane on Route 32?

12

13 Gail Gallerie (56)

14 The committee urges the Planning Board to require a full connector road between Park Point
15 and the campus as part of site plan approval.

16

17 Planning Board (64)

18 Consider traffic calming measures on internal roadways.

19

20 Planning Board (64)

21 Will the north entrance be gated?

22

23 Planning Board (64)

24 Clarify the timing of the traffic counts in the traffic study. Traffic seems to increase in Town on
25 Fridays and Saturdays especially.

26

27 Planning Board (64)

28 Has the traffic study considered the number of vehicles after the afternoon peak hour and on the
29 weekends?

30

31

1 Planning Board (64)

2 What provisions can be made for a future southern bypass (Jansen Road serves as one now?)

3

4 Andrew Loyer (22)

5 Another concern I have is in regards to the intersection of Main and Manheim. That intersection
6 is already busy and difficult.

7

8 ***Response:***

9 ***A traffic study was completed and submitted to the Town of New Paltz and the***
10 ***NYSDOT(Appendix G of the DEIS). The Town Planning Board's Traffic Consultant and the***
11 ***NYSDOT have provided comments on the traffic study and have received formal responses to***
12 ***their comments. NYSDOT and the Town's Traffic Consultant have agreed to the traffic***
13 ***study's conclusion that minimal impact to the study area traffic operations will result from the***
14 ***proposed development. The resulting changes in traffic patterns will not have a detrimental***
15 ***impact on the connectivity character of the neighborhood. In this regard, traffic for***
16 ***approximately 700 students, faculty and staff that previously had to use the external roadway***
17 ***network to go to and from the college will be removed from the external roadway network,***
18 ***removing peak hour traffic from the busiest intersections along Route 299.***

19

20 ***The traffic impact study for this project demonstrates that future operation levels are***
21 ***comparable to the no-build scenario on roadways directly affected by the project.***

22

23 ***Left and right turn lanes were considered at the site driveways per the AASHTO guidelines;***
24 ***however neither was justified as the traffic volumes did not exceed the AASHTO thresholds to***
25 ***consider installation. The turn lane analysis calculations are included in Appendix H of the***
26 ***FEIS.***

27

28 ***A connector road between the project and campus has always been depicted on the final site***
29 ***plans for the project. This internal connection will be constructed by SUNY New Paltz (See***
30 ***Appendix K of the FEIS, January 4, 3013 Donald Christian letter). The connection will***

1 *include both pedestrian and vehicular connectivity between the Park Point development site*
2 *and the college (see Exhibit F-1).*

3
4 *Traffic calming measures have been considered for the internal roadway network within the*
5 *development as a further mitigation measure. A series of crosswalks for pedestrian crossings*
6 *have been depicted on the final site plans. They will help alert vehicular traffic to identify*
7 *areas for crossing and inherently provide traffic calming along the roadway system. The*
8 *crosswalks will also be identified with signage to alert motorists of pedestrian activities. The*
9 *main circular element located at the intersection of the roadways in the development will also*
10 *calm traffic through the development. Additionally, the fact that parking exists along the*
11 *access drives throughout the project will also slow vehicles along the project. The Lead*
12 *Agency has considered additional calming measures such as speed tables, speed*
13 *bumps/humps, but it has been determined that the project as designed will provide adequate*
14 *calming of vehicular circulation within and through the project.*

15
16 *The northerly entrance onto Route 32 into the development will not be gated. This entrance*
17 *will act as a secondary access point to the project for both residents as well as emergency*
18 *vehicles. It will be appropriate for some residents of the development, such as the faculty*
19 *building tenants, to utilize the access as a means to get to the northern end of the project limits*
20 *without having to navigate through the remainder of the project. Additionally, this access*
21 *point will provide for access to the development and mitigation of temporary traffic congestion*
22 *during the "move-in" and "move-out" timeframes, which will increase the efficiency of*
23 *moving traffic into and out of the project limits during move-in / move-out, and further*
24 *mitigate the traffic effects at these times.*

25
26 *Traffic studies analyze the critical times when the most vehicles are utilizing the roadway*
27 *network. This usually occurs during the morning and evening commuter hours. Based on 24-*
28 *hour traffic data regularly collected by the NYSDOT in New Paltz, typical peak volumes occur*
29 *during the weekday evening peak hours. Based on published NYSDOT data (tube counts)*
30 *Saturday volumes are comparable but are slightly less. In the New Paltz Area, based on*
31 *NYSDOT tube counts here are the peak days for specific roadway segments:*

- 1 • *Route 32 South of Route 299 = Thursday (2010)*
- 2 • *Route 299 from Rt.32 to I-87 = Tuesday (2009)*
- 3 • *Route 32 from Chestnut St to Manheim Blvd. = Friday (2008)*
- 4 • *Plattekill Ave. from Rt299 to Maiden Ln = Tuesday (2009)*

5 *It is standard practice to collect traffic data on a non-holiday week from Tuesday-Thursday to*
6 *obtain typical traffic volumes. This follows the practices recommended by the ITE (Institute of*
7 *Transportation Engineers) and the NYSDOT. The exception is in retail/shopping mall areas,*
8 *which does not apply for this project. The NYSDOT and the Town's Traffic Engineer did not*
9 *find any fault with the traffic data used in the traffic study report.*

10
11 *Traffic will fluctuate on a daily basis roughly +/-10%, but the roadways should be designed for*
12 *the typical daily peaks based on ITE and NYSDOT practices. The traffic counts were also*
13 *adjusted by a NYSDOT Seasonal Adjustment Factor to further modify the design volumes to*
14 *typical values (in this case the counted traffic volumes were increased by 4.9%). Specific*
15 *Fridays/Saturdays throughout the year could possibly have higher volumes due to special*
16 *SUNY New Paltz events (such as graduation); however, it is not standard practice to design*
17 *roadways based on these specific events, due to cost/sustainability/practicality and*
18 *environmental impacts. The ITE Traffic Engineering Handbook methodologies and*
19 *recommendations were used to determine the design hour volumes in the traffic impact study,*
20 *which is also a requirement of NYSDOT.*

21
22 *The overall negligible increase in traffic volumes during the peak hours analyzed in the traffic*
23 *study correlates to the fact that the student population commuting to campus during the peak*
24 *hours is not anticipated to increase. This is evident from the past 18-years of enrollment data*
25 *as well as the statement issued from Donald P. Christian, the college's president, dated*
26 *January 4, 2013 (Appendix K). Since the student population will not increase, the proposed*
27 *student housing located south of the campus will re-locate the existing commuting student*
28 *population to new residencies adjacent to the campus. Based on current student parking*
29 *conditions and follow up studies from other similar developments that have been built*
30 *(Auburn University, San Diego State University, SUNY Cortland), it is anticipated that the*

1 majority of the students will commute to campus via modes other than their personal vehicles.
2 It is true that a greater number of students will reside in New Paltz and will be utilizing their
3 personal vehicles during non-peak hours; however this additional traffic is not incorporated
4 in the traffic study, as these trips do not occur during the critical time periods when typical
5 traffic volumes are at their highest levels. The roadway network has excess capacity during
6 the off-peak hours; thus there is not a need to further study these additional miscellaneous
7 student trips.

8
9 The intersections were analyzed up to the full build out year of 2019 to determine if the
10 roadway network would operate at adequate operation levels with the new traffic volume
11 patterns. The traffic study shows that all intersections will continue to operate at satisfactory
12 levels during the 2019 design year as all of the intersections within the study area will
13 maintain their overall level of service with the proposed development constructed.

14
15 d. Traffic Study

16
17 NYSDOT (10)

18 In 2011, NYSDOT noted a high accident location (Priority Investigation Location - PIL) on Rte.
19 32 between reference marker 32 8602 and 32 8602 1121. A Highway Safety Investigation HSI
20 study and proposed mitigation was required for this PIL segment and remains outstanding. The
21 Project Sponsor is advised to contact the undersigned for guidance.

22
23 NYSDOT (10)

24 Clarify the Trip Generation tables since the phase 2 description references tables 5, 6 & 7 while
25 the table headers reference phase 1.

26
27 NYSDOT (10)

28 Submit Synchro files on disc such that NYSDOT may analyze the operation of near and
29 contributing intersections for the 2019 build condition of phase 1 and phase 2. Include the actual
30 Synchro files and location maps on disc.

31

1 NYSDOT (10)

2 The Project Sponsor shall perform post development studies of phase 1 and phase 2 within one
3 year after 75% occupancy of each phase is achieved. The field work must be conducted during
4 times of peak activity (trip generation). The study shall be performed by a licensed professional
5 engineer addressing points offered within the traffic study. The study shall include but not be
6 limited to trip generation, volume distribution, level of service determinations, and synchro
7 revisions.

8

9 NYSDOT (10)

10 Access to the state highway shall comply with all NYSDOT standards and other requirements as
11 determined by the reviewing engineer.

12

13 NYSDOT (10)

14 Include more detail on the plans showing the water treatment plant(s) and impact to the state
15 right-of-way.

16

17 NYSDOT (10)

18 Submit the signal warrant analyses referenced within the traffic study.

19

20 NYSDOT (10)

21 Perform turn lane analyses (left turn, right turn) at points of proposed access.

22

23 ***Response:***

24 ***The existing Priority Investigation Location (PIL) for high accidents is for the roadway***
25 ***segment along NYS Route 32 which extends from the intersection of S. Manheim Blvd./Main***
26 ***St. along Main St. and then north along N. Chestnut St. The project study area as defined by***
27 ***the Town extends south from the S. Manheim Blvd./Main St. intersection to Jansen Road.***

28 ***This PIL is outside the study limits with the exception of the S. Manheim Blvd./Main St.***
29 ***intersection. As part of the DEIS coordinated review, the NYSDOT suggested that a detailed***
30 ***accident analysis including collision diagrams be provided. The traffic impact study reviewed***
31 ***the accident data within the project limits for a 3-year period from 2009 to 2011 provided by***

1 *the Town of New Paltz police department. The calculated accident rates and collision*
2 *diagrams do not warrant any mitigation measures due to the nature and quantity of the*
3 *accidents that occurred. The accident analysis and summary data was included in Appendix E*
4 *of the Traffic Impact Study that was included in the DEIS, and is included in the appended*
5 *study Appendix.*

6
7 *There was a typo as tables 5, 6 & 7 are associated with Phase 2 development. The table labels*
8 *have been updated in the Traffic Impact Study, which is attached to this letter and on the*
9 *enclosed disc in Appendix H of the FEIS.*

10
11 *Per the NYSDOT's request, a disc is included in Appendix H of the FEIS which has the*
12 *synchro files associated with the Traffic Impact Study.*

13
14 *It is understood that additional traffic counts and analysis would be performed after the*
15 *development has 75% occupancy for Phase 1 and Phase 2, and that this will be a condition of*
16 *the approvals for the project.*

17
18 *Additional detail will be provided as part of the design approval in the Highway Work Permit*
19 *Application for Non-Utility Work [PERM 33 (08/01)] submission as the project progresses.*

20 *The following has been provided per the NYSDOT comments:*

- 21 • *Accident Summer Data and Collision Diagrams for Studied Intersections*
- 22 • *Trip Generation Tables with corrected labeling*
- 23 • *Synchro Analysis Files*
- 24 • *Signal Warrant Analysis*
- 25 • *Turn Lane Analysis*

26
27 *The existing PIL is for a larger roadway segment which included areas with much higher*
28 *accident rates than the intersections and roadways within this project's study limits. After*
29 *reviewing the accident data within the project limits from the New Paltz police department, the*
30 *accident rates and collision diagrams do not warrant any mitigation measures due to the*

1 *nature and quantity of the accidents that occurred. The accident summary data is included in*
2 *Appendix H of the FEIS.*

3

4 *Site access to Route 32 will be designed in compliance with NYSDOT standards and be*
5 *reviewed by the Region 8 office.*

6

7 *Additional detail will be provided as part of the design approval in the Highway Work Permit*
8 *Application for Utility Work [PERM 32m (02/00/)] submission as the project progresses.*

9

10 *The signal warrant analysis is included in Appendix E of the Traffic Impact Study in the*
11 *DEIS, which is also included in Appendix H of this FEIS.*

12

13 *A turn lane analysis per AASHTO recommendations/thresholds is included in Appendix H of*
14 *the FEIS. The future 2019 build traffic volumes do not meet the thresholds to construct*
15 *auxiliary turn lanes at the site driveways.*

16

17 *See Appendix G of the FEIS for all of the NYS DOT comments and McFarland Johnson*
18 *responses.*

19 *e. Campus Connection and Bus Service*

20

21 Roberto M. Lobianco (44)

22 The bus loop does not run on weekends, nor are there currently plans to have the bus operate on
23 weekends due to budgetary restrictions on the county, federal and local level. The lack of the
24 Loop on weekends is not addressed at all in the DEIS.

25

26 Jason Rosenberg (21)

27 If the campus wanted to encourage students to do less driving they could do it exponentially with
28 a wave of their hand by banning sophomores from having cars on campus. Freshmen can't have
29 them.

30

31

1 Karen Rhinehart (28)(B-4)

2 Project essentially bans students not getting to school have to use car to get to parking lots and
3 cause traffic on Rte. 32 would become, basically, commuter traffic, everyday throughout the day.
4 How will college police get there in an emergency?

5
6 Planning Board (64)

7 Give more details on the UCAT bus service, data on its usage, expected usage by the projects
8 tenants, how is the service funded and is it cash flow positive?

9
10 ***Response:***

11 ***A proposed bus stop at the property to be serviced by the LOOP bus has been conceptually***
12 ***reviewed and supported by UCAT and the New Paltz Transportation Implementation***
13 ***Committee Chair. See Appendix L of the FEIS for correspondence from both parties.***
14 ***Providing one additional stop at a central location internal to the project is consistent with the***
15 ***priorities of the local Transportation Committee for increasing the availability and reliance on***
16 ***mass transit to reduce motor vehicle usage.***

17
18 ***The project to campus connection proposed at the north end of the project limits will provide***
19 ***pedestrian, bike and vehicular connectivity that will reduce the need for traffic to utilize Route***
20 ***32 to access the SUNY campus. As addressed by President Christian's memo to the Planning***
21 ***Board, dated January 4, 2013, parking near the inner campus is very limited now and will be***
22 ***further reduced in the future as the College's long-term plan to relocate parking to the***
23 ***periphery of the campus is well underway. Therefore, as stated by President Christian, "...it is***
24 ***unreasonable to think that droves of future students living at Park Point will get in their cars,***
25 ***drive to campus, and reliably find parking closer than their residences to their classrooms."***

26
27 ***The campus connection roadway network will provide access for all users to enter the site as***
28 ***was discussed previously.***

29
30 ***The bus loop will continue to be funded jointly by the US Federal Government, County, Town,***
31 ***Village, SUNY New Paltz and Student Association fees.***

1 f. *Handicapped Access*

2

3 Karen Rhinehart (28)

4 Did not get an opportunity to see how handicap access was going to be addressed. Elevators?,
5 transportation accessibility to classes, gym, dining?, bathrooms.

6

7 ***Response:***

8 ***The project will provide handicap accessibility per the current rules and regulations of***
9 ***municipal, state and federal ADA mandates. Handicapped parking spaces are shown on the***
10 ***site plans and all sidewalks have been designed in accordance with ADA requirements. The***
11 ***building plans will be reviewed for conformity with ADA compliance by the Town Building***
12 ***Inspector.***

13

14 g. *Related Plans and Exhibits*

15

16 ***Final Site Plans (updated)***

17 ***Exhibit FII-2A Site Rendering (updated DEIS Exhibit II-2A)***

18 ***Exhibit FII-10 Pedestrian and Circulation Plans (updated DEIS Exhibit II-10)***

19 ***F-1 Campus Access Plan (new)***

20 ***F-2 Route 32 Sidewalk Connection Plan (new)***

21 ***Appendix G – McFarland Johnson NYS DOT response comments (new)***

22 ***Appendix H- McFarland and Johnson Traffic Report(new)***

23 ***Appendix L- Letters from UCAT and New Paltz Transportation Implementation Committee***
24 ***(new)***

25 ***Appendix K- Letter from Donald P. Christian (new)***

26

27 h. *Environmental Assessment*

28

29 ***No additional environmental impacts have been identified. Construction related to the***
30 ***Transportation section remains the same as outlined in the DEIS, and no additional traffic***
31 ***impacts were identified as a result of preparing this FEIS. Therefore, the Environmental***
32 ***Assessment included in the DEIS is adequate.***

1 *i. Mitigation*

2
3 *Since no new construction or traffic impacts have been identified, the mitigation measures*
4 *outlined in the DEIS and/or discussed herein remain appropriate. A summary of the*
5 *mitigation measures is:*

- 6
- 7 • *Providing housing close to the SUNY campus reduces peak hour traffic on the*
8 *highway network. Approximately 700 students, faculty and staff that currently*
9 *access the campus from off campus locations using the external highway system*
10 *will be able to access the campus by bus, bike, walking, and to a lesser extent*
11 *personal vehicle through a direct vehicular and pedestrian access connection.*

 - 12
 - 13 • *A sidewalk will be constructed along the property frontage, across the J. Moriello*
14 *property by the Project Sponsor, and SUNY New Paltz will extend the sidewalk*
15 *northerly to the existing sidewalk at the SUNY New Paltz south entrance on Route*
16 *32. The sidewalk will provide safe access for pedestrians from the south end of the*
17 *project to the existing SUNY / Village sidewalk network (see Exhibits F2 and FII-*
18 *10). The sidewalk network connection will also reduce traffic as safe pedestrian*
19 *access will be available.*

 - 20
 - 21 • *The following mitigation measures are proposed:*
 - 22
 - 23 ➤ *Accommodation for approximately 264 exterior and 234 interior bike spaces*
24 *for residents and visitors (see site plans).*
 - 25 ➤ *A bus loop will be provided through the project making it convenient to ride*
26 *the bus to campus and other destinations in the Village and Town*
27 *(Appendix L of the FEIS).*
 - 28 ➤ *A direct connection for vehicles and pedestrians to the campus is proposed.*
 - 29 ➤ *A fee to rent a parking space will be charged to further discouraging the*
30 *need for a personal vehicle.*

- 1 ➤ *The college currently offers a free "car sharing" program through a*
2 *contract with Hertz On-Demand which is managed through Campus*
3 *Auxiliary Services. All residents of the project will either be enrolled or*
4 *employed by the college and will have full access to this program.*
5 *Additionally, the Project Sponsor will work directly with Campus Auxiliary*
6 *Services to study demand of the service. Two parking spaces shown on the*
7 *site plan will be reserved for the "car sharing" program.*
8 ➤ *The Project Sponsor will provide grass parking and schedule move-in,*
9 *move-out to reduce the need for parking during these busy time periods.*

- 10
11 • *Two electric vehicle charging stations are proposed to encourage the use of electric*
12 *vehicles to reduce fossil fuel emissions.*
13
14 • *Reduction in paved parking spaces also reduces ecological and surface water*
15 *impacts as analyzed in other sections.*
16
17 • *To improve safety, bike sharrows will be painted along the centerline of the two-*
18 *way roads to further alert motorists that they are sharing the road with bicyclists.*

19
20 **SECTION J - LAND USE AND ZONING**

21
22 a. Sewage Treatment Plant Ownership

23
24 Bob Cook (30)

25 There is constant reference to the town potentially wanting this. Is there something in the plan
26 that makes this look attractive? If so, would the town force local homes off wells/septic to
27 justify costs?

28
29 Bob Cook (30)

30 Has there been any commitment by town to accept either the sewage treatment plant or water
31 treatment plants and if so, would that cost burden go out to users of the plants only or to all town
32 taxpayers? What will happen if the town does not accept at anytime during the 47 year lease?

1 Paul Brown (26)

2 What are the specific details and timing of the proposed water and wastewater treatment plants
3 which will be offered to the Town for future expansion? Who will actually own the land and the
4 structures on the "additional 8 acres of land" currently owned by JAM of New Paltz?

5

6 Paul Brown (26)

7 The section titled "Water and Sewer Funds" (page 23) states that "...the company may transfer
8 ownership and operation of the (water and sewer treatment) plants to the town." and states that
9 this represents "...a potential public benefit of the project to the Town of New Paltz." What are
10 the specific and actual contractual commitments and representations being made by the applicant
11 with regard to these treatment plants and any other "public benefit"? The applicant should
12 explain the convoluted and often confusing ownership of the separate parcels cited in this
13 proposal. Who owns what at any point in the timeline of the project and what are the contractual
14 commitments as differentiated from the potential benefits to the town? The applicant should
15 explain why it makes sense to approve a project with critical and life sustaining functions, such
16 as the treatment of drinking water and the treatment and disposal of wastewater, located on a
17 neighbor's property. Why should these services be located on a separate 8 acre parcel and who
18 would own, operate and profit from the operation of this parcel?

19

20 Paul Brown (26)

21 If the Town Board and Planning Board believe that the water and wastewater treatment facilities
22 will ultimately benefit additional development in the Town, then conditional phrases such as
23 "may transfer ownership and operation" and "potential benefits" are unacceptable as part of the
24 Draft Environmental Impact Statement and should not make their way into the Final
25 Environmental Impact Statement.

26

27 ***Response:***

28 ***The wastewater treatment facilities will be located on 8 acres of land that are presently owned***
29 ***by J.A.M. of New Paltz, Inc. Prior to commencing construction, these lands will be conveyed***
30 ***to Goshawk, LLC, and will merge with Goshawk's 42 acre parcel, resulting in a single 50 acre***
31 ***parcel (see Lot Line Revision Map in Appendix R of the FEIS). The potable water supply and***

1 *treatment facilities will be located on lands owned by J.A.M. of New Paltz, Inc., and Goshawk,*
2 *LLC and Wilmorite will be provided with a permanent easement from JAM of New Paltz, Inc.*
3 *to access, use, maintain and repair those facilities. During the term of its lease, Wilmorite will*
4 *privately own and operate all system components of the water supply, water treatment and*
5 *waste water treatment facilities for its own use at the property and does not intend to sell water*
6 *or sewage treatment to any other users. In the future, should the Town be interested in*
7 *accepting a dedication of these facilities it can initiate the process for transfer of ownership*
8 *and undertake the appropriate application and permitting processes which include Town,*
9 *County and State agency approvals.*

10
11 *b. Zoning*

12
13 Bob Cook (30)

14 I understand the zoning need for 50 acres but that is a waiver similar to the waiver to go above
15 the 35 feet for the building.

16
17 Ben Miller (C-17)

18 Is the density of the project allowed by the current code? Is a variance needed for this?
19

20 Paul Brown (26)

21 What 'community benefits' is the applicant offering to justify changes in zoning and other
22 accommodations that will be requested from the Town of New Paltz government?
23

24 Paul Brown (52)

25 What would be the impact on the remaining 290 acres of land currently zoned and planned for
26 residences on no less than 1 acre parcels.
27

28 Paul Brown (52)

29 Considering the 8 acre parcel is currently zoned R-1, what structures can be legally built there?
30
31

1 **Response:**

2 *There is no waiver or variance needed for the acreage associated with the Project. The*
3 *minimum lot size for the Variable Density Residence District (RV) is 10 acres; this Project has*
4 *41.9 acres of land within the RV District, and the use is expressly permitted within the RV*
5 *Zoning District per Section 140-18 of the Town of New Paltz Zoning Law.*

6
7 *The density of the Project is allowed by the Town of New Paltz Zoning Law and no variance is*
8 *needed in this regard.*

9
10 *There are no proposed changes to the underlying R-V zoning district and the proposed project*
11 *complies with the zoning requirements or is below thresholds of any anticipated impacts.*

12 *Three variances are proposed as described in Section 3.J of the DEIS. Approval of the*
13 *variances will allow for clustering the Project development to the least environmentally*
14 *significant areas of the site. These area variances are being currently reviewed by the Town of*
15 *New Paltz ZBA as part of the coordinated SEQRA review.*

16
17 *No development is currently proposed on the remaining 290 acres of land that are owned by*
18 *J.A.M. of New Paltz. Any impacts to these lands will be determined by future development,*
19 *planning and zoning decisions to be made by J.A.M. and/or the Town.*

20
21 *Upon completion of the subdivision of lands of the 8-acre parcel, the wastewater treatment*
22 *plant is allowable by Code as an accessory use to the Project.*

23
24 *The applicant proposes construction of the wastewater treatment plant on the R-1 District*
25 *zoned ±8 acre portion of the project parcel to be merged with the ±42 acre parcel that is zoned*
26 *RV by lot line revision. The ±8 acres of land will be subdivided off of the ±290 acre parent*
27 *parcel owned by JAM, and merged with the ±42 acre parcel creating a ±50 acre parcel that*
28 *will be owned by the Foundation's subsidiary, Goshawk, LLC. A change in the zoning*
29 *classification is not required or proposed for the ±8 acres to be merged with the ±42 acre*
30 *parcel as the sewage treatment facility is permitted as an accessory use to the overall*

1 *development and will be situated on the same lot (see also January 25, 2012 Building*
2 *Inspector Interpretation at Appendix U in the FEIS).*

3

4 c. Land Use

5

6 Rebecca Berlin (B-122)

7 Why is the Town Board attorney the land use attorney for Wilmorite and the former land owner?

8

9 Jonathan Wright (D-45)

10 Indicated that there was a statement that there was 39 acres of buildable area on the site, does not
11 feel this is accurate.

12

13 Bob Gabrielli (D-74)

14 Why can't a conservation easement be binding if the 40 year lease is binding.

15

16 Planning Board (64)

17 What means are acceptable to guarantee that open space will be restricted from future
18 development?

19

20 Paul Brown (52)

21 On page 12 the applicant describes the project site "exclusive of the 8 acre parcel." What is the
22 description of the 8 acre parcel?

23

24 Paul Brown (D-95)

25 What is the Planning Board enabling by approving an 8.2 acre parcel separate from the 41.8 acre
26 parcel. What structures can be built on the 8.2 acre parcel that is zoned R-1, will this land need to
27 be re-zoned. What will become of the remaining lands owned by J.A.M.? Will it be R-1 or more
28 student housing.

29

30 Bob Cook (30)

31 Could they have put the sewage treatment plant on the existing acre?

1 Karen Rhinehart (28)

2 The additional parcel that was determined to be necessary for sewage treatment. Had the same
3 scrutiny been placed on it?

4

5 Paul Brown (52)

6 What is the current and proposed future ownership of the 8 acre parcel?

7 What is the planning board enabling by approving the creation of an 8.16 A parcel separate from
8 the larger 41.86 parcel which is proposed for the 13 buildings and community center?

9 What are the implications of having vital treatment and wastewater treatment on a separate
10 parcel of land? Who will own this land? Will a sewer district be formed?

11 What legal agreements, laws and/or regulations govern this operation?

12

13 ***Response:***

14 ***The Town Board attorney is not the attorney for Wilmorite, nor is he representing the Town in***
15 ***this matter in any capacity.***

16

17 ***Of the 50 acre project site there are approximately 11 acres of regulated wetlands; leaving***
18 ***approximately 39 acres of buildable area (see Exhibit FIII-6).***

19

20 ***Nearly all open space lands are included in designated recreation areas, setback, wetlands or***
21 ***wetland buffer areas. The use of the open space areas are restricted to passive and active***
22 ***recreation uses by site plan approvals and/or restricted from alteration by the USACOE's***
23 ***wetland regulations, and potentially by the Town's future, but presently non-applicable,***
24 ***wetland ordinance. Any changes to the use of the open space and recreation areas would***
25 ***require discretionary site plan review and approval, and this will be articulated as part of the***
26 ***site plan conditions for the Project, if approved. As such, any change in use of the open space***
27 ***areas would require specific discretionary environmental (SEQRA), zoning and land use***
28 ***approvals by the Planning Board, and/or other involved agencies. Therefore, the Planning***
29 ***Board finds that the goal of preserving the open space and recreation areas as open space,***
30 ***recreation areas, wetlands, and wetland buffer areas is sustained without the use of additional***
31 ***deed restrictions, covenants or easements. Notations will be added to the final subdivision and***

1 *site plan to further reinforce that any proposed changes in land use must be approved by the*
2 *Planning Board. Furthermore, for the reasons set forth in the February 9, 2011 letter from*
3 *Bond, Schoeneck & King, PLLC to the Planning Board, as supplemented by the April 2, 2013*
4 *letter attached as Appendix P of the FEIS, the conveyance of property rights for no*
5 *consideration would create significant legal issues for the SUNY New Paltz Foundation (see*
6 *Appendix P of the FEIS).*

7
8 *The ±8 acre parcel is the parcel of land to be subdivided from the contiguous J.A.M. of New*
9 *Paltz parcel south of the development, and will be merged with the ±42 acre Goshawk property*
10 *for construction of the proposed wastewater treatment plant.*

11
12 *If the wastewater treatment facility had been developed on the existing 42 acre parcel, the*
13 *wastewater treatment facility would have significantly encroached into the wooded area and*
14 *the buffer area surrounding the wetlands. Therefore, after review by the Planning Board and*
15 *in consideration of the submittals of record, J.A.M. of New Paltz, Inc., has provided additional*
16 *land for construction of the wastewater treatment plant in order to mitigate environmental*
17 *impacts (see site plans).*

18
19 *The environmental impact review was completed for the entire 50 acres of land and the water*
20 *supply infrastructure lands associated with the Project as evidenced by the DEIS and this*
21 *FEIS.*

22
23 *d. Site Planning*

24
25 *ZBA Letter (47)*

26 *Who determined the necessary number of units? How was this determination reached? Can the*
27 *size of the project be reduced? Will it always be restricted to residence by students and faculty?*
28 *Will the proportion of students to faculty/staff remain the same?*

1 ENCB final meeting minutes (38)

2 We approve of cluster planning in general, and for this project, where clustering is essential,
3 given the challenges of the property; and we are prepared to write to the Zoning Board of
4 Appeals in support of the needed exemption, if it becomes appropriate to do so.

5

6 Bob Cook (30)

7 Why BME Associates out of Rochester (Fairport) for the land engineering study as there are
8 local options (Saugerties) that do not have prior dealings with Wilmorite (potential bias if they
9 want to be the preferred company to Wilmorite for continued work). What is this company's
10 liability if their analysis proves to be faulty? Will there be a follow up post completion to
11 validate the analysis?

12

13 Karen Rhinehart (28)

14 If the project is so sensitive to the needs of the college, why is it not a more physically integral
15 part of the campus?

16

17 Karen Rhinehart (28)

18 So, let's see. This trend towards online classes just might make the investment into this large
19 scale housing project (FOR STUDENTS AND STAFF?) not such a good idea UNLESS the goal
20 was to create an apartment complex and say it was for "much-needed student housing."

21

22 Paul Brown (52)

23 What legal agreement, laws and/or regulations govern this operation?

24

25 Paul Brown (52)

26 What structures and operations would the Planning Board be enabling if it grants the applicants
27 requests?

28

29 Paul Brown (52)

30 Would this subdivision application be part of a separate public hearing?

31

1 ZBA Letter (47)

2 What plans have been made to ensure efficient fire and police services? Will there be sufficient
3 access and turn-around space for emergency vehicles? Will there be emergency alert and
4 evacuation plans for residents?

5

6 Planning Board (64)

7 Can the primary access be less wide and more pedestrian friendly and still provide necessary
8 access for fire equipment?

9

10 Emily Sullivan (B-130)

11 Safety concern with walking path connection to the campus.

12

13 Planning Board (64)

14 How does this project fit into and advance the SUNY Campus Master Plan?

15

16 Planning Board (64)

17 Can the clubhouse area and the faculty housing designated units be switched? This might provide
18 more continuity with the campus and provide more privacy for the faculty tenants.

19

20 Planning Board (64)

21 Consider providing rental vehicles at the project site.

22

23 Planning Board (64)

24 How can this project be integrated to a greater extent with the SUNY Campus?

25

26 Emily Sullivan (B-130)

27 The buildings look like retirement homes, project should have sustainable gardens.

28

29 Al Wegener (53)

30 With the 1"=100' scale of the site plans, it is difficult to know space allocations accurately.

31 However, overall, it does appear to me that only about 10 feet is provided between most

1 buildings and the sidewalks. I am concerned that this will give people the feeling that the
2 buildings are crowding in the streets...of a confined, urban setting, and that this is in conflict with
3 the sense of the open campus-like feeling one associates with SUNY, and which one does
4 experience on the campus proper.

5
6 Planning Board (64)

7 Consider tenant gardens on the site plan.

8

9 ***Response:***

10 ***The Project Sponsor determined the number of units in consideration of proprietary business/
11 economic decisions, and based upon the market need and the density of development that
12 could be constructed on the property by current zoning. Exhibit II-6 Alternative A of the
13 DEIS shows that the density of the Project proposed could be constructed on the property
14 under current zoning without needing variances. However, the impacts to the wooded areas
15 would be significant. Therefore, working with the Lead Agency, the Applicant has proposed
16 developing a layout that clusters the development to the least environmentally sensitive areas
17 of the site. In order to achieve clustering, the Applicant has proposed three variances that will
18 (i) increase the building height from 35' to 40', (ii) increase the maximum number of stories
19 allowed from 2-1/2 to 3, and (iii) reduce the separation between buildings from 80' to 30'. Of
20 the 14 buildings associated with the Project, there will be five buildings with a minimum 30'
21 separation; one with a 35'± separation, one with a 40'± separation, and three with a 73±
22 separation.***

23

24 ***The various alternatives and previous development plans have been examined by the Lead
25 Agency, and the current proposal is the preferred alternative with respect to minimizing
26 infrastructures. The earliest plans prepared for the site included up to approximately 1200
27 beds or 470 more than currently proposed. Environmental impacts of alternative plans are
28 included in Exhibit FII-6 of the FEIS. This table was updated to reflect minor changes made
29 to the proposed plan with preparation of final site plans. As shown on the table, the proposed
30 project has the least amount of pavement area. The amount of impervious area is directly***

- 1 *related to the amount of infrastructure required. Therefore, the project as proposed represents*
- 2 *the alternative having the least amount of infrastructures.*

	Existing Conditions	Project Sponsor's Proposed Plan*	Conventional Zoning Plan: Alternative A	Alternative Land Uses Allowed Under PUD: Alternative B	Traditional Neighborhood Design: Alternative C	4 Story Bldg Alternative: Alternative D-1	5 Story Bldg Alternative: Alternative D-2	Alternative Utilizing SUNY Dormitory Bldg: Alternative E and No Action Alternative E
Total Acres of Regulated Wetlands Removed	.00	.00	.00	.00	.00	.00	.00	.00
Total Acres of Regulated Wetlands Preserved	10.3	10.3	10.3	10.3	10.3	10.3	10.3	10.3
Total Acres of Wooded Areas to be Removed	0.0	4.0	8.0	10.9	4.0	8.3	9.0	10.4
Total Acres of Wooded Area to be Preserved	21.7	17.7	13.7	10.8	17.7	13.4	12.7	11.3
Total Pervious Area Remaining (Acres)	50.0	41.4	40.0	40.3	41.4	40.6	41.3	39.6
Impervious Area Bldg. (Acres)	0.0	2.9	3.6	3.1	2.9	2.1	1.4	2.1
Impervious Pavement Area (Acres)	0.0	5.7	6.4	6.6	5.7	7.3	7.3	8.3
Total Building and Pavement Impervious Areas	0.0	8.6	10.0	9.7	8.6	9.4	8.7	10.4

3

- 4 *BME has provided site engineering services to the Project developer Wilmorite, for nearly 25*
- 5 *years. As with all development proposals, the developer chooses who provides engineering*
- 6 *services for the project. The Town Engineer for New Paltz is experienced and well respected,*
- 7 *and he customarily reviews proposed plans for conformity with the Town's standards. The*
- 8 *Town will designate representatives to review construction as it occurs to ascertain conformity*

1 *of the construction to the approved plans. Those representatives will include the Town of New*
2 *Paltz building inspector, highway superintendent, and Public Works staff, among others.*

3
4 *SUNY New Paltz has identified a long-standing need to provide additional student/faculty*
5 *housing, but it is not able financially to proceed with construction of additional onsite dorms*
6 *at this time. Therefore, Goshawk LLC was formed as a subsidiary to the SUNY New Paltz*
7 *Foundation, Inc., to facilitate construction of private housing to help address this need. The*
8 *proposed development is contiguous with the campus and, therefore, is physically integrated to*
9 *the campus as much as possible.*

10
11 *If the Planning Board approves the Project, it will allow for construction of all roads,*
12 *buildings, and infrastructure shown on the plans, and as reviewed by the other involved*
13 *agencies as discussed within the DEIS and herein. The operation of the sewage treatment*
14 *plant, water treatment plant, and clubhouse will comply with all applicable land use, zoning*
15 *and subdivision regulations as analyzed of record.*

16
17 *The Planning Board is required to hold a separate public hearing for subdivision approval*
18 *under Section 276 of the Town Law of New York State.*

19
20 *Tenancy will be restricted to students, staff and faculty.*

21
22 *The drive widths are the minimum width(s) allowable for emergency vehicle access. The*
23 *pavement radii at intersections were designed to accommodate turning movements by the*
24 *largest fire trucks. The design was completed in consultation with the Town Engineer,*
25 *Building Inspector, and Fire Chief, who will also review final plans prior to obtaining*
26 *Planning Board approvals (see also January 25, 2012 Interpretation by the Town of New Paltz*
27 *Building Inspector in Appendix U in the FEIS).*

28
29 *Parking spaces to accommodate two-shared rental vehicles are shown on the final plans. The*
30 *leasing of the rental vehicles will be provided by a local car rental company.*

1 *After review of various plans and receipt of additional information detailed in the DEIS, it has*
2 *been determined that the faculty housing should be developed in the current location shown*
3 *on the plans near the north property line where it is closer to the campus. The faculty housing*
4 *is well buffered from the campus by existing vegetation that will not be disturbed. Since the*
5 *clubhouse facilities are for residents only, it is not important that they be closer to the campus.*
6 *Also, the clubhouse location by Route 32 at the Project entrance includes marketing and*
7 *security offices. This location is appropriate for marketing the units and maintaining security.*

8
9 *The final landscape plans are consistent with the campus master plan, and recommendations*
10 *from the Town Wetland Consultant, and the Planning Board. The landscape design uses*
11 *native drought resistant plant materials, particularly along its perimeter in the enhanced*
12 *buffer area and within the site to the extent practical with some variations to conform to the*
13 *campus landscape master plan (see discussion previously herein).*

14
15 *The final plans included for review are at a 1"=40' scale, which make the plans easier to read*
16 *and interpret. As described throughout the DEIS, the design is village-like as opposed to*
17 *suburban or rural. At the same time, large blocks of open space have been preserved for*
18 *conservation and passive and active recreation use by the tenants.*

19
20 *Two community garden locations were shown on the plans submitted with the DEIS. Revised*
21 *locations are shown on the revised plans. The Project Sponsor's onsite management will work*
22 *with and allow the residents to establish compost bins for the gardeners.*

23
24 *e. Miscellaneous*

25
26 Molly Thursten-Chase (A-146)

27 *Would like to see more dialogue with the students before project starts moving.*

28
29 ***Response:***

30 *As evidenced by the participation of students in the numerous hearings on the DEIS, the*
31 *students have been involved in the review process.*

1 Paul Brown (52)

2 In the spirit of full disclosure typical of any healthy partnership how is the applicant planning to
3 respond in a detailed, specific and fully documented manner to the many probing questions being
4 posed by the members of the Town of New Paltz planning board as part of its normal review of
5 the proposed project and the associated subdivision application.

6

7 ***Response:***

8 ***This FEIS , which incorporates the DEIS therein, is a fully integrated SEQRA document,***
9 ***which responds to the substantive comments made by the public.***

10

11 Paul Brown (52)

12 What are the nuances and distinctions between the proposed project with its complex
13 arrangements for operations and land ownership as compared to the more typical way for profit
14 corporations apply for and implement development projects.

15

16 ***Response:***

17 ***There is nothing particularly complex about the operations and land ownership for this***
18 ***project. Moreover, land use (SEQRA) and zoning address the uses of land, not who owns the***
19 ***land. The Planning Board is not analyzing this project in light of the "typical way for profit***
20 ***corporations apply for and implement development projects," as stated in the comment, but***
21 ***rather the Lead Agency is analyzing this particular project under the requirements of SEQRA***
22 ***as set forth at length herein.***

23

24 *f. Plan Changes*

25

26 ***Site plan changes were made to reflect final design of the sewer and water treatment plant,***
27 ***and to provide design details needed for final review. Site plan changes include:***

28

- 29 ➤ ***Designating additional parking space for land banked parking (see FEIS Section I.a).***
- 30 ➤ ***Revised trails and sidewalks. Sidewalks were revised to improve pedestrian access to***
31 ***the campus. Trails were revised for ecological preservation.***

- 1 ➤ *The trail through the westerly woods has been removed.*
- 2 ➤ *Bike racks, dumpsters, shared parking spaces and handicapped spaces have been*
- 3 *added to the plans.*
- 4 ➤ *The site plans for the proposed wastewater treatment plant and water treatment plant*
- 5 *have been refined based on final design of these facilities.*
- 6 ➤ *Exhibit F-1 more clearly shows the vehicular and pedestrian access to the campus.*
- 7 *Final design on the campus shall be completed by SUNY.*
- 8 ➤ *Exhibit F-2 shows the sidewalk extension from the Project's north property line along*
- 9 *Route 32 to complete the pedestrian sidewalk connection to the Village.*
- 10 ➤ *The active recreation areas were revised to accommodate additional wildlife habitats*
- 11 *identified by the Town Wetland Consultant.*

12

13 ***Related Plans and Exhibits:***

14

- 15 ➤ *Final Site Plan Drawings*
- 16 ➤ *Exhibit FII-2A Site Rendering (updated DEIS Exhibit II-2A)*
- 17 ➤ *Exhibit FII-6 Plan Alternatives (original DEIS exhibit)*
- 18 ➤ *Exhibit FII-10 Pedestrian and Circulation Plans (updated DEIS Exhibit II-10)*
- 19 ➤ *Exhibit FII-14A Offsite Water Tank Location (updated DEIS Exhibit II-14A)*
- 20 ➤ *Exhibit FII-16 Recreational Areas Plan (updated DEIS Exhibit II-16)*
- 21 ➤ *Exhibit FIII-10 Land Banked Parking Area Layout (updated DEIS Exhibit III-10)*
- 22 ➤ *Exhibit F-1 Campus Access Plan (new)*
- 23 ➤ *Exhibit F-2 Route 32 Sidewalk Connection Plan (new)*
- 24 ➤ *Appendix U Building Inspector Letter*

25

26 g. *Environmental Impact Assessment*

27

28 *No additional impacts to zoning have been identified. The same area variance requests*

29 *discussed in the DEIS continue to be proposed to avoid disturbing environmentally sensitive*

30 *areas as analyzed herein. Changes to environmental impacts arising out of site plan revisions*

31 *are further addressed in the Ecological and Transportation sections of this FEIS.*

1 *h. Mitigation Measures*

2
3 *The proposed project is a permitted use within the existing RV and R-1 Zoning Districts, and*
4 *is compatible with the character of the neighborhood and the adjacent uses to the Site, namely*
5 *the SUNY New Paltz campus and Bella Terra apartments.*

6
7 *Nearly all open space lands are included in designated recreation areas, setback, wetlands or*
8 *wetland areas. The use of the open space areas are restricted to recreation uses by setbacks,*
9 *site plan approvals and/or restricted from alteration by the Army Corps of Engineers. Any*
10 *alteration of the wetland areas not approved with this project would require separate SEQRA*
11 *evaluation and issuance of a wetland permit, and any changes to the use of the recreation*
12 *areas would require discretionary site plan review and SEQRA approvals. As such, any future*
13 *changes in use of the open space areas would require specific environmental, land use, and*
14 *zoning approvals by the Town of New Paltz Planning Board and other agencies. The goal of*
15 *preserving the recreation areas as recreation areas and wetlands, and as unaltered natural*
16 *areas is sustained without the use of additional deed restrictions, covenants or easements.*

17
18 *Both the 1995 Comprehensive Plan and the 2010 Draft Comprehensive Plan have continued*
19 *to recognize the appropriateness of multi-family use as a method to guide future growth close*
20 *to the SUNY New Paltz Campus and the Village of New Paltz. The following benefits are*
21 *consistent with the existing and draft Comprehensive Plan.*

22
23 *a) Lessening of housing cost pressure in the community by providing alternative student*
24 *housing.*

25 *b) Students moving closer to campus from housing within the community.*

26 *c) Providing for a choice of housing for new SUNY New Paltz faculty who may have*
27 *difficulty finding affordable housing in New Paltz that is proximate to the campus.*

28 *d) Multi-family development which occurs close to the core of the community.*

29 *e) Virtually no additional students will be added to the New Paltz Central School District*
30 *as a result of the project.*

31 *f) Enhancement of cultural and social opportunities.*

- 1 g) *The character of the neighborhood will be consistent with the existing SUNY New*
2 *Paltz campus and the Bella Terra Apartments.*
- 3 hi) *Providing for public transit as part of the project by bus service via U.C.A.T.*
- 4 i) *Development of walking and bike trail interconnections and the installation of*
5 *sidewalks.*
- 6 j) *Conservation of the infrastructure associated with the Village of New Paltz Sewage*
7 *Treatment Facility by utilization of an on-site Wastewater Facility and a water system*
8 *that does not utilize Village or Town resources.*
- 9 k) *Sustaining the economic viability through enhanced retail farm sale opportunities.*
- 10 l) *The creation of jobs both during construction and permanently thereafter.*
- 11 m) *Forty-two (42) acres of the project site have been zoned for multi-family housing for*
12 *over 40 years.*

13

14 *Furthermore, the Comprehensive Plan has similar goals regarding the environment,*
15 *population, housing and transportation. The Park Point New Paltz plan relates and conforms*
16 *to these goals for the Town and Village of New Paltz. Each one of these goals is described*
17 *below:*

18

19 *The proposed project was designed around the Site's sensitive environmental areas in a cluster*
20 *of buildings, structures and appurtenances. Multi-family housing is being utilized to minimize*
21 *the land area needed to serve the population. Three area variances are requested to allow for*
22 *a small increase in building height, number of building stories and reduced setbacks between*
23 *the buildings. Land banked parking is proposed to minimize impervious areas. All of these*
24 *measures are proposed to reduce the environmental impact. By conserving the natural*
25 *resources and minimizing the developmental impacts, a sustainable balance between*
26 *development and the environment will be created. By minimizing impacts to the wetland and*
27 *woodland areas, important habitats which support a diversity of plant and animal species will*
28 *be maintained. The proposed development plan will further use native tree and plant species to*
29 *enhance the look and feel of the residential complex and to transition to the existing habitat*
30 *areas.*

1 *The stormwater management design will maintain existing runoff rates at or below existing*
2 *conditions to reduce potential flooding downstream at the Site, and stormwater quality design*
3 *elements are proposed to improve the water quality of stormwater runoff. See Appendix C of*
4 *the FEIS for the discussion on stormwater mitigation.*

5
6 *Based on the 2010 Comprehensive Plan the dominate population (approx 45%) of residents in*
7 *the Town and Village of New Paltz are between the ages of 18-24. The students of SUNY New*
8 *Paltz can be assumed to be the majority of this demographic. This proposed development will*
9 *directly serve this demographic population as demonstrated through other similar projects*
10 *developed by the Project Sponsor.*

11
12 *College faculty, staff and students would be provided an opportunity for new reasonably*
13 *priced housing. This Project incorporates three different designs for student housing, thereby*
14 *providing diverse residential opportunities. The proposed sidewalks and trails will provide for*
15 *connectivity and promote healthy living styles for the SUNY New Paltz neighborhood and*
16 *surrounding areas. These walkways and trails will provide convenient access from the*
17 *developed residential area to the College campus and Village of New Paltz. Environmental*
18 *sustainability will also be incorporated into the Project, and large areas of the Site will remain*
19 *undeveloped.*

20
21 *The proposed development will serve as a “walkable community” to promote healthy lifestyles*
22 *and will help to reduce transportation congestion. In this regard, the proposed plan will have*
23 *sidewalks, and pathways to the College, around the residential development and along Route*
24 *32. This will increase the opportunities for residents and others to use alternative forms of*
25 *transportation such as biking, walking, running, etc. Healthy lifestyles will be encouraged and*
26 *these walkways, paths and sidewalks will help to minimize the Town’s overall carbon*
27 *footprint.*

28
29 *The proposed residential complex will place 696 students and 36 faculty / staff members close*
30 *to the College campus. By providing housing for residents close to campus, it will minimize the*
31 *carbon footprint and reduce traffic around the campus along Route 299 and Route 32.*

1 *The proposed project further complies favorably with the SUNY New Paltz Master Plan and*
2 *the New Paltz Transportation Study recommendations as described below.*

3
4 *The proposed residential community will help to guide future growth by “Rightsizing” the*
5 *New Paltz campus, improving campus life, the physical environment, and the campus*
6 *conditions as discussed in the 2010 SUNY Master Plan. The information below represents*
7 *some of the relationships between this Master Plan and the proposed development.*

8
9 *The SUNY Site and Landscape Master Plan, dated April 2008, was performed by EE & K*
10 *Architects to evaluate the sufficiency of existing facilities to accommodate the existing student*
11 *population. The SUNY Master Plan concluded that the campus had a space shortfall of*
12 *approximately 322,000 square feet of academic and support services buildings. Additionally in*
13 *order to keep its competitive position, the College must provide student and faculty housing in*
14 *close proximity to the campus (see SUNY correspondence Appendix K of the FEIS). The close*
15 *proximity to the campus along with the pedestrian and bike friendly design components of the*
16 *project will be very attractive to prospective students, faculty and staff. The project will also*
17 *stimulate and enrich campus life for students, faculty and staff.*

18
19 *The architectural design components of the proposed buildings, along with the enhancement*
20 *of the ponds and wetlands, will provide an aesthetically pleasing vista for those traveling the*
21 *Route 32 corridor. These features will also provide a welcoming campus to students, staff,*
22 *faculty and visitors.*

23
24 *The new residential community will help to promote outdoor activities such as walking,*
25 *running, hiking and biking. Pedestrian access will be facilitated by sidewalks, and trails will*
26 *be located through the natural environment areas, including the wetlands, fields and woods.*

27
28 *The project layout will create connectivity with the campus to make the area more vehicle and*
29 *pedestrian friendly. The project will create a compact walkable community by being directly*
30 *adjacent to the College campus.*

1 *According to the New Paltz Transportation and Land Use Study, prepared by Resource*
2 *Systems Group, Inc. in 2006, the site falls within an Access Management Overlay District.*
3 *The key recommended elements for the proposed Overlay District have been incorporated into*
4 *the project, including the following:*

5
6 *“Driveway Spacing and Design”- The two proposed access points to the development would*
7 *be 1000 ft. apart, thereby providing sufficient site distance, as determined by the posted speed*
8 *limit of 30 mph at the northerly driveway and 45 mph at the southerly driveway. Both*
9 *driveways are also perpendicular to the intersecting public street with adequate driveway width*
10 *and flare with over 40 feet of throat length.*

11
12 *“Corner Clearance”- The minimum recommended corner clearance is 300 ft. from an*
13 *intersecting arterial and 200 ft. from an intersecting local or collector street. The proposed Site*
14 *is much further away from any such intersection.*

15
16 *“Inter-lot and Street Connections”- The cross access corridor from the proposed Site to the*
17 *campus has a design speed of 10 mph and is of sufficient width to accommodate two-way*
18 *travel isles for automobiles, service vehicles and loading vehicles.*

19
20 **SECTION K - COMMUNITY SERVICE**

21
22 *a. Taxes / Pilot*

23
24 Bob Cook (6)

25 Does it mean that the property would not pay taxes as part of the current property/school tax
26 process based on valuation of the property? If so, how and who does one go about to argue
27 against this, but I cannot see why this would be exempt from taxes.

28
29 George Sifre (57)

30 What I am writing about is to make sure that this developer pays their full share of taxes. The
31 fine people and businesses of New Paltz bear a very heavy tax burden. It is only fair and just
32 that Wilmorite bear their fair share as well.

1 Fred Bunt (59)

2 What is the proposed rent price for Park Point? Both the 2BDR and the 4BDR? What studies
3 have been performed by independent non-biased consultant firms to back up this data? How can
4 this board make an informed decision or expect the tax payers of New Paltz to make an informed
5 decision as to whether this project will be beneficial to the community without performing an
6 independent economic study first?

7

8 Fred Bunt (59)

9 "Payments to the Town of New Paltz will be made with little or no Town fire, police, emergency
10 or other services needed or provided." I have trouble understanding what is being said here.
11 How does one make such a claim without an independent study being performed? We need to
12 know the actual costs and burdens that this project will place on our Town and Village.

13

14 Fred Bunt (59)

15 "Additional contribution to the annual \$338 million Hudson Valley economy from the presence
16 of SUNY New Paltz (12/13/10 Hudson Valley Business Journal)." On what basis is this
17 statement made? How can taking rents from tax paying property owners in New Paltz and
18 giving it to a major corporation that will be removing those funds from the local economy and
19 then not paying any taxes on their development? How can that be a contribution to the Hudson
20 Valley Community? Don't we have enough tax-free groups already in New Paltz?

21

22 Fred Bunt (59)

23 On what basis is this statement made? How can taking rents from tax paying property owners in
24 New Paltz and giving it to a major corporation that will be removing those funds from the local
25 economy and then not paying any taxes on their development? How can that be a contribution to
26 the Hudson Valley Community???

27

28 Fred Bunt (59)

29 As a former faculty member at SUNY, New Paltz (1955 to 1965) I knew the former President,
30 Wm. J Haggerty quite well. He invited me to his home in the early 1960's to view the plans for
31 new dormitories at the College. When I quizzed him on the slow pace at which dormitory

1 construction was proceeding, he told me he felt that one should never overbuild because of the
2 ever-present possibility of falling enrollments. Pres. Haggerty felt it was better to pull back from
3 rentals in town than to have empty dormitories. Besides, he would say, he felt that it was a way
4 of helping the village and town economy. Is Park Point really a way to help the already
5 overburdened taxpayers of New Paltz?

6

7 Ariana Basco (62)

8 It would be outright unjust for this profit driven developer to receive a Payment In Lieu of Taxes
9 (PILOT) from the Ulster County Industrial Development Agency. They are going to be making
10 millions from this project (based on \$700 in rent per month per person, they would be grossing 6
11 million dollars a year). They can afford to pay taxes in our community and there is no reason
12 why they should be exempt when other local property owners are paying their share.

13

14 Bob Gabrielli (55)

15 The Project Sponsor and Town Planning Board should postpone any and all SEQRA hearings,
16 until a final determination is made by the Ulster County Industrial Development Authority
17 concerning PILOT, bonding inducement and sales tax forgiveness is received. Project Sponsor
18 should be formally be asked, in writing, if it is wiling to agree. The written response must be
19 made part of the public record.

20

21 Bob Gabrielli (55)

22 I am certain that, if only the Project Sponsor would share their master plan with the community
23 and agree to voluntarily pay its fair, usual and customary share of taxes, there will be a great
24 amelioration of concern and fiscal angst.

25

26 Bob Gabrielli (55)

27 Project Sponsor should be formally asked if it is willing to voluntarily submit to taxing authority
28 for the improved value of the real property for the next 45 years, at full tax assessment and rate.
29 Project Sponsor should be formally be asked, in writing, if it is willing to submit to such taxation
30 plan, with remedy including treble damages and injunctive relief for the municipality (since no

1 other remedy would be applicable.) The written response must be made part of the public
2 record.

3

4 Bob Gabrielli (55)

5 For any extent PILOT projects, what is the amount paid in lieu, and what would have the actual
6 amount of taxes have been, but for the PILOT exemptions.

7

8 Tracy Grant (61)

9 However, it is dear to me, a longstanding taxpayer here in New Paltz, that we can't afford to offer
10 a PILOT deal given how much tax revenue our community would be losing as a result. Not to
11 mention the costs to our community that will be generated by adding 750 housing units. That is
12 an enormous housing complex for our small town to absorb.

13

14 Lynne Gabrielli (33)

15 The ownership structure avoids real property taxes and creates an unfair enrichment to the
16 project sponsor, an economic hardship to our extant landlords, and a very possible detriment to
17 the community. For that purpose, I ask for a thorough investigation and inspection of all
18 business contracts, leases and records, including corporate purpose (articles of incorporation) of
19 the owners.

20

21 Bob Cook (30)

22 What is the overall end value of this parcel when completed if it were taxable (ballpark
23 estimate). Is the property where the sewage treatment plant exists taxable based on the value of
24 that plant/property? How about the wells/pipeline/storage facility on Moriello's property - does
25 that make that part of the property non-taxable or does it increase their taxes as the property and
26 contents more valuable?

27

28 Bob Cook (30)

29 What/Who is our voice into the UCIDA that will decide on the PILOT qualification?

30

31

1 Bob Cook (30)

2 The normal PILOT duration is 5-30 years but this lease is for 47 years. Is expectation that
3 Wilmorite might give it back prior to 47 years so as to avoid taxes yet depreciated enough to
4 have made their profit.

5

6 George Sifre (24)

7 If the Park Point project does not contribute tax dollars to our community, how can we be
8 expected to continue to effectively run our properties and compete with monthly rent?

9

10 Paul Brown (26)

11 The Project Sponsor states "A maximum of 30 units will be designated for faculty and college
12 staff..." (page 1). Why is it appropriate to allow any faculty or staff housing (3 faculty
13 buildings, 30 units) to enjoy tax preferred status (e.g., a PILOT agreement)?

14

15 Paul Brown (26)

16 Will all the student housing (10 student buildings, 258 units and 732 beds) be restricted to
17 student use for the term of 46 years? Will this be a contractual and enforceable stipulation of any
18 PILOT agreement?

19

20 Paul Brown (26)

21 What would be the approximate annual tax revenues received by the Town of New Paltz and the
22 New Paltz Central School District in the first year and subsequent years if no tax preferences
23 were granted (e.g., a PILOT agreement)?

24

25 Paul Brown (26)

26 Should tax preferred status be granted for the "...fitness facilities, an outdoor pool, basketball
27 courts and additional accoutrements"? Will these facilities be made available to the Town of
28 New Paltz residents?

29

30

31

1 Paul Brown (26)

2 Will a profit be made from the operation of a "full-service" clubhouse and, if so, why should this
3 structure be entitled to preferential tax treatment?

4

5 Paul Brown (26)

6 Will a profit be made from the operation of the proposed water and wastewater treatment
7 facilities and if so why should this structure be entitled to preferential tax treatment?

8

9 Paul Brown (26)

10 Why are the for profit entitles proposing this project entitled to preferential tax treatment?

11

12 Paul Brown (26)

13 The table titled "Annual Rent Generated at Project" (page 10) shows a projected rent generation
14 of \$6,466,080. Considering there are 732 beds being proposed for the project, this works out to
15 an average \$8,833 income per bed per year. What would be the actual cost per bed to the Project
16 Sponsor? The Project Sponsor should provide this number. This will allow the Town of New
17 Paltz Assessor to provide critical information to the Planning Board and others. The Assessor
18 will be able to calculate the annual tax due on the project using the 'income' method of
19 calculating taxes versus the 'assessed valuation' method. These numbers are vital as
20 governmental authorities consider any tax preferences for the project.

21

22 Paul Brown (26)

23 The chart on page 11 shows the year one costs to the Town of New Paltz to be \$75,210, with the
24 average annual impact of the project during a 46 year lease to cost the town \$151,440 per year.
25 The first paragraph under the "Summary" section on page 11 states that the "...costs set forth in
26 this report will be reimbursed to the municipalities through a PILOT payment. Is the Town
27 Board and the Town Planning Board satisfied with this level of offered compensation? What
28 would be full taxation on this project (not including the tax exempt land)? The Town Board and
29 the Planning Board need this number to decide if the economic impact is of the proposal is
30 reasonable and the project is paying its fair share of taxes.

31

1 Paul Brown (26)

2 Considering that the report projects "...no new costs generated for the School District." why is
3 the proposed PILOT agreement proposing to pay 58% of payments in lieu of taxes to the School
4 District and only 27% to the Town?

5

6 Paul Brown (26)

7 The section titled "Net impact to the Town" (page 21) assumes a 3% annual inflation rate for the
8 next 46 years. Does the proposed PILOT agreement take into account such inflation? Is this
9 inflation rate assumption for a period of 46 years considered reasonable by fiscal experts? Is
10 there an "infiltration protected" dollar amount for each year of the requested PILOT agreement?
11 Exactly what is the dollar amount of the proposed 'payment in lieu of taxes' for each year of the
12 46 years based on a realistic inflation projection, and how will the Town and the County monitor
13 these payments and ensure full payment?

14

15 Paul Brown (26)

16 The section titled "Conclusion" states that "The Company has stated...that all of the costs to the
17 Town generated by the project will be reimbursed to the municipalities through a PILOT
18 payment." What 'municipalities' are being referred to?

19

20 Curt Lavalla (27)

21 It is requested that Park Point be assessed as would any similar off-campus residential
22 development. The project sponsor is undertaking to develop and manage a for-profit residential
23 project with a corresponding way of potentially significant impacts on the community and
24 municipal services.

25

26 Curt Lavalla (27)

27 It is requested that the lead agency require that Park Point be placed on equal footing with that of
28 other taxable off-campus multi-family developments.

29

30 Andrew Garr (25)

31 If Park Point does not pay its fair share of taxes, your public schools suffer the most.

1 Andrew Loyer (22)

2 It seems like the legal structure of their business was created for the sole purpose of avoiding
3 taxes and their financial gain, e.g. a property owned by non-profit which leases to a for-profit
4 company. Also, what are the long term tax implications? If this property eventually get merged
5 with SUNY, then will it also not pay taxes then?

6

7 Andrew Loyer (22)

8 If the property was assessed at \$20M, it would still be worth \$535K in tax revenue per year.

9

10 Andrew Garr (25)

11 There are two fundamental problems with Park Point's PILOT. First, they based their analysis
12 solely on their estimates of the incremental costs their project will have on New Paltz services
13 such as fire, police and sanitation services. Secondly, they say that the PILOT payment will be
14 substantially higher than the property's present taxes, which is misleading because the property is
15 currently undeveloped.

16

17 Andrew Loyer (22)

18 Would the town have a legally binding agreement with Park Point as to the amount of the PILOT
19 payments? If so, what is this amount? Has it been determined yet?

20

21 Andrew Loyer (22)

22 Why is New Paltz as a whole giving out this PILOT benefit?

23

24 John and Karen Johnson (51)

25 Additionally, the EIS states that Wilmorite will request PILOT program in lieu of taxes. We do
26 not feel that New Paltz can afford to give up this tax revenue while leaving our community with
27 extensive vacancies.

28

29 Bob Cook (A-56)

30 Has concern of the use of the PILOT program and would like the project to pay taxes like any
31 other apartment community.

1 Jason West (B-87)

2 Concerned with the PILOT program and feels the project should be paying a premium tax rate.
3 Police and fire protection will not be adequately subsidized with the use of the PILOT program.
4 What will happen if Wilmorite up and leaves the project, what will be done with the buildings?
5 The project can not exclusively be built for students, it needs to be open to anyone otherwise it
6 can be open to discrimination law suits.

7
8 Rick Bunt (C-7)

9 He is a property owner in the village. The project will add 25% to the rental market. This will
10 create a cannibalized marketplace where you will see market rents drop dramatically. This is a
11 problem because the project isn't paying its fair share of taxes. Over a 20 year PUD PILOT, you
12 may get 10 years of taxes. It is not fair to people paying taxes to bring in a Walmart type
13 business that's going to destroy the local people who benefit from college rents. That's a lot of
14 people, not just landlords. The planning department needs to consider the long term impacts.
15 The college is building more dorms. If the village student rental market dry up because of the
16 project, and new dorms and families move into the village adding 400-500 more kids in the
17 school system, what happens to your taxes?

18
19 Andrew Garr (B-10)

20 Indicated that the project should pay its fair share of taxes with or without the PILOT program.

21
22 Curt Lavalla (B-18)

23 The project should be taxed the same as any other residential development without the use of a
24 PILOT program.

25
26 Linda Kimlin (B-147)

27 Feels the property should be taxable. Is in favor of expandable sewer and water service for future
28 community use.

29
30
31

1 John Johnson (C-11)

2 Would like the project to pay their fair share of taxes and not put the burden on the local
3 community. A fully taxed project would help to take the burden off the School District. Concern
4 over maintaining the sanitary sewer treatment facility.

5

6 Bob Gabrielli (C-23)

7 Would like the project to pay their fair share of taxes and not put the burden on the local
8 community. Commented that the project will undercut existing fair market rents which will hurt
9 existing rental properties. Would like a study of what oversaturation of housing will do to fair
10 market rents. Would like some public benefit from the college.

11

12 Bob Gabrielli (D-74)

13 Feels that the Town should hire an independent consultant to review PILOT and fiscal report, it
14 is the Planning Board responsibility to do this. Concerned over the project falling back as a not-
15 for-profit with no tax benefit to the Town.

16

17 Marty Fullman (B-118)

18 The project needs to pay its fair share of taxes. There will be students added to the New Paltz
19 school district, the project should pay school tax like everyone else. Why has the wastewater
20 treatment facility been designed for such a large future expansion for the Town? What existing
21 or new buildings do they plan to tie into it? Why isn't there any questions and answer sessions
22 associated with the public hearings?

23

24 Ben Miller (C-17)

25 Would like the project to pay their fair share of taxes and not put the burden on the local
26 community. Does not feel project will bring revenue to the community.

27

28 Bob Gabrielli (B-113)

29 Expressed concern over the fiscal implications of the project (taxes) and with over saturation of
30 the market and competition with the good landlords in the Village. There will be increase

1 demand in community services (police and teachers) which should be covered by the project
2 paying taxes.

3

4 Bob Cook (B-14)

5 Expressed concern over how the taxes will be assessed on the property.

6

7 Paul Brown (52)

8 Since the water and wastewater treatment plants will be on currently privately owned land, how
9 will the taxation of the land and the improvements be handled?

10

11 Paul Brown (B-47)

12 The project should be taxed the same as any other residential development without the use of a
13 PILOT program. What would the full assessment of the project be? What will they be taxed at?
14 Will a profit be made from the clubhouse? Will a profit be made from the wastewater treatment
15 facilities? Will recreation and clubhouse facilities be made available to the public? What happens
16 if the project goes bankrupt, gets sold or is not properly managed? What will the true cost to the
17 Police Department be? How can campus police provide service to a private development? The
18 report indicates that there will be no small children at the development, how can this prevented?
19 The financial report states “may” and “potential” relative to turning over the water and sewer
20 operations, what is going to happen? Who will pay for future operation and maintenance?

21

22 Paul Brown (D-95)

23 Feels the project should pay there fair share of taxes. How will the taxation of the land and
24 improvements be handled. What does it mean that the Project Sponsor could offer the waste
25 water facility and parcel to the Town in the future.

26

27 Rachel Logodka (B-97)

28 The project cannot exclude non-student, faculty and staff, the project should pay taxes like
29 everyone else to provide needed services. How is the decision making process arrived at relative
30 to the Foundation, alumnae and the money? How can you tell families that they cannot move
31 into this development?

1 David Porter (D-15)

2 Has there been a definite legal conclusion that the project is eligible for a PILOT? An
3 independent consultant should be hired to look at the fiscal impact report.

4

5 Mike Francese (D-24)

6 Does not feel the project should be able to utilize the PILOT program and should pay full taxes.

7

8 Maureen Walker (D-64)

9 Expressed concern over the PILOT program and fairness to other landlords with rental property

10

11 Leonard Loza (D-68)

12 Will the faculty housing be restricted to adults, if children are allowed how will their portion of
13 school taxes be paid.

14

15 Dave Caccanzo (D-71)

16 Does not feel the project should be tax exempt.

17

18 Joan Bender (D-90)

19 Is there a competitor of Wilmorite that is willing to build the project and forego the PILOT
20 program. An independent entity should be looking at the project.

21

22 Planning Board (64)

23 When will the terms of the PILOT program be available for review?

24

25 George Sifre (24)

26 I am concerned about additional burdens placed upon our police force, fire departments, and
27 other town and village municipalities. I understand the land is owned by a not-for-profit
28 organization which will not be responsible for its fair share of taxes even though the developer is
29 a for profit company.

30

31

1 Paul Brown (26)

2 The section titled "Conclusion" (page 24) states that "The Company has stated...that all of the
3 costs to the Town generated by the project will be reimbursed to the municipalities through a
4 PILOT payment." What 'municipalities' are being referred to?

5
6 Paul Brown (26)

7 Why should a for profit company be entitled to preferential tax treatment for the part of the
8 project proposed for faculty and staff when they are competing against local businesses who are
9 also offering similar products (e.g., two bedroom apartments)?

10

11 Leonard Loza (50)

12 Will the portion of the housing project being designated as faculty housing be restricted to adults
13 only, or will faculty members with families including children be allowed to reside in the
14 housing? If children are allowed to live here with faculty members, how will be expenses they
15 create for the New Paltz Central School system be paid in the case of a tax exemption?

16

17 Paul Brown(52)

18 What exactly does the Project Sponsor mean by the word "payments"? Will these be voluntary
19 'payments'? What is the proposed or estimated amount of these 'payments'? Are these payments
20 proposed in addition to the normal taxes that would be payable on a for-profit venture of this
21 type? Or, are these 'payments' proposed as 'payments' instead of taxes?

22

23 ***Response:***

24 ***The setting of tax policy of municipal government is generally the responsibility of the town***
25 ***board, the county and the school district (the "Affected Taxing Jurisdictions") in which real***
26 ***property is situated. The Affected Taxing Jurisdictions set the tax rate for real property in their***
27 ***jurisdiction. However, this taxing authority is not without restriction.***

28

29 ***The New York State Legislature, through the NYS General Municipal Law, has granted to***
30 ***industrial development agencies (IDAs) the power to take a fee or leasehold interest in real***
31 ***property, thereby exempting that property from taxation for economic development purposes.***

1 *This statutory power and policy supersedes the Affected Taxing Jurisdictions taxing authority.*
2 *An IDA develops local priorities and policies to meet local economic development needs. To*
3 *the extent that a project meets the economic development goals and needs of an IDA, taxes on*
4 *the real property where an economic development project is constructed will be exempt from*
5 *real property taxes. An IDA, however, will often require the Project Sponsor to make a*
6 *payment in lieu of taxes (PILOT) to offset the loss of revenue to the Affected Taxing*
7 *Jurisdiction from an IDA project. The amount of the PILOT payments requires an IDA to*
8 *balance the need to incentivize a businesses to invest and construct an economic development*
9 *project with the revenue needs of the Affected Taxing Jurisdictions. Once the policy is set, it is*
10 *understood that the IDA, as the superseding taxing authority, has balanced those competing*
11 *policies and the Affecting Taxing Jurisdictions must abide by that decision. It should be clear,*
12 *however, that under no circumstance is tax policy set by a Planning Board, which has the*
13 *discrete mission of reviewing site plans, subdivision, special use permits and similar planning*
14 *matters delegated to it by the Town Board under Town Lawn 271 specifically and Town Law*
15 *Article 16 generally.*

16
17 *To this end, the Applicant is proceeding to apply for a PILOT with the Ulster County*
18 *Industrial Development Agency (“UCIDA”). The PILOT would contractually bind the*
19 *Applicant to make fixed payments to the Affected Taxing Jurisdictions, including the Town of*
20 *New Paltz, County of Ulster, and New Paltz School District. The PILOT contracts have not yet*
21 *been finalized but will be based on the existing Uniform Tax Exempt Policy (the “UTEP”)*
22 *established by the UCIDA, Category 5, Senior Housing and Dormitory.*

23
24 *The Applicant will not be paying taxes based on the valuation of the Property but based on the*
25 *UTEP approved by UCIDA. As stated above, the UTEP enacted by UCIDA has already*
26 *established the balancing of priorities. Since UCIDA, as the preeminent taxing authority for*
27 *the land in question, has already established its policy related to PILOTS for dormitories, no*
28 *additional analysis is required to determine tax impacts. The policy has been set by the State*
29 *and UCIDA.*

30

1 *With that said, the Applicant intends to make PILOT payments as established under Category*
 2 *5 of the UTEP and the Applicant will pay the equivalent full taxes on the faculty/staff units*
 3 *because those units do not qualify as dormitory units under the UTEP. Based on Camoin's*
 4 *analysis of the existing rental units in the Town and estimated assessed value of the*
 5 *clubhouse, the faculty housing and clubhouse should produce approximately \$70,000 in new*
 6 *property tax for the Town annually. The water/sewer infrastructure will be assessed by the*
 7 *Town separately and the normal tax rate will apply to that infrastructure. Therefore, the new*
 8 *revenue received by the Town from the combined PILOT, variable revenue, full taxes on the*
 9 *faculty housing and clubhouse, and the full taxation on the sewer/water systems will more*
 10 *than offset all of the costs associated with the Project on the Town.*

11

Fiscal Impact of Project on the Town and School District				
Year One				
		Revenues (Variable, PILOT, Taxes*)	Expenses	Net
Town	Low End	\$60,018	\$58,501	\$1,516
	High End	\$77,802	\$58,501	\$19,300
School District	Low End	\$101,834	\$-	\$101,834
	High End	\$142,190	\$-	\$142,190
Average Annual Impact of Project (25 years)				
		Revenues (Variable, PILOT, Taxes*)	Expenses	Net
Town	Low End	\$87,528	\$85,317	\$2,212
	High End	\$113,464	\$85,317	\$28,147
School District	Low End	\$148,512	\$-	\$148,512
	High End	\$207,366	\$-	\$207,366

* Includes Town and School District taxes paid on faculty units and clubhouse
 Note: Following the 25 year PILOT the Company will pay taxes on the Project's full assessed value for the remainder of the lease.

12

13 *Based on the type of units, the design, the location, and the likely tenants the Camoin analysis*
 14 *assumes there will likely be no school aged children living at the Project. Moreover, there will*
 15 *be no increased cost to the school district as a direct result of the Project. The Applicant will*
 16 *not restrict tenants from having children so the possibility exists that there may be a few*

1 *children, but the impact on the school district would be negligible. Moreover, as stated above,*
2 *the Applicant has agreed to pay the equivalent full taxes on the faculty units, which would*
3 *more than cover the school costs, if any.*

4
5 *Units will be rented at a fair market rate that has not yet been established. The Applicant will*
6 *base the rents on the local market and will take into consideration the amenities that the*
7 *Project will provide. As demonstrated by the Camoin Report, there is a very high demand for*
8 *rental housing in the Town and Village because of students enrolled at SUNY New Paltz (the*
9 *“College”). As a result, the concern raised regarding the environmental impact of over*
10 *saturating the market is small but the economic development impact and the improved quality*
11 *of student housing stock will have a significant beneficial environmental impact on the*
12 *community. To emphasize, information provided by the Applicant shows that the Project will*
13 *create additional units close to the College but will not take away from the existing rental*
14 *units, create increased vacancy, or lost rent to local landlords.*

15
16 *Further, the additional residents of the Town of New Paltz from the Project will contribute to*
17 *the New Paltz community by purchasing goods and services within the Town/Village, which*
18 *purchases would otherwise occur outside the Town/Village. The increased sales and activity*
19 *will benefit local retailers creating new jobs, wages, and sales as outlined in the Economic*
20 *Impact Analysis. The total positive economic impact of the Project on the Town of New Paltz*
21 *is detailed in the Executive Summary of the Economic and Fiscal Impact Analysis with details*
22 *available in the full report.*

23
24 *There will be no profit made from operation of the clubhouse or the water and wastewater*
25 *treatment plants. The water and wastewater treatment plants will have an overall positive*
26 *environmental impact to the extent that they add capacity to accommodate existing shortages*
27 *in both potable water and wastewater discharge. Further, this new infrastructure has the*
28 *potential of improving the environment and providing future economic development*
29 *opportunities in the event they become municipally owned.*

1 *The fiscal impact analysis was completed by a third party consultant who was hired to*
2 *determine the impact of the Project on the community, the Applicant was not guaranteed any*
3 *particular outcome or finding. The analysis uses a 3% annual inflation rate which is the*
4 *industry standard and considered to be the best way to estimate future revenues and expenses.*

5
6 b. Jobs

7
8 Paul Brown (26)

9 The table titled "Summary of Annual Economic Impact" (page 6) shows 73 total new jobs and
10 \$2,092,386 in total new wages. This works out to an annual salary of \$28,663.00 for each
11 employee. Where will these employees be able to afford to live and why are jobs that pay
12 \$14.33 per hour on average the type of jobs that would justify providing tax preferred treatment?

13
14 Paul Brown (26)

15 The report states "...an average of 215 construction jobs will exist on site resulting in \$11.8
16 million in new earnings..." (page 6). Considering that the \$11.8 million would be earned over
17 18 months, this means that the 215 'construction jobs' would be earning a total of \$7,836,840 in a
18 12 month period (66% of the total time period of 18 months). This \$7.8 million in annual
19 salaries would be spread over 215 jobs for an average annual salary of \$36,450.42 or \$18.23 per
20 hour before taxes. What is the sourcing plan for 'construction workers' who are paid at this
21 relatively low rate of pay? How does this compare to the sourcing and salary levels that would
22 be incurred if the project were built by SUNY New Paltz?

23
24 Bob Cook (30)

25 How many fulltime jobs after construction are created to compose the 8.5 FTES?

26
27 **Response:**

28 *The majority of the new jobs created will be retail sector jobs, as they are a result of increased*
29 *spending by students at local stores (restaurants, clothing stores, book stores, etc.). The*
30 *analysis did not examine where the employees would live, nor is such analysis required by the*
31 *Final Scope.*

1 *The impact of the construction phase reduces the number of construction jobs by 50% to*
2 *account for employment sourced from outside of the Hudson Valley - please see the table on*
3 *page 12 of the Economic Impact Analysis. The impact analysis is based on 161 job-years (107*
4 *jobs for a full 12 months and 107 jobs for 6 months) so the earnings are based on those 161*
5 *job years. Average earnings per worker in the construction industry (NAICS 236220) for the*
6 *Town of New Paltz is approximately \$51,000 (Source: EMSI).*

7
8 c. Emergency Services

9
10 ZBA Letter (47)

11 Has an agreement been reached regarding responsibility between the Town and SUNY Police
12 Department and is it formalized in writing?

13
14 Sylvia Logodka(A-128)

15 Police and Fire Departments are already overburdened without the proposed project. Shouldn't
16 there have been an open bidding for the project? The project does not appear affordable for
17 commuter students living at home.

18
19 Bob Gabrielli (55)

20 As is #3 and #4 above, what is the cost per resource dedication for police services, governmental
21 services and fire department services.

22
23 Leonard Loza (50)

24 Who will provide police protection, ambulance, fire and any additional emergency services? If
25 granted this exemption, will these expenses be an additional burden on the New Paltz taxpayers
26 or provided by the university services? This is a private housing project being built by, owned
27 by, run by, and directly profiting the Wilmorite company, while appearing to function as a
28 SUNY New Paltz dormitory.

29
30 Leonard Loza (D-68)

31 Who will provide police, fire, ambulance and emergency services and who will pay for them

1 Donald Christian (A-29)

2 A Memorandum of Understanding between the University Police and New Paltz Police
3 department will be in place for University Police to be first responders. A blue light phone
4 system will also be put in place.

5
6 Rebecca Berlin (B-122)

7 Acknowledges the need for student housing but is concerned that the students that live in the
8 development will not go to campus to be involved as the clubhouse will provide them with what
9 they need. Expressed concern over the need for security of people walking to and from campus
10 and how the police departments will handle this.

11
12 Ariana Basco (B-104)

13 How are the campus police able to serve the project which is located off the SUNY campus?
14 They do not have jurisdiction. Believes that the Village Police numbers will increase. Who will
15 the blue light system calls go to? The economic benefit will be more regional than it will be
16 local.

17
18 Paul Brown (52)

19 How does the Project Sponsor justify the statement that 'little or no' police or emergency services
20 will be required by the over 700 proposed residents of the project? What is the proof?

21
22 Paul Brown (26)

23 In the "SUNY New Paltz Police" section (page 12), the Project Sponsor chooses not to discuss
24 the financial implications, stating that "public safety services are provided by the SUNY police
25 department." How long will it be before New York State legislators, State officials and/or
26 SUNY officials decide that SUNY New Paltz Police have no business providing police
27 protection to a private for-profit real estate venture which is not located on Stated property? IS
28 this a SUNY project or not? What are the potential costs to the Town taxpayers if the safety and
29 security of 732 residents suddenly becomes the sole responsibility of the NPPD? What recourse
30 will the taxpayers of the Town of New Paltz have if they are suddenly expected to pay for
31 increased police protection for the project? The Project Sponsor should provide a complete and

1 detailed explanation of how and why the convoluted ownership of the various parts of the project
2 are entitled to SUNY New Paltz Police and what potential problems exist if and when the State
3 decides that it can no longer afford to extend such service to this type of project.

4
5 Paul Brown (26)

6 The "Town of New Paltz Police" section (page 12) employs the questionable methodology of
7 focusing only on the "...total variable costs each year, which include items such as vehicle
8 repairs and maintenance and fuel." The report ignores the personnel costs of having officers
9 respond and comes up with a cost of \$19.16 for each call. This number bears no resemblance to
10 the true costs to the Town, considering that the total budget of the NPPD is shown as \$2.3
11 million (page 12).

12
13 Paul Brown (26)

14 The "Fire Department" section states "...it is not anticipate (sic) that any new equipment
15 purchases will need to be made as a result of the project or any new personnel needed." With
16 approximately 700 new full-time residents moving to the Town of New Paltz, the assumptions
17 and conclusions in this section are patently ridiculous.

18
19 Andrew Garr (25)

20 The problem with only using incremental costs as their yardstick is simple. Take the police
21 department as an example. If Park Point says their project will cause the town to hire more
22 police officers, is the impact just the new salaries of those police officers? What about the cost
23 of the police station, the cars and the training?

24
25 Jonathan Wright (D-45)

26 Expressed concern over additional police and fire calls

27
28 Bob Gabrielli (D-74)

29 How can the SUNY police respond to off campus private property? Raised a question over the
30 vacancy rate and numbers represented in the report.

1 Planning Board (64)

2 Provide data on the number of fire calls on the campus as these appear to be understated in the
3 FIA. Adding another 150 calls per year could be at the level that the volunteer department would
4 be to go to a Fire District (which would cost an additional \$1 million to the tax payers).

5
6 Planning Board (64)

7 The FIA does not consider future major fire equipment purchases. The Fire Department budgets
8 used to be higher and should be considered in average cost.

9
10 Planning Board (64)

11 SUNY Police is reported to be the first responder, and this needs to be verified. What a 911 call
12 go to the SUNY Police or others?

13
14 Planning Board (64)

15 Can the SUNY Police increase the number of officers to be able to handle the additional calls or
16 will the town get involved by necessity?

17
18 Planning Board (64)

19 The number of dormitory calls as a ratio to the number of beds should be used as a comparison
20 to predict the number of potential calls from the project.

21
22 Paul Brown (26)

23 The entire section titled "Impact on Public Safety Services" (pages 11-17) is flawed in its
24 methodology and incredible in its conclusions. For example, the Project Sponsor would have the
25 Planning Board believe that the project will produce only 20 new calls per year for the Town of
26 New Paltz Police and that the total annual cost to the department of responding to the needs of
27 over 700 new residents of the project will be \$2,379. The proposed new 700 plus student and
28 faculty residents may constitute as much as a 25% to 30% increase in residents on the project
29 site. The Project Sponsor should include proportional projections as to how this increase would
30 impact calls requiring the New Paltz Police Department to respond.

31

1 **Response:**
2 ***The impact of the Project on the emergency service providers in the Town is based on the***
3 ***incremental increase in call volume that will result from the new Town residents at the Site.***
4 ***Only variable costs are used because the number of new calls generated does not warrant***
5 ***additional staff or equipment. The Economic and Fiscal Impact Analysis provides a full***
6 ***methodology for determining the impact of the Project, but in summary the impact of the***
7 ***Project on emergency service providers is estimated to equal approximately \$17,224 each year.***
8 ***Please see pages 13-21 of the Economic and Fiscal Impact Analysis for more information on***
9 ***this analysis.***

10

11 d. Sewage Treatment Plant

12

13 Gail Gallerie (56)

14 The Transportation Implementation Committee also wishes to note its endorsement of the
15 planned construction of a wastewater treatment facility with capabilities for possible expansion
16 for Town use. This project feature offers the potential for addressing the infrastructure needs that
17 have been the major obstacle to development of light commercial and industrial growth that have
18 long been espoused as means of broadening our tax base in an area identified as desirable for
19 such development by a number of studies including the Transportation/Land Use study and the
20 Town's Comprehensive Plan.

21

22 ***No response required.***

23

24 ZBA Letter (47)

25 Over 700 new residents will greatly increase water/sewage usage, does the Planning Board find
26 the proposed plans satisfactory in this regard? Do those plans include the recycling of grey water
27 for appropriate uses?

28

29 NYSDEC (60)

30 It is not clear that a suitable discharge point for the treated sanitary effluent has been identified.
31 The Engineering Report and the Site Plan (Exhibit A) submitted to this department as part of a
32 SPDES permit application identified a stormwater basin as the proposed discharge location

1 which is unacceptable to this department. The DEIS proposed a discharge location to a swale
2 connecting to a federally regulated wetland. Discuss whether the wastewater discharge will flow
3 into the wetland, accumulates on the ground or evaporates on its way to the wetland. Also
4 explain if there is or will be a continuous flow from the wetland to the receiving water body (trib.
5 of Wallkill River). The Project Sponsor must clarify the proposed discharge location and the
6 wastewater flow route from the WWTP to the receiving stream (trib. of Wallkill River). Please
7 confirm whether the treatment plant will be sized to treat design flow from the proposed
8 development or to treat the flow of 250,000 gpd (please refer to DEIS, page 282-283). Please be
9 reminded that a treatment plant must be designed according to SPDES permitted design flow.

10
11 Bob Cook (30)

12 Sewage treatment plant will be expected to process 50,000 gallons/day (sometimes referenced as
13 a 55,000 gpd), but could handle capacity up to 250,000 gallons. So which output was used for
14 the studies on impacts to streams/rivers?

15
16 Paul Brown (52)

17 Who will control and be responsible for the day to day operation of the treatment plants?

18
19 Paul Brown (52)

20 Will a profit be made on the operation of the proposed well water treatment and wastewater
21 treatment plants proposed for this site? If so who will profit from its operation? What
22 responsibility and costs will the Town of New Paltz incur to monitor these operations and ensure
23 the health and safety of the 700 plus residents who will be depending on this operation? What
24 recourse will the residents and the Town government have if the treatment plants fail?

25
26 Paul Brown (52)

27 Specifically who will own and operate and be responsible for the water treatment and the
28 wastewater treatment plant for the proposed 700 plus person rental property? Will this be a for-
29 profit venture? Will Wilmorite have ownership, responsibility or liability for the treatment
30 plants?

1 Paul Brown (52)

2 Will this be a cost free dedication of lands to the town?

3

4 Paul Brown (52)

5 Will it include the improvements proposed for the parcel (the treatment plants)?

6

7 Paul Brown (52)

8 Will the treatment plants be operated as a separate company or corporation. Will the treatment
9 plants be operated as a utility? If so, in light of the recent failure of the Long Island Power
10 Authority to meet its obligations to residents, what recourse will the Town of New Paltz have if a
11 similar failure occurs at Park Point?

12

13 Paul Brown (52)

14 Will it include future payments for the maintenance and portion of the plants necessary to
15 support the 700 plus residential project?

16

17 Paul Brown (52)

18 What if the town chooses not to accept this 'offer'?

19

20 Rebecca Berlin (A-81)

21 If the water and/or sewer facilities are turned over to the Town, who will pay for upkeep?

22

23 Paul Brown (52)

24 What will the costs to the Town of New Paltz to monitor the operation and ensure the health and
25 safety of the over 700 residents of the proposed project?

26

27 Paul Brown (D-95)

28 What are the implications of having a water treatment and waste water treatment on a separate
29 parcel. Who will own this land and infrastructure and will it be dedicated? Who will control the
30 day to day operations of the facilities? What laws govern these operations? Will there be a profit
31 on the water and wastewater facility?

1 Leonard Loza (50)

2 What emergency contingency plans have been made to accommodate the sewage generated in
3 the event of a sewage treatment plant failure? Do the sewage plant plans include holding tanks
4 that can be pumped to transport for disposal sewage in this situation? Will this sewage system
5 have any ties to the village system?

6

7 Leonard Loza (D-68)

8 What are their provisions for capturing waste if the treatment facility fails? Will the sewage end
9 up in the Village system.

10

11 Joe Rotullo (A-108)

12 Will the sewerage treatment plant be used by the Village.

13

14 Bob Cook(30)

15 The sewage treatment plant will be monitored 24/7. Is that remote or onsite or via alerts as there
16 was no indication of onsite staffing in later staffing report.

17

18 Bob Cook (30)

19 Where does the sludge from the treatment plant go?

20

21 Andi Weil Bartczak (A-66)

22 Has the project considered constructed reed beds for waste water treatment?

23

24 ***Response:***

25 ***Wilmorite will privately own and operate all system components of the water treatment and***
26 ***waste water treatment facility for the exclusive use of property residents. After the lease***
27 ***expires, Goshawk, LLC will assume ownership of the facility. Neither Wilmorite nor***
28 ***Goshawk, LLC have any plan to sell water or sewage treatment to any other users. At all***
29 ***times, both the water and wastewater facilities will be operated and monitored by licensed***
30 ***operators. In the future, should the Town be interested in accepting a dedication of these***

1 *facilities it can initiate the process for transfer of ownership and the appropriate application*
2 *and permitting process which would include Town, County and State agency approvals.*

3
4 *There is no connection to the Village Sewer System. The treatment facility has multiple*
5 *redundant features to address failures of equipment such as backup equipment that*
6 *automatically activates on a failure and alarms to alert operators of issues. In the event of a*
7 *power outage, an onsite generator will provide the power needed to operate the facility. All*
8 *wastewater entering the facility should receive maximum treatment prior to discharge. Power*
9 *outages stop all flow through the facility; the generator restores treatment capability and is*
10 *designed to automatically start upon a power failure.*

11
12 *The licensed operator(s) is required to be onsite for a limited time each day to perform normal*
13 *maintenance and operation. Alarms are visible onsite and are checked daily as part of said*
14 *operation. Alarms and general information may also be seen remotely to allow the operator to*
15 *be in touch with the general state of the treatment plant at any time when he/she is not onsite.*
16 *If certain alarm conditions are present, the operator will be notified immediately regardless of*
17 *his/her location.*

18
19 *Sludge from the facility is proposed to be hauled away by a licensed vendor to another*
20 *treatment plant approved by the NYSDEC to accept such sludge. This other facility is*
21 *responsible for the final disposal. Ultimately the sludge will be disposed of in a manner*
22 *permitted by the NYSDEC and in accordance with 6 NYCRR Part 360 (landfill) or Part 219*
23 *(incineration).*

24
25 *Multiple alternatives for treatment were evaluated, such as sequential batch reactors, trickling*
26 *filters, rotating biological contactors, activated sludge, extended aeration, oxidation ditches, as*
27 *well as wetland treatment were considered. Also see Section III.K.1f of the DEIS.*

28
29 *Following treatment the discharge point for the Wastewater Treatment Plant (WWTP) effluent*
30 *will be to the ground surface northwest of the treatment plant. The effluent will sheet flow*
31 *through vegetation as it flows westerly where it eventually discharges to the wetlands*

1 *augmenting their hydraulic supply. Any water that is not stored and absorbed in the wetlands*
2 *will overflow into the wetland discharge streams that flow toward the Cross Creek ditch /*
3 *stream that eventually flows with the SUNY stream before discharging to the Wallkill River. A*
4 *portion of the flow will be absorbed in the wetland and a portion could overflow into the*
5 *wetland discharge tributary, particularly in the spring and fall when the wetland will be more*
6 *saturated. Effluent flows will occur intermittently, treatment is cycled through the second*
7 *filters. The frequency of the cycle will depend on the rate of influent flows.*

8
9 *The flow to the WWTP has been revised to 47,200 gpd, however the NYS DEC was aware of*
10 *the 250,000 gpd flow when they provided their draft limits, which are very strict.*

11
12 *Pump station calculations are included in Appendix T.*

13
14 *The WWTP will be sized to treat the project flows, however, the design of the headworks,*
15 *building and surface area for construction of additional treatment area will be available to*
16 *allow expansions to occur up to a total flow of 250,000 gpd. Refer to Section D for an analysis*
17 *of the effluent outflow on downstream tributaries.*

18
19 *e. Housing / Affordability / Tenants*

20
21 Bob Cook (30)

22 Are these rentals by the year or semester?

23
24 ***Response:***

25 ***The rentals are by the year.***

26
27 Gail Gallerie (56)

28 Removing my official hat, I want to record my support as a taxpayer and resident for this project.
29 Over the course of my several decades on the college's staff, I participated in innumerable
30 town/gown meetings during which a succession of municipal officials exhorted a succession of

1 college administrations to increase student housing opportunities in order to relieve the
2 community of those demands.

3

4 Bob Gabrielli (55)

5 Any and all documents relating to existing or proposed lease(s), including lease amounts, rate
6 increases and terms of such lease(s). In other words, what will they charge. The Project Sponsor
7 should be asked to provide written representation to the proposed lease amounts and their
8 response should be made a part of the public record.

9

10 Paul Brown (26)

11 Will housing be restricted to only SUNY New Paltz students? What law or ruling allows this
12 restriction to be legal and enforceable?

13

14 Dave Rooney (D-10)

15 Spoke in favor of the project and the need for more student housing outside of the Village. As
16 Vice President of Student Affairs stated that there it limited State money available for new
17 dormitory construction

18

19 Rachel Logodka (A-133)

20 Who will be allowed to use clubhouse and other site amenities?

21

22 Rachael Logodka (D-85)

23 Will the apartment units be affordable and will they be sustainable.

24

25 Alan Goodman & Kathleen Mazzetti (35)

26 There still continues to be confusion about what the project really is for. Is it for expanded
27 SUNY student housing and teacher housing or market housing? Since Park Point will be
28 managed by a private development company, is there a lease or contract with the school that
29 spells out the rental agreement for students? If not, there should be and it should be a lease for
30 40 years.

31

1 Donald Christian (A-29)

2 In favor of the project. Outlined the much needed demand for student (apartment style) housing
3 and the inability for the University to serve incoming freshman and transfer students.

4

5 Dave Rooney (A-43)

6 In favor of the project. The project will help to fill a much needed demand for student housing
7 which is now lacking on campus and in the community.

8

9 Bruce Silner (A-47)

10 In favor of the project. The project will help to attract and maintain international students to the
11 University by providing more available housing stock. The attraction of more international
12 students will also provide more economic support to the community and local businesses.

13

14 Katie Osterman (A-73)

15 In favor of the project. Discussed some of the substandard, off campus apartment living
16 conditions and the need for the proposed project and the convenient location of the project to the
17 University campus.

18

19 David Eaton (A-51)

20 In favor of the project. There is a lack of housing for students, staff and faculty. The lack of
21 housing does not allow many students to take advantage of the true campus experience.

22

23 Michael Smith (A-110)

24 In favor of the project. The project will help fulfill the much need housing shortage associated
25 with the University.

26

27 Mary Kastner (A-77)

28 In favor of the project. Acknowledged the housing shortage in the community and the proposed
29 project would afford more students a true college experience.

30

31

1 Lisa Jones (A-97)

2 In favor of the project. The project would help to provide needed housing for students, faculty
3 and staff.

4
5 John McEnroe (A-143)

6 In favor of the project. The project will help fulfill the much need housing shortage associated
7 with the University.

8
9 Robin Cohn-Lavalle (A-112)

10 In favor of the project. Acknowledged the housing shortage in the community and the proposed
11 project would afford more students a true college experience.

12
13 Mike Patterson (A-140)

14 In favor of the project. The project will help fulfill the much need housing shortage associated
15 with the University.

16
17 Mike Salerno (B-15)

18 In favor of the project. The project will help fulfill the much needed housing shortage associated
19 with the University.

20
21 Magaret Mano (B-26)

22 In favor of the project. The project will help fulfill the much needed housing shortage associated
23 with the University.

24
25 Kristen Wohlgemuth (B-27)

26 In favor of the project. The project will help fulfill the much needed housing shortage associated
27 with the University. The project may bring more participation to overall campus/student
28 activities.

29
30
31

1 Patricia Sullivan (B-44)

2 In favor of the project. The project will help fulfill the much needed housing shortage associated
3 with the University. The project may bring more participation to overall campus/student
4 activities.

5
6 Paul Brown (26)

7 The summary section (page 11, first paragraph) states that "it is not anticipated that any families
8 with children will occupy the project..." Therefore the report "...assumes there will be no new
9 costs generated for the School District." The Project Sponsor should explain why the three
10 buildings and the 30' 'units' set aside for faculty and staff would not have any child residents.
11 Will these units be restricted to faculty and staff who have no children? Is such a restriction
12 legal and enforceable? If so, under what statutes?

13
14 Sam Guarino (B-62)

15 In favor of the project. The project will help fulfill the much needed housing shortage associated
16 with the University. The project may bring more participation to overall campus/student
17 activities.

18
19 Jackie Andrews (B-75)

20 In favor of the project. The project will help fulfill the much needed housing shortage associated
21 with the University. It is a benefit to have it walkable to the campus.

22
23 Ray Schwarz (B-76)

24 In favor of the project. The project will help fulfill the much needed housing shortage associated
25 with the University.

26
27 Zachary Rouseas (A-125)

28 The project has been marketed as affordable, is it truly affordable?

29
30
31

1 Kris Aria (C-34)

2 What is the pricing structure going to be for the proposed housing units? Will it be in line with
3 the private housing in the community or with the dorm pricing?

4

5 Rebecca Berlin (A-81)

6 “I’m wondering if the housing will really be more affordable? Because right now to live on
7 campus it is really expensive”.

8

9 Robert Lobianco (A-117)

10 Will the rents be affordable

11

12 Brenda Dow (A-14)

13 In favor of the project. Expressed the need for more diverse and affordable housing for students
14 and SUNY staff and the lack of existing housing stock in the Village.

15

16 David Porter (D-15)

17 What will the impact on the existing private housing market be with the addition of the proposed
18 project. Will the private apartment be converted to single family houses, this will burden the
19 schools. Will the project allow non-students to live in the units?

20

21 Tom Kastner (D-61)

22 Spoke in favor of the project and the overall need for this type of housing in the New Paltz
23 community

24

25 David Caccanzo (D-71)

26 Will this project be cheaper to live in than the current rents in the Village?

27

28 Planning Board (64)

29 Number of school age children and faculty housing?

30

31

1 Planning Board (64)

2 Must tenants be enrolled students?

3

4 Planning Board (64)

5 Is affordable housing a component of this development?

6

7 Planning Board (64)

8 What is the estimated lease rate for new units?

9

10 Joaquin Raymundo (20)

11 Drs. Christian and Benjamin have told us that SUNY "needs" to have more housing installed, so
12 that they can accept more students, so the University can collect more money, and stay "solvent".
13 We challenge that notion, as SUNY has cut faculty and programs, giving less opportunity and
14 options for students. An example of this was the nursing program, which was picked up by
15 SUNY Ulster, and is now a thriving program.

16

17 Karen Rhinehart (28)

18 When students were asked if they would like more apartments on campus, did they truly
19 understand the difference between apartments and dorm living? Some of the newer dorms at
20 other schools have managed to integrate the two with suites and kitchen and laundry facilities.

21

22 Curt Lavalla (27)

23 Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Act - prohibits
24 discrimination of any sort in renting dwellings. It is impermissible for an owner/managing agent
25 to deny (or even discourage) a rental application for reasons including the type of household size
26 or the age/range of families.

27

28 Joaquin Raymundo (20)

29 If the controllers of SUNY truly cared about overcrowding in the student residences, they would
30 not admit so many students when housing is not available, they would remove the requirement
31 that students in the first two years live on campus, and they would have taken the \$25 million

1 "borrowed" to build the new Atrium Pyramid (\$14.7 million) and the Mohonk Walkway (\$9.3
2 million), and would have put the money into housing solutions, not decorations.

3

4 Karen Rhinehart (28)

5 It appears the goal of the project is to create apartments that then can be marketed as a separate
6 entity. Why else would there be a clubhouse, pool (by the way who would pay for maintenance
7 of these luxuries?)

8

9 Paul Brown (26)

10 The table titled "Net New Tenants" (page 8) shows the proposed three buildings and 30 'units' of
11 'faculty' housing will contain 36 beds and 34 net tenants. Are none of the new faculty expected
12 to have spouses of children?

13

14 Karen Rhinehart (B-4)

15 The project appears to be marketed as a separate entity with no concern for the students, why
16 else would there be a clubhouse and pool. The project does not create a college student
17 atmosphere.

18

19 Jerry Benjamin (A-20)

20 In favor of the project. Expressed the premises that as a private endeavor the project would be
21 beneficial for the University as well as the community as a whole.

22

23 Josh Simpson (A-123)

24 Expressed concern about the project becoming an exclusive housing development.

25

26 Mark Sherman (B-66)

27 Can the units be sublet in the summer? Will people want to live there, so far away from Main
28 Street?

29

30

31

1 **Response:**
2 ***The units will be rented at a fair market rate that has not yet been established. The Project***
3 ***Sponsor will base the rents on the local market and will take into consideration the amenities***
4 ***that the Project will provide. There is tremendous demand for rental housing in the Town and***
5 ***Village as a result of the college which makes it highly unlikely that the Project would over***
6 ***saturate the rental market and lead to any significant increased vacancy. The University Staff***
7 ***and market research suggest that proximity to the college is an attractive factor and many***
8 ***students would prefer to live closer but cannot find housing and therefore have to commute***
9 ***from outside the Town/Village.***

10
11 ***As stated above, based on current and projected demand for student apartments it is unlikely***
12 ***that current private apartments will be converted back into single family homes in the Town or***
13 ***Village.***

14
15 ***Based on the type of units, the design, the location, and the likely tenants the analysis assumes***
16 ***that it is likely that there will no school aged children living at the Project. Therefore, there***
17 ***will be no increased cost to the school district as a direct result of the Project. The Project***
18 ***Sponsor will not restrict tenants from having children so the possibility exists that there may***
19 ***be a few children, but the impact on the school district would be negligible and more than***
20 ***covered by the PILOT and property tax payments. There will likely be some spouses living in***
21 ***the faculty units. The Project Sponsor will pay for maintenance of all elements of the Project***
22 ***including the clubhouse and pool.***

23
24 ***The clubhouse and other site amenities will be available for residents of Park Point and their***
25 ***guests.***

26
27 ***The cost of the units is propriety information that is outside of the environmental review under***
28 ***SEQRA.***

29
30
31

1 *f.* Vacancy

2

3 Fred Bunt (59)

4 This will leave an enormous hole of vacancies in the village and cause an economic catastrophe
5 for Village property owners. Why can't an independent comprehensive economic study be done
6 before this board makes any decisions?

7

8 John and Karen Johnson (51)

9 Throughout Wilmorite's EIS, they state in several places that the college does not plan on
10 increasing enrollment. As stated on page 67, they plan to transfer students from the village and
11 town of New Paltz and from surrounding areas and relocate them to Park Point. This, we feel,
12 will leave our community with high vacancy rates that will bring down the real estate values
13 throughout the area.

14

15 Benjamin Miller (49)

16 What is New Paltz's current vacancy rate? How has it changed in the past several years, and how
17 does it compare to similar college towns? What is considered a healthy vacancy rate for New
18 Paltz, considering that there are a large number of rental properties here? How much will the
19 vacancy rate change with this one project, if it is built? What are the likely fiscal and community
20 impacts from such a change? How would these impacts be mitigated if the project were built in
21 smaller stages, or in a smaller capacity than what is currently proposed?

22

23 Ben Miller (D-28)

24 What is the New Paltz current apartment vacancy rate? How has it changed over the past several
25 years? How does it compare to other college towns? What is a healthy vacancy rate? How will
26 the vacancy rate change if the project is built? What are the likely fiscal and community impacts
27 associated with this change? How likely is it that most of the students who would live in Park
28 Point already live in off campus housing or would have lived there if Park Point was not built
29 thereby eliminating them as new students? How long does SUNY intend on not increasing
30 enrollment and why? How can Wilmorite estimate what local businesses will purchase? If there
31 are no new net students how will data on local purchase and spending change?

1 **Response:**

2 *The 2010 Census reports that current vacancy rate in the Town of New Paltz is 7.4%, or 362*
3 *units out of 4,877 total units. The Census also looks at the number of vacant rental units,*
4 *which is 100 units out of the 2,034 total rental units, or 4.92%. Similar data is available for*
5 *the Village of New Paltz. Total vacancy rate in 2010 was 7.3%, or 143 units out of 1,951.*
6 *Total vacant rental units equals 73 out of 1,356 total rentable units, or 5.38% (Source: ESRI*
7 *Business Analyst Online). Typical vacancy rates in healthy markets are around 10%,*
8 *indicating that the rental market in the Town and Village of New Paltz is very tight and rental*
9 *units are in high demand. A study done by Ulster County in 2010 reported that the apartment*
10 *vacancy rate in the Town was 0.3% (Source: Ulster County Rental Housing Survey, 2010).*
11 *Further research conducted by the Project Sponsor indicates that the vacancy rate for student*
12 *specific properties in the Town of New Paltz is 2%.*

13
14 *This analysis assumes that while some of the students who will live at Park Point are currently*
15 *living in the Town and Village, the units vacated by the Park Point residents would be filled by*
16 *students who are currently commuting from elsewhere. Accordingly, many commuting*
17 *students would no longer have to live outside of the Town/Village. The Economic and Fiscal*
18 *Impact Analysis conservatively estimates that 90% of the units will be filled by students who*
19 *currently commute, or by students who currently live in the Town and whose units will be*
20 *filled by currently commuting students. Given the very high demand for rental units and the*
21 *current low vacancy rates, the Lead Agency finds that nearly 100% of the units will be filled by*
22 *students who otherwise would be commuting into the Town.*

23
24 *The analysis estimates new local sales, wages, and jobs using a well known economic*
25 *modeling tool called EMSI, which uses demographic information, spending patterns, and*
26 *multipliers to determine how money spent recirculates within an economy. The analysis*
27 *assumed a typical spending pattern for college aged students and professionals (faculty).*
28 *Assumptions were then made to determine what percent would be spent in the Town based on*
29 *the types of services available in the Town vs. outside the Town, and whether the type of goods*
30 *are typically purchased out of convenience or warrant travel outside of Town.*

31

1 *See detailed analysis and response in Appendix K of the FEIS by President Christian*
2 *regarding questions of enrollment planning and management.*

3

4 g. Demographics

5

6 Paul Brown (52)

7 How will the Project Sponsor guarantee that they will not change to demographics of their
8 proposed rental occupants?

9

10 Paul Brown (52)

11 What recourse will the Town of New Paltz have if financial or other conditions change which
12 result in the Project Sponsor being unable or unwilling to abide by the presentations, stipulations
13 and agreements it is making with regard to the demographics of the proposed rental population?

14

15 Paul Brown (D-95)

16 How can the Project Sponsor guarantee that they will not change the demographics of the
17 occupants of the rental market fails?

18

19 ***Response:***

20 ***The Project Sponsor is not required under SEQRA to guarantee that demographics will not***
21 ***change.***

22

23 h. Local and Surrounding Businesses

24

25 Paul Brown (52)

26 What the similarities and differences between the troubled Vineyard Commons project in the
27 town of Lloyd and the proposed project.

28

29 Rebecca Berlin (A-81)

30 Expressed concern that the development including the clubhouse would be an elite secluded
31 project away from the campus and students would go to the clubhouse for food and take business
32 away from the Town/Village.

1 Benjamin Miller (49)

2 How can Wilmorite estimate what local businesses will purchase? Given the supposition in
3 Point 2 that there are not 'net new students', how does this change Wilmorite's data on both local
4 purchases and total spending? What about students that currently commute and then decide to
5 live at Park Point instead, since they were already likely to be spending money in the town as
6 they attend school here. How would that factor change this data as well?

7
8 Paul Brown (52)

9 Considering the fate of a similar restricted residence rental project in our neighboring town of
10 Lloyd (Vineyard Commons) what liabilities and potential problems might this project for the
11 Town of New Paltz?

12
13 John Johnson (D-37)

14 Expressed concern that the proposed Park Point units will take away from the rental units in the
15 Village, these units may need to convert to single family home which could burden the Schools.
16 Concern that the rental units outside the Village could also suffer if students move into the now
17 available Village units. Would like an independent analysis of the Economic report in this DEIS.

18
19 ***Response:***

20 ***The analysis factored in the possibility that students who are commuting are already spending***
21 ***a portion of their time (and money) in the Town of New Paltz while at the college. This was***
22 ***factored in by reducing new spending by 50% since it was assumed that commuting students***
23 ***are already spending an average of 50% of their time in the Town. The analysis assumed a***
24 ***typical spending pattern for college aged students and professionals (faculty). Assumptions***
25 ***were then made to determine what percent would be spent in the Town based on the types of***
26 ***services available in the Town vs. outside the Town and whether the types of good are typically***
27 ***purchased out of convenience or warrant travel to purchase.***

28
29 ***Based on market analysis, a vast majority of the units that are vacated by students moving to***
30 ***Park Point are expected to be filled by students who are currently commuting, so the analysis***
31 ***considers the implications of students moving into the newly available Village units. The***

1 *impact on neighboring towns was not considered as part of this analysis, nor is it required by*
2 *the final scope.*

3
4 *The Town/Village units that are vacated by students moving into Park Point are unlikely to be*
5 *left vacant. The existing demand for rental units by students also leads to the expectation that*
6 *current private apartments are unlikely to be converted back into single family homes in the*
7 *Town or Village.*

8
9 *i. Fiscal*

10
11 Planning Board (64)

12 There seems to be a discrepancy between the Hudson Valley economy and the population
13 reported in the FIA.

14
15 ***Response:***

16 ***The Project Sponsor is not aware of any discrepancies regarding the population. If any such***
17 ***discrepancies are specified, the Project Sponsor will address them.***

18
19 Sal Rondinelli (D-43)

20 Would like an independent review of the Economic report to evaluate fiscal impacts.

21
22 Tracy Grant (61)

23 There are traffic concerns, there are concerns about how the project will negatively impact our
24 downtown, both in terms of renters for the usual rental market, and consumers who will no
25 longer be in town to shop and eat, etc.

26
27 Michael Smith (D-44)

28 Would like any review of the fiscal impact takes into consideration the income as well as the cost
29 associated with the project.

30
31

1 Benjamin Miller (49)

2 How can Wilmorite estimate what local businesses will purchase? Given the supposition in
3 Point 2 that there are not 'net new students', how does this change Wilmorite's data on both local
4 purchases and total spending? What about students that currently commute and then decide to
5 live at Park Point instead, since they were already likely to be spending money in the town as
6 they attend school here. How would that factor change this data as well?

7
8 Lynne Gabrielli (33)

9 I hope the environmental impact statement will address any fiscal aspect this project could create
10 through an oversaturation of housing stock and possible decrease of the fair market rent baseline.

11
12 Lynne Gabrielli (33)

13 I believe that there should be an additional economic study of the effect of a "rent crash."

14
15 Paul Brown (26)

16 The table titled "Summary of Annual Economic Impact" on page 2 shows "Total New Sales" of
17 \$7,880,192. This conflicts with the number of \$2,672,318 shown on page 9 in the table titled
18 "Annual 'Net New' Spending in Study Area." Which number is correct? What methodology was
19 used to arrive at these figures? Where specifically will this money be spent? Who actually
20 benefits from these sales? Are these sales that will occur primarily in the Village of New Paltz?
21 What is the financial benefit to the taxpayers in the Town? How much of the projected sales will
22 take place in neighboring towns such as the Towns of Lloyd and Poughkeepsie? This data and
23 information must be accurate, precise and double checked before any rational decision can be
24 made with regard to any requested tax preferences.

25
26 Paul Brown (26)

27 The table titled "Annual 'Net New' Spending in Study Area" (page 9) shows a total of \$2.67
28 million in net new spending by the tenants of the project. Why is this number different from the
29 "Total New Sales" of \$7.88 million shown in the table on page 6 (Summary of Annual Economic
30 Impact)? The first and third columns of this table are not labeled correctly. Clearly all numbers

1 and calculations must be checked and confirmed if and when they become part of the Final
2 Environmental Impact Statement.

3

4 Paul Brown (52)

5 Does the Project Sponsor propose to donate the 8 acre parcel along with the water treatment and
6 wastewater treatment facilities? If so will it also be providing funds for the continued operation
7 and maintenance of the portion of the plant necessary to serve the over 700 residents of the
8 project?

9

10 Paul Brown (52)

11 What is the proof and justification for the statement that 'virtually no services' will be required
12 from the Town of New Paltz from the New Paltz Central School District.

13

14 ***Response:***

15 ***Based upon the fact that it is conservatively estimated that 90% of the tenants of the Project***
16 ***will be net new to the Town (new residents who otherwise would live elsewhere) it can be***
17 ***determined that there will be no loss of consumers in the Town. In fact, the increased***
18 ***number of residents will result in more consumers in Town spending their money in Town.***

19

20 ***The Economic and Fiscal Impact Analysis factored in the possibility that students who are***
21 ***commuting are already spending a portion of their time and money in the Town of New Paltz***
22 ***while at the College. This was factored in by reducing new spending by 50% since it was***
23 ***assumed that commuting students are already spending an average of 50% of their time in the***
24 ***Town. The analysis also assumed a typical spending pattern for college aged students and***
25 ***professionals (faculty). Assumptions were then made to determine what percent would be***
26 ***spent in the Town based on the types of services available in the Town vs. outside the Town***
27 ***and whether the types of goods are typically purchased out of convenience, or whether people***
28 ***typically travel to purchase such goods.***

29

30 ***The table on page 3 titled “Summary of Annual Economic Impact” lists \$7,880,192 as the***
31 ***total new sales, and that includes direct and indirect sales associated with both student***

1 *spending (reported as \$3,661,075 in the table titled Economic Impact of Tenant Spending on*
2 *page 10) and operation and maintenance (reported as \$4,219,117 in the table titled Economic*
3 *Impact of Operation and Maintenance on page 11). Please see the full report to understand*
4 *the methodology of these numbers. These are sales that will occur within the New Paltz zip*
5 *code of 12561 and will benefit local retailers.*

6
7 *Based on the limited number of 2-bedroom units (6) in the faculty/staff housing, it is assumed*
8 *that there will likely be few, if any, new school aged children living at the Project and*
9 *therefore there will be no impact of the Project on the New Paltz Central School District.*
10 *Furthermore, the faculty/staff housing, along with the wastewater treatment facility and*
11 *clubhouse, will be fully assessed and taxed, thereby generating school taxes which will more*
12 *than offset any school costs related to the Project.*

13
14 *The Economic and Fiscal Impact Analysis reviews the cost and revenue that would be*
15 *generated as a result of the Project. In addition to the PILOT payments, full taxes will be paid*
16 *on the faculty housing, the clubhouse, and the water/sewage treatment facility. It is estimated*
17 *that the new revenue received by the Town from the combined PILOT, variable revenue, full*
18 *taxes on the faculty housing and clubhouse, and the full taxation on the sewer/water system*
19 *will more than offset all of the costs associated with the Project on the Town.*

20
21 *j. Revenue*

22
23 *Paul Brown (52)*

24 *Exactly what revenues are being offered to the school district?*

25
26 *Paul Brown (52)*

27 *For how many years will this revenue be paid? Will it be paid regularly and on time as are*
28 *regular taxes?*

29
30 *Paul Brown (52)*

31 *Will the revenue increase as assessed valuation of this for profit project increases?*

1 Paul Brown (52)

2 What legally binds the Project Sponsor and its successors and heirs to continue making the
3 payment of these revenues?

4

5 Paul Brown (52)

6 What recourse does the school district have if the payment schedule for the revenue being
7 offered by the Project Sponsor is not adhered to?

8

9 Paul Brown (52)

10 Why is the Project Sponsor offering revenues to the school district considering that, according to
11 the Project Sponsor, 'virtually no services' will be required?

12

13 Paul Brown (D-95)

14 What revenues are being offered to the New Paltz School District and how much and how often.

15

16 Leonard Loza (D-68)

17 How much money is in escrow to cover the cost of the Town consultants for assisting with the
18 project and how is it being paid.

19

20 Paul Brown (26)

21 What are the exposures to the New Paltz Town and Village governments and residents if for any
22 reason the Project Sponsor does not behave in the manner stipulated in the proposal, particularly
23 with regard to leasing, marketing and maintenance? What are the other potential problems that
24 could occur in the operation and management of this \$50 million project? What negative
25 exposure and possible negative impact could there be to the citizens of New Paltz?

26

27 Paul Brown (26)

28 What is the projected full assessment value of all buildings and structures proposed as part of this
29 application for Planning Board approval? What will be the values of the proposed a) 10 student
30 buildings; b) 3 faculty buildings; c) the "full-service clubhouse" and d) the water and wastewater
31 treatment facilities?

1 **Response:**
2 ***The Project Sponsor has applied for Payment In Lieu of Taxes (PILOT) agreement with the***
3 ***Ulster County Industrial Development Agency that will contractually bind it to make fixed***
4 ***payments on a regular schedule to the affected jurisdictions, including the Town, County, and***
5 ***School District for a period of 25 years. In addition to the PILOT payments, full taxes will be***
6 ***paid on the faculty housing, the clubhouse, and the water/sewage treatment facilities. Based***
7 ***on Camoin's analysis of the existing rental units in the Town and estimated assessed value of***
8 ***the clubhouse, property taxes paid on the faculty housing units and the clubhouse should***
9 ***produce approximately \$70,000 in new property tax revenue for the Town, County, and School***
10 ***District on an annual basis. The water/sewer infrastructure will be assessed by the Town***
11 ***separately and the normal tax rate will apply to those assets. Therefore, the new revenue***
12 ***received by the Town from the combined PILOT, variable revenue, full taxes on the faculty***
13 ***housing and clubhouse, and the full taxation on the sewer/water systems will more than offset***
14 ***all of the costs associated with the Project on the Town***

15
16 ***After the 25 year PILOT agreement expires, the Project Sponsor will pay full taxes on the***
17 ***assessed value of the Project for the remainder of the lease.***

18
19 ***k. Public / Private Partnership***

20
21 **Paul Brown (52)**

22 In view of the reference to a 'public/private partnership' what are the exact and specific details of
23 the proposed partnership agreement.

24
25 **Paul Brown (52)**

26 Will the subdivision and site plan approval be contingent upon the successful negotiation and
27 agreement to this 'partnership' agreement?

28
29
30
31

1 Paul Brown (52)

2 What exactly and specifically are the present and future roles, responsibilities, commitments,
3 promises and liabilities of all parties involved in the 'public-private' partnership? Including but
4 not limited to: Wilmorite Inc., SUNY New Paltz and the SUNY System, The Town of New Paltz

5
6 Paul Brown (52)

7 Who will be the parties to this agreement? What are the liabilities to the remaining partners if
8 any of the partners fail to carry out their respective responsibilities or keep to their agreements?

9
10 Paul Brown (52)

11 What will the Project Sponsor, JAM of New Paltz, Inc. and SUNY New Paltz to help the Town
12 of New Paltz planning board and the Town of New Paltz residents understand all the details and
13 nuances of the proposed 'public/private' partnership.

14
15 ***Response:***

16 ***The "details and nuances" of the inter-relation of JAM of New Paltz, Inc., SUNY, and the***
17 ***Project Sponsor are not relevant under SEQR, unless they create significant adverse***
18 ***environmental impacts, and no such impacts have been demonstrated. Proprietary concerns,***
19 ***and the method and manner of the business relationship among these entities is outside of***
20 ***SEQRA analysis.***

21
22 *l. Miscellaneous*

23
24 Andrew Loyer (22)

25 Has anyone asked the assessor to estimate the value of a project like this if it were commercial?

26
27 ***Response:***

28 ***This is not relevant to the analysis conducted under SEQR.***

29
30 George Sifre (57)

31 We manage these properties with 1 full time manager, 1 part-time super, and myself on a part-

1 time basis. Wilmorite is claiming that they will hire 73 full time employees for 732 bedrooms. I
2 question why they will need so many people to manage that number of apartments. Has this
3 been grossly overestimated? In addition, I would like to know what the occupancy rate will be?
4 Does 732 bedrooms equate to an occupancy rate of 732 people? Or does it mean 1,464 people?
5 Or 3 people which would mean 2,196??? And so on...

6

7 Andrew Loyer (22)

8 How will this project make New Paltz a better place to live for all of its residents?

9

10 ***Response:***

11 ***It is estimated that the Project's onsite staff will include approximately 8 full time employees.***

12 ***The economic impact analysis estimates that the project will create 73 permanent full-time***
13 ***jobs throughout the community.***

14

15 ***Park Point is designed to accommodate 732 residents. At full occupancy there will be 732***
16 ***residents.***

17

18 ***The community benefits of this project – economically, environmentally, socially – have been***
19 ***made clear throughout the DEIS and this FEIS.***

20

21 Ben Miller (C-55)

22 What will happen when the lease is up and SUNY takes over and starts putting two people per
23 bedroom?

24

25 ***Response:***

26 ***N.I.S. – See Section 1.A.1***

27

28 Diana Waldrige (C-53)

29 What role does Wilmorite, SUNY New Paltz Foundation, Goshawk and JAM of New Paltz play
30 with the project? Who will be responsible for what goes on?

31

1 **Response:**

2 ***In the past, the College has increased occupancy beyond design of on campus housing units to***
3 ***accommodate fluctuations in enrollment. This has been done, however, only in buildings with***
4 ***group-designed restroom facilities. Those buildings with restrooms specific to rooms or suites***
5 ***do not lend themselves to additional occupancy as issues of restroom access, sanitation, and***
6 ***capacity prohibit occupancy beyond design. Such would be true of the Park Point design as***
7 ***well. The bedrooms and associated living areas are not designed to accommodate two people***
8 ***per bedroom and this is not an expected eventuality of the project since occupancy limits will***
9 ***be set by the Town of New Paltz Building Inspector, and/or New York State Building***
10 ***Department in the future.***

11

12 Jerry Benjamin (C-50)

13 Did not have any specific questions, urged the Planning Board to look at the facts of the project
14 which have not always been presented correctly by the public. Would like to see a timely
15 decision made on the project once all of the information in gathered.

16

17 **Response:**

18 ***No response required.***

19

20 Paul Brown (C-44)

21 Did not ask any specific questions but commented on the overall approval process, student
22 involvement, and project phasing.

23

24 **Response:**

25 ***No response required.***

26

27 Liz Clough (C-29)

28 Expressed concern that SUNY and project sponsor has not publicly expressed what is going on
29 with the project and associated issues, comments by them are biased.

30

31

1 **Response:**
2 *The public hearing process was not designed for SUNY, SUNY New Paltz Foundation, or*
3 *Wilmorite to speak publicly about the project and its issues, beyond the brief statements that*
4 *the President and others made on behalf of the College during the public hearing. The Lead*
5 *Agency is satisfied that the administrative record reflects a comprehensive environmental*
6 *review of the project and all associated environmental issues.*

7
8 Leonard Loza (C-14)

9 Water consumption and disposal, traffic patterns, artifacts in the ground, contaminated soils
10 should all be addressed in the DEIS.

11
12 **Response:**
13 *A full traffic impact analysis was presented in the DEIS and NYS DOT, and the Town's traffic*
14 *consultant comments have been responded to within the FEIS. A full archeological report*
15 *was presented in the DEIS. All pesticide issues have been addressed in the FEIS.*

16
17 Al Konigsburg(A-140)

18 Stated he was pleased with how the students spoke about the project.

19
20 *No response required.*

21
22 Paul Brown (52)

23 What exposure or liability is there to the Town of New Paltz if Planning Board approval
24 (subdivision approval or site plan approval) or any required enabling legislation by the Town
25 empowers and enables the construction of the treatment facilities.

26
27 **Response:**
28 *The permitting of the treatment facilities is through the NYSDEC, and any liability associated*
29 *with these facilities lies with the Project Sponsor, not the Town.*

30
31

1 Leonard Loza (50)

2 How much money is presently being held in escrow to cover the costs of the planning board
3 attorney, town engineer, town planner, and the town secretary? Are these expenses paid by
4 monthly billing or debit system?

5
6 ***Response:***

7 ***All escrow fees have been paid to date on a payment schedule imposed by the Planning Board***
8 ***upon authority set forth within the Town Code and in accordance with SEQRA [6 NYCRR***
9 ***Part 617.13].***

10

11 Benjamin Miller (49)

12 If enrollment does not increase and off campus housing is already in existence, how likely is it
13 that most of the students that would live in Park Point already live in off-campus housing, or
14 would have lived there if Park Point was not built, thereby eliminating them as 'net new
15 students'? How long does SUNY New Paltz intend not to increase enrollment, and what are their
16 reasons for doing so?

17

18 ***Response:***

19 ***See detailed analysis and response in Appendix K of the FEIS by President Christian to***
20 ***questions of enrollment planning and management raised by the Town Board.***

21

22 Paul Brown (26)

23 The Project Sponsor states: "Following completion of the proposed Project, the Site will remain
24 tax exempt and Wilmorite will lease the property from Goshawk for a term of 46 years after the
25 start of construction." What are the details of this arrangement? Why is the stated term 46
26 years? What happens to the property if the Project Sponsor goes bankrupt, sells the project to
27 others or is for any reason unable to properly manage the 'site' and the associated water and
28 wastewater treatment facilities?

29

30

31

1 **Response:**
2 ***The arrangement between Wilmorite and Goshawk is a private business transaction, which is***
3 ***not relevant to the SEQR analysis. Therefore, the lease is not subject to disclosure. The terms***
4 ***and conditions of the lease have been negotiated under normal business considerations. The***
5 ***Project Sponsor has the experience and knowledge to successfully operate a student housing***
6 ***operation, which is an allowed use in the subject zoning district, as a private business concern***
7 ***and will be subject to all federal, state, and local laws, including bankruptcy laws. This is no***
8 ***different from any other private businesses in the Town.***

9

10 Robert Gabrielli (55)

11 Using a sample group is not less than 20% of the entire rental housing stock in the individual
12 jurisdictions of a) Village of New Paltz; and, b) Town of New Paltz, identified by s/l/b, owners'
13 name, street address of property, the following:

14

- 15 1. How many rental units exist, by bedroom count, in total, both town-wide and village-
16 wide, and in sub-groups of a) single family rental properties; b) two to six family multi-
17 housing units; c) multi-housing units consisting of seven or more units. In other words,
18 how many bedrooms exist.
- 19
20 2. What is the vacancy factor, both current and historically for the past five (5) years, Again,
21 this report should be segregated by political jurisdiction as above.
- 22
23 3. What percentage of gross rental income, for each group, listed in #1 above, is dedicated
24 by actual payment of school, general, and if applicable, village tax. This report should
25 also note any special improvement district or special ad valorem assessment. Properties
26 having statutory tax exemption, such as charitable, religious or governmental, should also
27 be included in a separate category with the amount that should be paid if not for the
28 exemption(s). In other words, what percentage of your rents received goes to paying
29 taxes.

30

- 1 4. As in #3 above, what percentage of gross rental income is dedicated to maintenance of
2 the building.
3
- 4 5. As in #4 above, what percentage of gross rental income is dedicated to mortgage amount.
5 Since this amount fluctuates, a fair estimation will be sufficient. In other words, can we
6 compare what handicap existing landlords will suffer because they are not entitled to IDA
7 tax exempt mortgage bonding inducement.
8
- 9 6. The Project Sponsor should prepare and release a formal study listing all retail services
10 (or no less than 20% as a sample group - as noted in rental properties above), such retail
11 trades providing good or services to SUNY New Paltz college students. Such lists should
12 contain the trade name, name of owner, type of service or goods supplied, gross sales,
13 and the owners' estimate of the percentage of trade provided to students. In other words,
14 what and how much do the students contribute to our community.
15
- 16 7. Please have the Project Sponsor provide all contracts, leases, notations, memorandum and
17 documents concerning:
18
- 19 a) Deeds and leases to property identifying fee ownership, contract of sale for such
20 property, or any other document including, but not limited to, those identifying any
21 reverter clause, encumbrance, limiting conditions, restrictive covenants.
22
- 23 b) If any entity of the Project Sponsor is a corporation, or not a natural person, provide
24 Articles of Incorporation, including any changes to same. In other words, does this
25 project comply with the corporate intent or purpose of the entities involved, and
26 would the release of this information provide a benefit to the Town that would
27 otherwise be undetected, especially since some entities exist for a public good and
28 service.
29
- 30 8. The Project Sponsor should provide a survey of the linear feet of book shelving in the
31 Public Library and the amount of square feet of such library building. Additionally,

1 included in this survey should be an approximation of resource deployment to SUNY
2 New Paltz college students.

3
4 9. A mathematical computation should determine the ratio between the current usage by
5 both linear dimension and square feet, and the cost to increase both the shelving and the
6 size of the library to accommodate the increase projected by the number of student rooms
7 to be supplied by the applicant.

8
9 10. What is the cost per resource dedication and size of the swimming pool at the Moriello
10 Pool?

11
12 ***Response:***

13 *The foregoing questions have either been previously answered within the DEIS and FEIS, or*
14 *are addressed within the Camoin Associates Economic Analysis at Appendix S to the extent*
15 *required under SEQRA. Remaining questions which address economic issues are not the*
16 *province of review by the Lead Agency under SEQRA. The Project Sponsor has provided all*
17 *documents which any other Applicant is required to provide (ie - Deeds, Authorizations and*
18 *Application Addendums). Computations as to the "public library", "Moriello Pool", as well*
19 *as proprietary information concerning the Project Sponsor, Goshawk, LLC, and JAM of New*
20 *Paltz, Inc. are beyond SEQRA considerations and not within the authority of the Lead Agency*
21 *to demand in accordance with the questions raised; nor are the same relevant to*
22 *environmental impacts and attendant review.*

23
24 **SECTION L - VISUAL RESOURCES**

25
26 a. Landscaping

27
28 Joe Rotullo (A-108)

29 Are the campus gardens going to be bulldozed?

30
31 Planning Board (64)

32 Can trees be transplanted to enhance the landscape with native vegetation?

1 A. Diachisin & Assoc (36)

2 Provide landscaping around the control building to minimize visual impacts.

3

4 Alan Goodman & Kathleen Mazzetti(35)

5 We are requesting that landscaping be planted around the sewer treatment plant as well as along
6 the property line between Bella Terra Apartments and Park Point. It would help minimize the
7 visual impact.

8

9 ***Response:***

10 ***No campus gardens will be bulldozed.***

11

12 ***The Project Sponsor will be augmenting the proposed landscaping plant with existing native***
13 ***plant species where and when practical. Refer to Section F of this report relative to***
14 ***transplanting of native species.***

15

16 ***Section III-L-1b of the DEIS states:***

17 ***“The proposed landscaping plan will incorporate indigenous tree and shrub planting areas in***
18 ***the proximity of the proposed buildings on the Site to help mitigate the proposed “built”***
19 ***condition. The proposed wetland and wetland enhancement areas will be planted with***
20 ***appropriate wetland plant materials and be a combination of herbaceous, woody shrub and***
21 ***tree plantings. The remainder of the Site that will be disturbed will be planted in an “open-***
22 ***meadow” style landscaping including grass and grass-like species in combination with***
23 ***herbaceous flowering species. The overall intent of the proposed landscaping will be in***
24 ***keeping with surrounding community and provide a diversity of habitat and aesthetic zones.***
25 ***The remaining undeveloped areas of the Site will be left in their natural state”.***

26

27 ***Furthermore, earthen berms and plantings will be provided around the wastewater treatment***
28 ***facility to enhance screening from the Bella Terra apartment complex. Berms are also***
29 ***included to provide screening of the project to the Joe Moriello property northeast of the site***
30 ***(see Grading and Landscaping Plans in Appendix R of the FEIS).***

31

1 *b. Visual Impact*

2

3 ZBA Letter (47)

4 What will the visual impact of the buildings higher than normally allowed, and massed more
5 closely together, be on the immediate neighborhood, the village and on the view from the Ridge.

6

7 Rachel Logodka (A-133)

8 The project does not have a village look.

9

10 Karen Rhinehart (B-4)

11 What are the buildings going to look like or be worth in 40 years when repairs are needed.

12

13 John House Wilson (B-139)

14 The project is not mixed use or walkable like a lot of the Village.

15

16 Jonathan Wright (D-45)

17 Noted concern over the view shed with the development of the buildings and the change in the
18 community character.

19

20 Mark Sherman (B-66)

21 Not sure if this is or is not part of the campus?

22

23 Mark Sherman (B-66)

24 The view from Route 32 towards the Wallkill will be blocked by the proposed 2 and 3 story
25 buildings.

26

27 ***Response:***

28 ***As stated in the DEIS section V-c. Alternative C - Traditional Neighborhood Design / New***
29 ***Urbanism and Preferred Alternative Plan:***

30

1 *“The Park Point project is designed to be a residential component of the greater New Paltz*
2 *community, which already embraces the principles of Traditional Neighborhood Design*
3 *(TND). Like the existing character of the Village of New Paltz, Park Point is a highly*
4 *walkable community that directly connects with the adjacent SUNY campus and larger*
5 *neighborhood. This connectivity gives residents pedestrian, shuttle and vehicular access to the*
6 *commercial, civic, natural and educational resources within the immediate proximity.*
7 *Sustainable site design is also utilized by way of moderate building density and minimum*
8 *hardscape to promote walkability, minimize vehicular dependence, and preserve as much of*
9 *the natural features and habitats existing on the Site as possible”.*

10
11 *As stated in section III-L-2c&d of the DEIS, the project is designed to be aesthetically and*
12 *functionally consistent with the character of similar building typologies found in the*
13 *community and throughout the Northeastern United States.*

14
15 *Landscaping, hardscaping and earthen berm features will enhance the view shed and overall*
16 *appearance of the development as analyzed previously.*

17
18 *The Park Point project is proposed on a site located adjacent to the southeastern border of the*
19 *SUNY New Paltz campus, but it is not part of the campus. As such, it is sandwiched between*
20 *multi-family dwellings on its northerly and southerly sides by way of the SUNY campus and*
21 *the Bella Terra Apartments.*

22
23 *The visual impacts of higher buildings are illustrated in Exhibits FIII-12A and discussed in*
24 *sections III-J-1f. and V-d. of the DEIS as part of the alternative analysis. Higher buildings (4*
25 *and 5-story buildings were analyzed) both negatively impact the viewshed of the surrounding*
26 *region and would be required by code to be built using vastly more expensive construction*
27 *systems which are not economically viable for this project. The proposed site plan and detailed*
28 *mitigation measures are designed in order to preserve and enhance the natural features and*
29 *habitats found on the site. A denser configuration of buildings on the site is not viable if these*
30 *features and habitats are to be preserved.*

1 *Regular maintenance will be continually on-going and repairs will be made on an as-needed*
2 *basis.*

3

4 *As illustrated by Exhibits FIII-12 and stated in Section III-L-3a. of the DEIS:*

5 *The Park Point project aims to minimize its visual impact to the scenic vistas of the area by*
6 *keeping the buildings to a maximum of three stories at no more than 40 feet tall. The building*
7 *height in combination with the natural topography of the site that slopes down away from*
8 *Route 32 will preserve much of the public access to the views beyond the site.*

9

10 c. Exhibits / Appendices

11

12 **Response:**

13 *There are no new or updated Exhibits or Appendices for this Section.*

14

15 d. Environmental Assessment

16

17 **Response:**

18 *The visual related comments are associated with size, scale and architecture of the residential*
19 *buildings as well as the location and visibility of the waste water treatment facility.*

20

21 e. Mitigation Measures

22

23 **Response:**

24 *The Park Point project will minimize visual impact to the scenic vistas of the area by keeping*
25 *the buildings to a maximum of three stories at no more than 40 feet tall and incorporating*
26 *clusters of the building footprints to concentrate the area of development. The building height*
27 *in combination with the natural topography of the Site that slopes down away from Route 32*
28 *will preserve much of the public access to the views beyond the Site. The project is located*
29 *adjacent to the SUNY New Paltz Campus and the Bella Terra Apartments, both of which are*
30 *located close to NYS Route 32 South than the projects closest buildings. Therefore, the project*
31 *will not be introducing land use, which is discordant with the existing character of the*
32 *neighborhood.*

1 *The architectural design of the Park Point project incorporates many of the architectural*
2 *features found in the New Paltz community, which will blend appropriately with its*
3 *surroundings. The project has been positioned with the intent to preserve the wetlands and*
4 *wooded areas found on the Site, allowing the existing flora and fauna to remain in their*
5 *current state. New landscaping will provide additional buffers to the wetlands and enhance the*
6 *natural quality of the Park Point environment. Additional landscaping, street tree plantings*
7 *and open space tree plantings, will be provided to further enhance the project, as well as*
8 *provide visual green screening of the proposed structures from public view from Route #32.*

9
10 *Site lighting will be provided by the use of highly efficient, automatic daylight-sensing full cut-*
11 *off LED fixtures that are designed to minimize night-time light pollution.*

12
13 *The Project Sponsor intends to provide a safe and secure student residential project and*
14 *security cameras will be utilized. Ultimately, the security lighting will align with the Campus*
15 *security lighting policies and safety procedures. In this regard, the light-level-sensitive site-*
16 *lighting design will provide a sense of security throughout the development including the*
17 *areas at the entrances to all apartments.*

18
19 *The location and orientation of the wastewater treatment building along with earthen berming*
20 *and vegetative buffering will assist with screening this facility .*

21
22 **SECTION M - CULTURAL RESOURCES (No Comments in this Section)**

23
24 **SECTION N - NOISE AND ODORS**

25
26 *a. Sewer Treatment Plant*

27
28 Alan Goodman & Kathleen Mazzetti (1)

29 It seems this plant will be treating 60,000 gallons per day, over 2 million gallons per year. If this
30 plant were not designed as odor free and quiet it would create a significant adverse effect on the
31 community, especially since the easterly winds coming off the mountains can be quite
32 significant. Our apartment complex alone provides a home for almost 100 people, so possibly a
33 different location would be more suitable.

1 Alan Goodman & Kathleen Mazzetti (1)

2 our storm water ponds are close to the proposed location of the sewer treatment facility. We ask
3 that these ponds not be adversely affected.

4
5 Alan Goodman & Kathleen Mazzetti (12)

6 Since we are in the direct path of the strong winds that come off the cliffs heading east, any
7 odors and noise would have a significant negative impact on our tenants, making the apartments
8 undesirable to live in. Certainly, noise and odors would have a negative impact on other
9 properties, including the proposed project. We understand, based upon discussions with the
10 developer, and our own engineers, that there are sewer treatment plants that can be designed to
11 be free of noise and odor. We feel this type of design is essential.

12
13 Alan Goodman (B-42)

14 The wastewater treatment system should be designed to be free of odors and noise.

15
16 ***Response:***

17 ***The influent force main is proposed to enter the treatment building where screening will take***
18 ***place and where odor potential is the greatest. This was done specifically to control odors as***
19 ***this area of the building is designed with activated carbon on the ventilation to address any***
20 ***odors. The main process train is in buried, covered tanks to minimize any fugitive odors.***
21 ***Every care has been taken to design for noise reduction as well, and neither noise nor odor is***
22 ***expected to impact neighboring properties.***

23
24 ***The Bella Terra apartment stormwater ponds are uphill of the sewage treatment facility***
25 ***effluent so no discharge of the effluent will be directed to their stormwater ponds.***

26
27 ***b. Exhibits***

28
29 ***Response:***

30 ***There are no new or updated exhibits for this section.***

31

1 c. Environmental Assessment

2
3 **Response:**

4 *The proposed wastewater treatment facility was identified as a concern associated with both*
5 *noise and odors relative to the treatment processes. Additionally there was concern over the*
6 *discharge from the wastewater facility onto adjacent properties.*

7
8 d. Mitigation Measures

9
10 **Response:**

11 *As previously stated, the introduction of solid waste within the proposed building along with*
12 *an activated carbon ventilation system will address the odors associated with this facility. The*
13 *main process train is in buried, covered tanks, and every care has been taken to design for*
14 *noise reduction and minimize fugitive odors. Additionally the location and orientation of the*
15 *building along with earthen berming and vegetative buffering will assist with addressing both*
16 *of these matters.*

17
18 *The Project Sponsor along with several concerned citizens and their consulting Professional*
19 *Engineer, Robert James, toured several wastewater treatment facilities that will have similar*
20 *treatment techniques as the proposed facility. Mr. James prepared a letter dated November 28,*
21 *2012 (located in Appendix A of the FEIS) which offered several recommendations to assist*
22 *with both noise and odor control which have been considered by the Project Sponsor in the*
23 *proposed design.*

24
25 *The New York State Department of Environmental Conservation has indicated that the*
26 *proposed sewage treatment facility will be required to meet Intermittent Stream Limits for the*
27 *effluent discharge. These are the limits at which NYSDEC has determined the effluent will*
28 *have no adverse effect on the receiving waters. The proposed sewage treatment facility will be*
29 *designed in accordance with the Recommended Standards for Wastewater Treatment*
30 *Facilities (10 State Standards). The plant will be designed to meet the effluent limits required*
31 *by the SPDES permit to be issued by NYSDEC. UCDH approval of the design plans and*
32 *specifications will be obtained prior to construction.*

1 *The plant will be operated and monitored 24 hours per day by a NYS licensed wastewater*
2 *treatment facility operator.*

3
4 *Emergency stand-by generators will be provided at the treatment plant. This will ensure that*
5 *the plant will continue to operate during power outages.*

6
7 *A privately developed and operated sewage treatment facility must comply with the same*
8 *approvals and operational requirements and oversight as a municipally owned and operated*
9 *facility. The equipment and materials specified for the private plant design will be comparable*
10 *to those specified in a municipal plant.*

11
12 **SECTION O - ENERGY**

13
14 a. LEED

15
16 Jason West (B-87)

17 Expressed concern over the LEED designation stating that even if it achieved LEED Platinum
18 the project would still be bad for the environment.

19
20 ZBA Letter (47)

21 What are the specifics of the "green" technology that the Project Sponsor plans to use? Will the
22 Project Sponsor meet the Silver LEED standards that would be required by the college? How
23 will they deal with heating/cooling?

24
25 Robert Lobianco (A-117)

26 The project should be looking at renewable energy sources. The project should seek at least a
27 LEED Silver equivalent. The utility charges should be based upon use and not all inclusive.

28
29 Ariana Basco (C-62)

30 Would like the project to be built to LEED Silver standards and be consistent with the Campus
31 Sustainability Plan.

32

1 Annemarie Courtens (B-32)

2 The project should be built to LEED Silver standards and follow the American College and
3 University Presidents Climate Commitment. Expressed concern with unlimited utilities, number
4 of bathrooms and excess parking spaces.

5
6 Curt Lavalla (B-18)

7 The project should be constructed under LEED Silver certification as well as other green
8 building standards.

9
10 Lara Russo (B-40)

11 The project should be built to LEED Silver standards and follow the American College and
12 University Presidents Climate Commitment. The location and design of the project will be cause
13 for increase car and utility usage.

14
15 Brian Obach (A-36)

16 University Sustainability Committee endorses project particularly by reducing commuting and
17 lowering carbon footprint. The project should consider individual unit metering to encourage
18 energy savings and the use of renewable energy sources. Would like to see the Green Building
19 Standard certified and close to LEED Silver.

20
21 Curt Lavalla (27)

22 Combining the discussion of alternative 'E' with the required 'no action alternative' is unjustified.
23 'Alternative E', as required by the adopted DEIS scoping document, requires full consideration of
24 the developing Park Point if it were being built on-campus. Under this alternative, the project
25 would be required to obtain at least a LEEDS Silver Certification, as well as being required to
26 incorporate other green-building specifications.

27
28 Paul Brown (37)

29 The project should adhere to the provisions of the American College and University Presidents
30 Climate Commitment (ACUPCC), to which the college became a signatory in 2008. Buildings

1 should follow, at a minimum, LEED Silver or equivalent standards, which is currently required
2 of new public building in NYS.

3

4 Michael Wietecha (B-37)

5 Project should be built to LEED Silver standards

6

7 Liz Clough (B-81)

8 The project should be built to LEED Silver standards and follow the American College and
9 University Presidents Climate Commitment. Is there a chance for funding from the New York
10 State Energy Research and Development Authority?

11

12 Students Letter (34)

13 Lack of Transparency - Future residents, specifically students and faculty should be more
14 involved with the planning process if the development is truly meant to benefit them. This
15 means more communication over what students and faculty would like to see implemented in the
16 plan. Also, we want to have absolute verification that the buildings will be built and certified to
17 LEED standards.

18

19 Elizabeth Clouth (31)

20 The buildings have an environmental standard of their own that is less than the LEED Silver
21 standard, it is equivalent to LEED Bronze. Part of the ACUPCC and the New York State
22 Executive Order 11 "requires that public buildings be built at least up to the LEED Silver level
23 standard" or higher.

24

25 Elizabeth Clouth (31)

26 If 13% of buildings on campus are already up for renovation this year to meet these state
27 standards, why not save the money and energy that will need to put in further renovations of this
28 building and instead build it right in the first place?

29

30

31

1 Alvin Konigsberg (46)

2 Executive order 111 requires that all buildings constructed on public property in New York State
3 must meet the LEED Silver standard. The current Park Point proposal states that the project will
4 be constructed only to the weaker National Green Building Standard- Bronze level.

5
6 ***Response:***

7 ***While the referenced mandated use of Leadership in Energy and Environmental Design***
8 ***(LEED) Standards do not apply to this project, the Project Sponsor is committed to use of an***
9 ***accredited national standard as a guiding principle. It has demonstrated that the use of the***
10 ***National Green Building Standards (NGBS) is most appropriate for this project.***

11
12 ***A study was undertaken by Philip LaRocque, LaRocque Business Management Services***
13 ***NGBS/NAHBRC Accredited Green Building Verifier, to compare NGBS to LEED in a study***
14 ***of the Park Point green building scoring tool claims for both NGBS and LEED. This letter***
15 ***report is included in Appendix I of the FEIS. The report compares the basic scoring practices***
16 ***of the LEED for Homes programs and the National Green Building Standard, and also***
17 ***provides a summary of how each program scored the Park Point New Paltz as currently***
18 ***designed. This report demonstrates that the two standards match up to a great degree and both***
19 ***cover all major green building practices. The report also provides the design report summary***
20 ***analyses on Park Point New Paltz' green building scoring under each standard, NGBS and***
21 ***LEED. It demonstrates how the project achieves Level 2 (Silver) under each standard and how***
22 ***green build practices are addressed by each.***

23
24 ***A summary of the Park Point New Paltz scoring tool claims follows:***

25 ***MANDATES: All prerequisites/mandatory practices are met in both standards***

26 ***PRACTICE POINTS: Both claims exceed the minimum points needed for Green Build***
27 ***Level 2 (Silver)***

28 ***LEED claims 66 points while LEED Level 2 requires a minimum of 50 points (claim is***
29 ***>30% over Silver Level 2 minimum)***

30 ***NGBS claims 530 points while NGBS Level 2 requires a minimum of 406 points (claim is***
31 ***>30% over Silver Level 2 minimum)***

1 *The information contained within the letter report was entered into the public record as a*
2 *submittal to the Planning Board at the 1/14/2013 meeting.*

3
4 *The Planning Board was also apprised of another comprehensive study comparing NGBS to*
5 *LEED by section undertaken in Cincinnati by the American Institute of Architects (AIA)*
6 *attempting to establish a green building incentive based on the LEED green building standard*
7 *only. The study, which is attached as Appendix J of the FEIS, concluded that NGBS and*
8 *LEED should both be allowed as accepted green building standards. Additionally refer to*
9 *memorandum Exhibit F-6 dated August 29, 2012 of the FEIS from Bruce Boncke P.E. to the*
10 *Planning Board which details a comparison between NGBS and LEED which was previously*
11 *presented to the Board by Mr. Boncke.*

12
13 *There has been complete transparency with SUNY students and faculty, as well as substantial*
14 *community involvement since the beginning of the planning process in 2009. All meetings,*
15 *both at the Town and at SUNY New Paltz, have been open to the public, and public hearings*
16 *have been duly advertised for formal notification. Also see record of public scoping,*
17 *newspaper articles, internet postings, and Planning Board meeting minutes.*

18
19 Jason Rosenburg (21)

20 Jerry Benjiman said that the school is in trouble financially. Maybe they shouldn't have spent
21 money they didn't have on frivolous projects like the pyramid and the walkway, as they've
22 reduced their staff and cut education programs, like the nursing program, which was taken by
23 SUNY Ulster, and has been very successful for them, as one would imagine since nursing is one
24 of the only growing fields in our shrinking economy.

25
26 ***Response:***

27 ***No response required.***

28
29 *b. Sustainability*

30
31 Students Letter (39)

1 The project should align with the goals of SUNY New Paltz's own evolving sustainability plan
2 and incorporate the appropriate use of conservation, efficiency and renewable energy
3 technologies.

4
5 Alvin Konigsburg (46)

6 The campus Sustainability Plan, while not specifying additional requirements for particular
7 building projects, does call for long term conversion to renewable energy. Having no proposed
8 renewable energy component, the Park Point proposal is not consistent with that plan.

9
10 Alvin Konigsburg(46)

11 At a Faculty Meeting held on campus on Friday December 7th, the following resolution was
12 considered and passed unanimously: “It is the opinion of the faculty that the Park Point project
13 should meet the same environmental building standards (or their equivalent) as are required of
14 buildings constructed on campus, and that it should be developed in a manner consistent with the
15 campus Sustainability Plan.”

16
17 Ann Guenther (58)

18 We strongly encourage the town Planning Board to emphasize the reduction of greenhouse
19 gases by holding the developer to the very highest green energy standards that include net zero
20 carbon emissions, as an example. Anything less would compromise the potential for a huge and
21 positive impact on this community. We are aware that the SUNY College at New Paltz must
22 adhere to the state standards of construction of all of their buildings, which include higher
23 standards of energy-efficient building which exceed those of the Town. Thus, while not required,
24 it would seem that this Park Point project should also be held to those standards. Were the
25 college to have built them, this project would go forward with state-of-the-art energy-saving
26 applications.

27
28 Tracy Grant (61)

29 Furthermore, I understand that Wilmorite would like to be considered part of the SUNY
30 community so they don't have to pay taxes but don't want to be required to build to the green

1 standards that SUNY has committed to for all of their new campus developments. Even my
2 seventeen year old daughter remarked that they "can't have it both ways".

3

4 Karen Rhinehart (28)

5 Concern about longevity of buildings if not built to above-standard quality. What are they going
6 to be like/worth to the school 40 years from now when major repairs will need to be made?

7

8 Zachary Rousseas (A-125)

9 Expressed concern over the sustainability and green aspect of the project

10

11 Rebecca Berlin(A-81)

12 "I want to know what sustainable rules they will follow". "Is this building really sustainable?
13 Suggest that SUNY is using "that company" because they will be a lot cheaper and corners will
14 be cut.

15

16 Rachel Logodka (A-133)

17 Would like to see a "zero net energy" use for the project, more sustainable and green, carbon
18 neutral.

19

20 Liz Clough (A-79)

21 Is the project actually going to be green and sustainable, is this legitimate, is this just image or is
22 it reality? "How is it fair to attract students to a shiny new building if it is not in fact keeping to
23 the green sustainable standards and then causing more health problems"?

24

25 Paul Brown (37)

26 The project should align with the goals of SUNY New Paltz's own evolving sustainability plan
27 and incorporate the appropriate use of conservation, efficiency and renewable energy
28 technologies.

29

30

31

1 Planning Board (64)

2 Consider building orientations for solar applications and whether NYSERDA has grant money
3 available for funding. Consider solar panels on roofs and green roofs. Consider solar canopies in
4 some areas of the parking lots and provide connections for electric cars .

5
6 SUNY Clubs (39)

7 The Sustainability Plan also states that the college is looking "to develop and implement an
8 action plan for the college to become climate neutral". Yet the DEIS for PP proposes a fixed rate
9 rent that will encourage unlimited use of utilities by residents, a gas heating system, two
10 bathrooms per two-person unit and 500 parking spaces solely for Park Point residents which will
11 act to encourage the use of cars.

12
13 Planning Board (64)

14 Compare green building standards in a separate exhibit and provide more detail regarding what
15 conservation measures are being proposed.

16
17 ***Response:***

18 ***There are many green building standards, throughout the country that can be used for***
19 ***guiding principles. The NGBS (National Green Building Standard, ICC700-2012) and LEED***
20 ***(presumably the USGBC LEED H Standard) have been discussed by the Lead Agency, the***
21 ***Project Sponsor, SUNY New Paltz, and through public input. While both the NGBS and***
22 ***LEED standards are accepted programs for guidance, it is important to use a standard that fits***
23 ***the specific characteristics of the proposed project. The Project Sponsor intends to use the***
24 ***NGBS as their guidance standard and has provided the Lead Agency with extensive***
25 ***information on why it is the most appropriate. That information, included in the DEIS/FEIS***
26 ***documentation includes:***

27
28 ➤ ***BME Associates' August 29, 2012 memo (Exhibit F-6), comparing the NGBS and***
29 ***LEED Standards (see Exhibit F-6 of the FEIS)***

- 1 ➤ *SUNY New Paltz President Christian's January 4, 2013 letter to the Planning*
2 *Board, which includes verification that the NGBS Standard meets the College's*
3 *Sustainability Plan and is the preferable standard.*
- 4 ➤ *Scoring tool comparisons.*
- 5 ➤ *A practice-by-practice comparison of the NGBS and LEED Standards, through a*
6 *study from Cincinnati, is included in Appendix J of the FEIS.*

7

8 *The NYSERDA and Energy Star programs are continuously going through changes and*
9 *availability of funding. The NGBS provides guiding principles that are up to date, and*
10 *consistent and not dependent on funding a grant programs. The Lead Agency has agreed that*
11 *the use of the NGBS as the guidance standard is appropriate for this project.*

12

13 Ariana Basco (62)

14 A holistic view would mean not just looking at this project 40 years out economically, but also
15 looking at this project 40 years out environmentally. Another holistic view of student housing is
16 cooperative community living, which would be visionary and could draw from the example that
17 used to exist on campus through the Experimental Studies Program. There any many things in
18 the DEIS that are mentioned, but not researched in depth, a perfect example being "Alternative
19 E," which mentions renewable energy, but does not actually explore the options, or give any
20 details as to what the options are and why, outside of the cost, they are not being implemented. A
21 perfect example of a renewable energy option can be found on page nine of the Campus
22 Sustainability Plan. There, you will find, a section on the use of a Biomass Boiler that would be
23 dual fired, creating the ability to use both fossil fuels as well as biomass (organic matter used to
24 create heat or generate electricity: can be any plant matter or human solid waste). They are
25 dealing with sewage on site and should be looking at biomass energy. Another example that
26 Eileen talked about, is something as simple as solar orientation, which would allow the campus
27 or future owners to invest in solar energy, even if the current developers do not want to.

28

29 ***Response:***

30 ***The Planning Board is charged under SEQRA with analyzing the potential environmental***
31 ***impacts of the project under a "rule of reason." Trying to predict what will happen in terms***

1 *of energy technology and related speculative impacts is beyond the purview of SEQRA in this*
2 *environmental review.*

3

4 Students Letter (34)

5 Sustainability Plan also states that the college is looking "to develop and implement an action
6 plan for the college to become climate neutral." While climate neutral housing does exist, the
7 DEIS does not indicate that Park Point is anywhere near being climate neutral (unlimited use of
8 utilities, use of nonrenewable energies, two bathrooms for two people, high number of parking
9 spaces encouraging use of cars).

10

11 ***Response:***

12 ***Park Point is not required under SEQRA or any other regulation to be "climate neutral," as***
13 ***SEQRA requires measures to be implemented so that environmental impacts are mitigated to***
14 ***the maximum extent practicable. In this regard, the FEIS "should address only those***
15 ***potential significant adverse environmental impacts that can be reasonably anticipated" [6***
16 ***NYCRR Parts 617.9(b)(2) and 617.11(d)(5)].***

17

18 Elizabeth Clouth (31)

19 The Sustainability Plan also mentions that the college has obtained "\$55,000 in grants" from the
20 New York State Energy Research and Development Authority and Central Hudson. Could these
21 grants not go towards a building project that meets our ACUPCC and New York standards? (NIS
22 - see Section 1.A.1.)

23

24 ***Response:***

25 ***This question is beyond the purview of the SEQRA review for the project, in as much as the***
26 ***grants are not under the aegis of control of the Project Sponsor.***

27

28 c. Utilities and Appliances

29

30 Jenna Dern (41)

1 The DEIS fails to mention that the NP Town Code Local Law No. 5, requiring any new
2 residential construction to be built and certified as Energy Star Homes. By building and
3 certifying to the Energy Star Homes standard, the Project Sponsor's construction: must be
4 verified by a Home Energy Star (HERS) Rater who would make sure they are building to the
5 Energy Star codes for roof, wall, and slab construction and insulation levels, as well as, the
6 installation of Energy Star appliances. In addition, the Project Sponsor ignores the requirement
7 for multifamily dwellings (three stories or less) to install EPA Water Sense plumbing appliances
8 and fixtures.

9

10 Emily Sullivan(A-89)

11 Utilities should be regulated by amount of usage to conserve.

12

13 ENCB final meeting minutes (38)

14 Town Code requires Energy Star certification, including water sense appliances and plumbing
15 fixtures, for multifamily dwellings of three stories or less. This applies to the proposed project,
16 yet the DEIS fails to mention it. The DEIS does state that "The Project Sponsor plans to achieve
17 the BRONZE certification level under the National Green Building Standard, ICC 700," but fails
18 to explain how this certification compares to Energy Star certification, how it will meet or
19 exceed Town code, and how, as a legal matter, substituting a different standard is to be achieved.
20 We recommend that the Planning Board ask for detailed information on BRONZE certification
21 and that it be determined whether this certification meets or exceeds Energy Star certification
22 requirements.

23

24 Elizabeth Clouth (31)

25 With Park Point, you can conserve energy and money by building infrastructure with less of
26 these components and more energy effective systems in the first place. Such as systems that
27 automatically shut the lights off, or toilets with the 2 flush option.

28

29 ***Response:***

30 ***As analyzed and discussed with the Planning Board, the Project Sponsor has committed to***
31 ***meeting the Town Code mandating ENERGY STAR and the current version 3 required under***

1 ***ENERGY STAR (ES). This will entail meeting the third-party Home Energy Star (HERS)***
2 ***rater utilization and ES certification, all whole building envelope and duct leakage testing***
3 ***requirements, all reports and checklists (such as the HVAC Quality Installation, Water***
4 ***Management Checklist and the Thermal Enclosure Checklist), plus comply with all equipment***
5 ***energy efficiency standards found in ES Version 3.***

6
7 ***The Project Sponsor will work to meet all appliance, lighting, fans, insulation, ventilation and***
8 ***any other ES program requirements, will register as an EPA ENERGY STAR Builder***
9 ***Program Partner, will sign up as a NYSERDA ENERGY STAR Partner, and will meet the***
10 ***Low-Rise Multi-Unit ES program requirements.***

11
12 ***The Project Sponsor will pursue both this ENERGY STAR certification and the third-party***
13 ***certified National Green Building Standard (NGBS). These two programs complement each***
14 ***other.***

15
16 ***The comments under this Section provide substantial details on efficiency technology and***
17 ***equipment/materials to be used, and how the project's energy and sustainability performance***
18 ***will be optimized through proper design and planning for the whole building envelope, thus***
19 ***reducing energy consumption and the required size of the heating and cooling equipment and***
20 ***systems needed. (See d. below for assessment of geothermal use.)***

21
22 ***Motion activated lighting on timers will be provided in all bathrooms as well as throughout the***
23 ***clubhouse.***

24
25 ***d. Renewable Energy***

26
27 ***Planning Board (64)***

28 ***Consider geothermal for the club house facilities***

1 Planning Board (64)

2 Consider a commitment to energy suppliers that provide energy from solar wind energy
3 facilities.

4

5 Leonard Loza (C-14)

6 Would like to see building rotated to possibly capture solar energy.

7

8 Elizabeth Clouth (31)

9 Why is the construction of renewable energy sources merely "considered" while Park Point is
10 listed as a project going through indefinitely?

11

12 Brian Obach (29)

13 Ideally the project should include renewable energy sources. This would be a long way toward
14 the achievement of a higher green building standard.

15

16 Students Letter (34)

17 New Paltz Sustainability Plan greatly emphasizes the use of renewable energies such as solar
18 panels, and the use of biomass instead of fossil fuels. The proposed Park Point plan
19 unfortunately does not currently line up with these goals, or propose Renewable Energy
20 measures.

21

22 ***Response:***

23 ***A ground source heat pump (geothermal) system will be developed for both heating and***
24 ***cooling to be used at the Clubhouse. This relies solely on electricity as the fuel source. The***
25 ***Project Sponsor is examining the heat sink (either earth or retention pond) in detail now and***
26 ***this will be coordinated with the final site plan.***

27

28 ***The Project Sponsor has considered providing geothermal for the entire project, but has***
29 ***determined that it is not economically (and perhaps not physically) feasible because of the***
30 ***following:***

31

1 • *Ductwork for geothermal heating is more extensive and would require higher building*
2 *heights increasing the height variance request.*

3
4 • *The above would require use of more building materials.*

5
6 *The most cost-effective approach is reducing the HVAC requirements first, then determining*
7 *if alternative renewable systems such as geothermal systems or solar (active and passive) make*
8 *sense. Smaller HVAC systems reduce environmental impacts by reducing the amount of wells*
9 *required for the systems. Lower loads mean fewer wells or smaller trenches for the ground*
10 *loops.*

11
12 *Two primary objectives of the site and building layout are to preserve as much of the natural*
13 *features and habitats (such as wetland and forested areas), as possible, and to maximize the*
14 *efficiency of the apartment layout and building footprint. To accomplish these goals, the*
15 *project is designed to respect the ecology and geology of the site rather than orient the*
16 *buildings to the sun.*

17
18 *Landscaping is designed to ensure passive heating is maximized in cooler months while*
19 *passive solar heat gain is minimized in the warmer months. Windows and all glazing areas*
20 *will carry Energy Performance Ratings with U-Factors of equal to or less than .30 based on*
21 *Climate Zone 4-8 found in ENERGY STAR specifications and the NFRC (National*
22 *Fenestration Rating Council).*

23
24 *The project has been planned so that the energy and green-related building practices will be*
25 *implemented to the maximum extent reasonably practical through the provided by the Project*
26 *Sponsor's commitment to ENERGY STAR and NGBS. At the same time, the project design*
27 *also considers the importance of providing affordable residential housing for students, faculty*
28 *and staff.*

1 e. Bathrooms

2
3 Kelly Fay (A-76)

4 Why do the two bedroom units have two bathrooms, this seems excessive. A more dorm like and
5 more condensed project would be effective.

6
7 KT Tobin (A-100)

8 Generally in favor of the project. Project could perhaps be even denser, concern with individual
9 bathrooms.

10
11 Rebecca Berlinn (B-122)

12 Why are there so many bathrooms, feels the apartments are luxury, the buildings should be built
13 “climate neutral” and “green”.

14
15 Emily Sullivan (B-130)

16 The project needs to be “green” from the bottom up. The project does not need to be luxury, with
17 so many bathrooms. Should be LEED Silver.

18
19 Diana Waldrige (C-53)

20 Why won't they make more environmentally friendly buildings, it is a waste of water and space
21 with 1 bathroom per bedroom.

22
23 **Response:**

24 ***The real test of utilization with bathrooms is not the number of bathrooms, but the use and***
25 ***efficiency of the plumbing facilities therein. The Project will employ low flush, EPA Water***
26 ***Sense toilets (1.28 gallons per flush vs. the standard 1.6 gpf.); and low flow shower heads and***
27 ***lavatory faucets (between 1.6 and 2.5 gallons per minute (gpm) at 80 psi for showers and 1.5***
28 ***gpm for lavatory faucets). The NGBS scoring tool in Appendix I of the FEIS indicates that the***
29 ***project is reaching and exceeding the NGBS Silver level (equivalent to LEED Silver as found***
30 ***by NYSERDA and the referenced Cincinnati study).***

31

1 f. Miscellaneous

2

3 Jason Rosenburg (21)

4 Another way to reduce the campuses carbon footprint would be to run the heating pipes
5 horizontally on each floor rather than vertically up the middle of the building, as it is in Shango
6 and I believe many other of the old dorms on campus. The design was a way to cut materials
7 costs, but unfortunately it makes the middle rooms of the floors very hot which causes students
8 in those rooms to open their windows to get fresh air, letting out the heat and not letting it get to
9 the other rooms or the thermostat so the thermostat keeps cranking up the heat.

10

11 ***Response:***

12 ***The project design minimizes the distance between heat source and final usage area to reduce***
13 ***the amount of energy needed to heat or cool the water and to also be more resource efficient.***
14 ***Both of these features are positive practice points under the NGBS and LEED Green Building***
15 ***standards.***

16

17 David DeMers (18)

18 Another concern, voiced by some at the first "PP" hearing, was the "all-inclusive" rental policy
19 proposed for this new development. If the tenants are allowed to use water (+ electric) resources
20 with no extra cost, this seems sure to mean much larger amounts will be drawn. I would urge the
21 board to require individual unit metering for both water and electric.

22

23 Brian Obach (29)

24 All inclusive energy billing systems encourage overuse. Individual units should be
25 independently metered and tenants should be billed for their own energy and water use as an
26 inducement to conserve.

27

28 ***Response:***

29 ***The NGBS and ENERGY STAR commitments that the Project Sponsor has made mitigate***
30 ***against excessive utilization and provide significant energy and water conservation in every***
31 ***apartment regardless of tenant habits.***

- 1 g. *Exhibits / Updates*
2 *F-6 Memo from Bruce Boncke to the Planning Board dated August 29, 2012 (new)*
3

4 ***Related Appendices:***

- 5 ➤ *Appendix I – LaRocque Business Management Services Letter Report (new)*
6 ➤ *Appendix J – LEED and NGBS Comparison Report (new)*
7 ➤ *Appendix K – Letter from Donald Christian (new)*
8

- 9 h. *Environmental Impact Assessment*

10
11 ***No additional impacts to energy have been identified.***
12

- 13 i. *Mitigation Measures*
14

15 ***The use of energy resources will be mitigated to the extent reasonably practical with the***
16 ***utilization of NGBS practices and by following ENERGY STAR requirements. Concurrent***
17 ***with the SEQR procedures, the Project Sponsor has been refining and finalizing the project***
18 ***site design elements. These design details have resulted in a project that will achieve NGBS***
19 ***Silver qualifications, which is a significant improvement over the Bronze commitment in the***
20 ***DEIS.***

21
22 ***The responses to the above comments (without being repetitive) are all mitigation measures***
23 ***which reduce and minimize impacts to the overall energy usage for the project.***
24

25 ***Following is a summary of Site Development and Infrastructure Green Building Practices,***
26 ***which reduce impacts and provide additional mitigation:***
27

28 ***Site Work***

- 29 ➤ ***Project clustering to the least environmentally sensitive areas of the site.***
30 ➤ ***Request height/story and building separation variances to reduce development***
31 ***footprint.***

- 1 ➤ *Land bank parking to reduce impervious area.*
- 2 ➤ *Stormwater management and green infrastructure practices designed to:*
- 3 - *Encourage groundwater recharge of stormwater runoff and reduce site runoff.*
- 4 - *Improve water quality and reduce thermal impacts of stormwater runoff.*
- 5 - *Control runoff rates to or below existing conditions to reduce downstream flood*
- 6 *potential.*
- 7 - *On-street parking to reduce impervious area.*
- 8 - *Sidewalk connection to campus and village to encourage walking.*
- 9 - *Provide 234 covered and 264 exterior bike rack spaces to encourage use of*
- 10 *bicycles.*
- 11 - *Provide a bus stop to encourage use of mass transportation.*
- 12 - *Provide for shared car program for two vehicles.*
- 13 - *LED lighting to save energy.*
- 14 - *Provide two electric car charging stations.*
- 15 - *Construction of wetland buffers.*
- 16 - *Extensive landscaping using native drought and disease resistant plant*
- 17 *materials.*
- 18 - *Mitigate pesticide impacted soils.*
- 19 - *Construction of Wastewater Treatment Plant (WWTP) to reduce load to*
- 20 *existing stressed collection and treatment system.*
- 21 - *Construct WWTP with efficient limitation to near drinking water standards*
- 22 - *Construct groundwater supply system to preserve existing Village/Town supply.*
- 23 - *Provide extensive erosion control measures.*
- 24 - *Creation of new wildlife habitats*
- 25 - *Remove invasive species.*
- 26 - *Remove vehicle trips from the roadway network by providing housing adjacent*
- 27 *to campus reducing use of possible fuels and reducing congestion.*
- 28 - *Provide recycling collection bins.*
- 29 - *Provide garden areas for resident use.*
- 30 - *Tree preservation and transplanting.*
- 31 - *Permanent recycling program.*

1 ***Building Practices***

- 2 ➤ ***Only 2 unit layout designs - construction efficiency***
- 3 ➤ ***8' ceilings - minimal waste (minimal no drywall cuts)***
- 4 ➤ ***24" staggered framing (less material)***
- 5 ➤ ***Single hung windows - energy efficiency***
- 6 ➤ ***Window R-value - energy efficiency***
- 7 ➤ ***3 story density***
- 8 ➤ ***No enclosed common corridors - energy efficiency***
- 9 ➤ ***Geo-thermal wells***
- 10 ➤ ***Panelization - minimal waste***
- 11 ➤ ***Spray foam wall insulation - energy efficiency***
- 12 ➤ ***Energy Star appliances - energy efficiency***
- 13 ➤ ***Hardie panel- 30-50yr product, recycled material, no VOC, etc***
- 14 ➤ ***Flooring material- recycled material, carpet tiles - operational efficiency***
- 15 ➤ ***LED Lighting***
- 16 ➤ ***Low flow facets - energy efficiency***
- 17 ➤ ***Locked thermostat range***
- 18 ➤ ***Recycle during construction***
- 19 ➤ ***Recycle program and separate corrals as on-going operations***

20

21 **SECTION P - SOLID WASTE**

22

23 a. *Recycle*

24

25 Planning Board (64)

26 Show and describe provisions for recycling on the site and then the buildings.

27

28 Planning Board (64)

29 Require material recycling during construction.

30

31 ***All recycling will be contained within each of the dumpster corrals between the buildings with***
32 ***designated containers for paper, plastic, cardboard and glass materials.***

1 *The Project Sponsor will contract with a local company/vendor to recycle and sort all viable*
2 *building materials throughout the construction of the project.*

3

4 *b. Exhibits*

5

6 *Response:*

7 *There are no new or updated Exhibits for this section.*

8

9 *c. Environmental Assessment*

10

11 *Response:*

12 *There are no additional impacts associated with this section.*

13

14 *d. Mitigation Measures*

15

16 *Response:*

17 *No additional mitigation, beyond those noted above, are needed at this time.*

18

19 **SECTION Q - COMMUNITY CHARACTER (No Comments in this Section)**

20 **SECTION R – PHASING (No Comments in this Section)**

21

22 **SECTION S - DAVE CLOUSER 11/19/12 COMMENTS**

23

24 **Site Plan Comments**

25 -On the project drawings, line work at the northwest corner of the site should be clarified. It
26 appears that this is the location where the project's interior road is proposed to connect to roads
27 within SUNY New Paltz. Provide more details for this connection, including any information
28 available from SUNY's internal review of the proposed plan.

29

30 *Response:*

31 *Additional existing information, including the existing topography, utilities, and campus*
32 *buildings, are shown on Exhibit F-1. The proposed road and walkway connection from the*

1 ***Park Point site to the campus is also shown. The final design of the connection will be***
2 ***completed by SUNY New Paltz.***

3
4 -Show all buildings, structures, utilities, manmade features and ground cover within 100' of the
5 property boundary. Structure locations not closer than 25 feet from the property boundary can be
6 taken from aerial photographs with regards to accuracy required.

7
8 ***Response:***
9 ***The additional information, including buildings, utilities, ground cover, and topography, has***
10 ***been added to the final site plans as requested.***

11
12 -Show sight distance at all existing road connections, and show speed limits at existing roads.
13 The Applicant should verify that sight distances are not impeded by showing all existing
14 buildings, structures, vegetation, topography, etc. within all of the sight distance corridors. Show
15 the sight distances on the plan.

16
17 ***Response:***
18 ***The site distances at both entrances have been added to the plans, along with the speed limit***
19 ***along N.Y.S. Route 32, and the distance north to Main Street (please refer to the Site Plans).***
20 ***The existing speed limit is 30 mph near the northern entrance, and 45 mph near the southern***
21 ***entrance.***

22
23 ***According to the traffic study by McFarland Johnson, provided in Appendix H of the FEIS,***
24 ***the required site distances are 535 feet for the northern entrance, and 800 feet for the***
25 ***southern entrance. The measured distances at the northern entrance are 760 feet to the north,***
26 ***and 850 feet to the south. At the southern entrance the measured distances are 900 feet to the***
27 ***north, and 830 feet to the south.***

28
29 -In addition to size and materials of culverts in the vicinity of the project, include culvert grades
30 as well.

31

1 **Response:**

2 *The existing culverts, both within the project site and along Route 32, have been added to the*
3 *final site plans.*

4

5 -Show topography 200' beyond the property boundary. (There is an area north of the
6 northeastern part of the site where it appears that existing topography is missing.)

7

8 **Response:**

9 *With the preparation of the final site plans, we have added the missing/additional topography*
10 *along the perimeter of the project site, as requested.*

11

12 -Reference the datum that was used for topography.

13

14 **Response:**

15 *The datum reference for the topography is shown on the grading plans.*

16

17 -The striped bike lane should be shown on the project plans.

18

19 **Response:**

20 *A formal bike lane has not been designated on the plans. Bicyclists are to ride in the roadways*
21 *along with motorized vehicles. Although not separately defined, the bicyclists have additional*
22 *room to coexist with motorists over the boulevard roadways either side by side or stacked one*
23 *in front of the other. The one-way boulevard roadways are 20' wide. A typical bike lane is 4'-*
24 *6' wide and a typical driving lane is 10'-12' wide. Therefore, sufficient room exists for bicycles*
25 *and vehicles to travel side by side over the heaviest use boulevard roadways.*

26 *Over the short sections of lower use non-boulevard roadways, the bicyclists and vehicles will*
27 *use the roadways stacked one following the other. Since these sections of road are short, slow,*
28 *and with low levels of parking, the conditions that would make cycling less safe, i.e. narrow*
29 *roadways with higher volumes and higher speeds, will not exist.*

30

1 -Some of the walkways shown on the plans are sloped at approximately 26%. These should be
2 updated to a reasonable slope and accessibility issues should be addressed as necessary.

3

4 **Response:**

5 *The proposed grading has been updated with the final design plans for the site. The proposed*
6 *sidewalks and walkways/trail locations have been finalized to better correspond to both the*
7 *proposed and existing grades on-site. The sidewalks along the road will be 5% or less as*
8 *shown on the road profiles. The grading for the remaining walkways and trails has either*
9 *been revised to provide a more reasonable slope, or the walkway has been relocated to a less*
10 *steep location.*

11

12 -Provide accessible circulation from ADA units to public buildings, throughout the project.

13

14 **Response:**

15 *The proposed grading on the final site maintains ADA circulation to the buildings. All*
16 *sidewalk slopes are less than 5%, handicapped parking spaces are 2% maximum, and*
17 *handicapped ramps are provided at curbed intersections.*

18

19 -Provide typical site details for water system, sewer system, stormwater, general construction,
20 etc.

21

22 **Response:**

23 *The final site plans include typical details for the construction of the project, including the*
24 *utilities, stormwater structures, roadways, etc.*

25

26 -Provide detailed information for all storm drain lines including pipe length, materials, slope,
27 size and invert elevations.

28

29 **Response:**

30 *The final design of the storm sewer system has been shown on the plans.*

31

1 -Curbs should be shown on the site plans.

2

3 **Response:**

4 ***The location of all curbing has been shown on the plans.***

5

6 -At a minimum, the Applicant should show 10' contours for all offsite areas included in the
7 drainage watershed model.

8

9 **Response:**

10 ***The existing drainage map has been updated to include additional 10' contours for the***
11 ***remaining offsite drainage areas. Please reference the Existing Drainage Plan, in the***
12 ***Stormwater Management Report, Appendix C of the FEIS.***

13

14 -Some of the bedrock elevation contours (on Figure 4) still appear to be up to 8 feet above
15 existing grade, yet the Applicant has stated that there are no rock outcroppings on the site.
16 Please explain and/or correct this discrepancy.

17

18 **Response:**

19 ***A revised bedrock elevation plan has been prepared that is based on the final geotechnical***
20 ***investigation.***

21

22 -§140-20 B.5.b.2 - Property that is adjacent to a residential district shall provide, along said
23 property line a wall, fence, compact evergreen hedge or landscaped strip of trees and shrubs so
24 designed as to form a visual screen not less than six feet high at time of planting.

25

26 **Response:**

27 ***Berms and landscape plantings have been depicted on the Final Site Plans adjacent to the Joe***
28 ***Moriello property and around the sewage treatment plant.***

29

30 -Discuss why roadways within the site have been proposed wider than necessary. In an effort to
31 reduce impervious cover, standard road widths, (plus bike lanes) as outlined within the Town

1 Code should be utilized. (We expect that the wider roadways are the result of fire equipment
2 access requirements?)

3

4 **Response:**

5 **Roadway widths and intersection radii were determined as a result of meeting with the Fire**
6 **Chief, Code Enforcement Officer, and Town Engineer. The 20' wide road with adjacent**
7 **parallel parking is the minimum width allowed by NYS Fire Code. The one-way driveways**
8 **with parallel parking on one side and angled parking on the other is wider than allowed by**
9 **code, but is the minimum width to meet the NYS Fire Code. UCAT has also endorsed the**
10 **wider one-way roadway - a safer situation with respect to cars backing out into the one-way**
11 **roadways (see Appendix L of the FEIS).**

12

13 §140-52 - Show the tax map information for the southeastern adjacent property owner.

14

15 **Response:**

16 **Tax account information has been added to the plans for all of the adjacent property owners.**

17

18 -Show proposed locations of all signs, exterior lighting, fences, refuse enclosure and buffer
19 screening on plan.

20

21 **Response:**

22 **Proposed directional/informational signage, exterior lighting, refuse enclosures, fencing and**
23 **buffer screening is provided on the Final Site Plans as requested. Additional project signage,**
24 **individual building signs, directory signs, etc., for the project may not be finalized until a**
25 **future date. All additional signage locations and types will be forwarded to the Town prior to**
26 **final site plan approval.**

27

28 -Show all trees with a diameter at breast height (dbh) of 12" or greater or tree lines where
29 wooded areas will not be disturbed. Provide a written request for any waiver of this
30 requirement, with justification, to the Planning Board.

31

1 **Response:**
2 ***Tree lines depicting the natural wooded area to the south and west are shown on the plans.***
3 ***Individual trees within the proposed disturbed areas that were determined to be worth saving***
4 ***by the Town's wetland/ecological consultant James Barbour, were located and identified in***
5 ***Mr. Barbour's report, attached as Appendix E of the FEIS.***

6
7 ***A proposed tree line is shown on the grading plan for the wooded area. The area to be cleared***
8 ***is that area between the existing and proposed tree line, approximately ±3.5 acres which is***
9 ***1+/- acre less than a previous design plan layout.***

10
11 ***Individual trees that were located by Mr. Barbour that are a transplantable size <6 inches in***
12 ***diameter, will be transplanted to the enhanced buffer areas shown on the landscape plans.***

13
14 ***Pear trees located in the northern orchard will be removed within the clearing limits shown on***
15 ***the plans.***

16
17 ***Pear trees being removed are less than 12" diameter (dbh). Individual trees that are***
18 ***transplantable have been individually located and identified. The apple trees in the***
19 ***abandoned orchard typically have a diameter greater than 12" (dbh), are dead or in poor***
20 ***health and will be removed. Trees within the wooded area that are to be removed are***
21 ***identified by the proposed tree line. These measures combined with the ecological study that***
22 ***determined impacts to wooded areas and mitigation measures to offset the impacts provide***
23 ***sufficient information without having to complete additional tree surveys.***

24
25 §140-20 - In addition to any walls and fences, the entire R-V district must be separated along its
26 outside boundary from any adjoining residential zones (includes Joe Moriello's property at the
27 northeast corner of the project site) by a buffer strip, suitably landscaped, at least 100 feet wide.
28 Please indicate the limits and composition of these buffer strips on the plan, where required.

29
30
31

1 **Response:**
2 ***Berms and buffer plantings have been depicted on the final site and landscape plans adjacent***
3 ***to the Joe Moriello's property, and around the sewage treatment plant.***

4
5 -§ 140-34 (I)(1) - All loading berths and parking areas of three or more spaces that abut a
6 residential lot line and any parking lot for more than 20 cars shall be screened by a compact
7 evergreen hedge or a landscaped strip of trees and shrubs effectively designed and regularly
8 maintained so as to adequately screen adjoining property from the noise and visual impact of
9 such parking area. This screening applies specifically to Joe Moriello's property and the lot line
10 south of the wastewater treatment building parking area.

11
12 **Response:**
13 ***Berms and buffer plantings have been provided on the final landscaping plans.***

14
15 -Streets and/or roads. All streets in the RV district shall meet the standards set forth for Town
16 roads in the Road and Drainage Specifications and Standards for the Town of New Paltz and
17 shall be suitable for dedication to the public. Designate the major circulation system and
18 differentiate it from parking areas and driveways by requiring that the system be indicated as
19 streets and/or roads for the Planning Board's Review.

20
21 **Response:**
22 ***The proposed drive lanes are to be constructed in accordance with the Town's road and***
23 ***drainage specifications and standards. The proposed roadways are differentiated from the***
24 ***parking areas as shown on the final plans.***

25
26 -Road profiles should be provided.

27
28 **Response:**
29 ***Road profiles are included with the final site plans.***

30

1 -§140-52 says either one bike rack should be provided per dwelling unit (at residences with 3 or
2 more families) (258 units) or for group residences one bike rack per bedroom (732 bedrooms). It
3 appears that the Applicant is proposing 225 covered bike rack spaces throughout the site at the
4 residential buildings, and 16 uncovered spaces at the Club House. Please explain this
5 discrepancy and recommend methods to achieve the required number of bike racks.
6

7 **Response:**

8 *Approximate locations of the bike racks have been depicted on the Final Site Plans (Appendix*
9 *R of the FEIS). The project will provide a total of 498 bike parking spaces, 264 will be located*
10 *outside in strategic locations throughout the development to enhance visibility and encourage*
11 *the use of bikers by the residents of the project. The remaining 234 spaces will be located*
12 *within the common roofed areas of the buildings to provide increased security and protection*
13 *from inclement weather conditions.*
14

15 -A transportation innovation alternative design may be required to reduce the number of parking
16 spaces at the site.
17

18 **Response:**

19 *The number of paved parking spaces proposed have been reduced by 38% below the code*
20 *minimum. The following is proposed to offset the need for additional paved parking spaces:*
21

- 22 ➤ *On-site bus loop*
- 23 ➤ *Extensive/convenient sidewalk system with direct access to the college and along Route*
24 *32 connecting with existing sidewalks that connect to the village.*
- 25 ➤ *Two parking spaces provided for shared vehicles.*
- 26 ➤ *A fee will be charged to have a parking space on site.*
- 27 ➤ *Numerous bike racks and wide driveways encourage the use of bikes as a primary form*
28 *of transportation.*

29
30 -Details such as specific type of system, well locations, etc. regarding the proposed geothermal
31 heating and cooling system to be used at the clubhouse should be provided on the plans.

1 **Response:**

2 *Details of the geothermal system will be forwarded for review when they become available.*

3

4 -Wording for all easements, deed restrictions and conservation areas should be provided to the
5 Planning Board for review.

6

7 **Response:**

8 *The only easement that appears necessary at this time is an easement over the off-site water*
9 *supply infrastructure. The proposed easement is shown on the plans. The easement will*
10 *provide permanent legal access for maintenance and operation of the water supply system.*

11 *The form of easement will be supplied for review by the Town Engineer and Town Attorney.*

12

13 -How close does CHG&E natural gas line come to property? Has a natural gas line extension
14 been discussed with CHG&E to supply the project?

15

16 **Response:**

17 *The natural gas line is located on the west side of NYS Route 32 along the property line. A*
18 *letter from CHG&E stating its ability to serve the project is located in the DEIS, Exhibit III-11*
19 *page 10 of 35.*

20

21 -Provide more details regarding electric car charging station at project, such as potential location
22 / footprint on plans. Discuss the possibility of the ride share program to utilize electric cars and
23 thereby be tied to this electric charging station?

24

25 **Response:**

26 *The location of two electric car parking spaces to be located near the clubhouse are shown on*
27 *the site plans. The use of electric car stations for the ride share program will be considered*
28 *based on the success of the program and need for resident car parking.*

29

1 -It should be noted whether an area greater than 5 acres will be disturbed at any one time during
2 construction. If so, then the written authorization from the NYSDEC should be provided for the
3 project file record.

4
5 **Response:**

6 ***The construction phasing and associated disturbance limits have been outlined on the final***
7 ***plans. A 5-acre disturbance waiver letter will be submitted to the NYSDEC for review and***
8 ***approval, as necessary, and pavement to the SPDES General Permit for Stormwater***
9 ***Discharges Regulations at SPDES GP-0-10-001.***

10

11 -If the bus stop is to remain in its present location as shown on the plans (along Route 32), then a
12 pull off should be provided, which must be coordinated with NYSDOT. Exhibit 10 shows the
13 bus stop in a central location within the project. Please clarify where the bus stop location is
14 proposed?

15

16 **Response:**

17 ***The bus stop location has been revised on the plans. There is no bus stop proposed along***
18 ***Route 32. The bus stop will be internal to the project limits and has been depicted on the plans***
19 ***near the “round-a-bout” on the site.***

20

21 -Are a certain number of apartment units required to be ADA accessible?

22

23 **Response:**

24 ***All first floor apartments will be ADA accessible as required by NYS Building Code.***

25

26 -Provide geotechnical information which analyzes the suitability of the soils for footing design.

27

28 **Response:**

29 ***The final geotechnical report analyzing the soils for footing design is included in FEIS***
30 ***Appendix M of the FEIS.***

31

1 -AASHTO (in Guide for the Development of Bicycle Facilities) recommends 5' wide bike lanes,
2 when lanes are placed between parking and travel lanes (and parking stripes and stalls are
3 utilized). Please verify that this recommended width is provided or provide justification as to
4 why it is not.

5
6 **Response:**

7 *The width of the internal roadway network on the site provides adequate room for vehicular*
8 *and bicycle travel. A separate bike lane has not been designated on the plans. In consultation*
9 *with UCAT, the extra lane wide provides room for bus and bicycle travel along the right side*
10 *of the one-way roads leaving room for cars backing out on the left side of the lane without*
11 *encroaching on the travel lane (see FEIS Appendix L).*

12
13 **Water System**

14 -According to NYSDOH, Part 5 pertaining to water wells that serve a public water system, a 72
15 hour yield test is required and GWUDI Testing may also be required depending on the casing
16 depth of the well. Please verify what procedures will be undertaken comply with these
17 requirements.

18
19 **Response:**

20 *The final report concerning the availability of groundwater at the project site and titled*
21 *“Groundwater supply assessment study well siting and aquifer testing, Park Point, Town of*
22 *New Paltz, Ulster County, New York” discusses all of the groundwater supply testing and*
23 *analysis that was performed at the project site. This report is presented in FEIS Appendix D.*
24 *All testing was conducted according to the guidelines from the New York State Department of*
25 *Health and the New York State Department of Environmental Conservation Appendix 10,*
26 *TOGS 3.2.1, March 2011, Recommended Pump Test Procedures for Water Supply*
27 *Applications. GWUDI testing is only required for wells located adjacent to surface water*
28 *bodies which have the potential for the surface water to be in direct contact with groundwater.*
29 *No wells proposed for this project meet the GWUDI rule as defined by the New York State*
30 *Department of Health technical reference PWS-42, Identification of Ground Water Sources*
31 *Under the Direct influence of Surface Water.*

1 -The Applicant should show the portions of land that will be owned and controlled by the owner
2 of the water system, per NYSDOH, Part 5 regulations. The applicant should indicate in
3 sufficient detail the property acquisition and easements relating to water supply wells.

4
5 **Response:**

6 ***No land transfer is proposed to provide the land needed for the water supply system.***
7 ***Permanent easements are proposed to provide the necessary legal access for maintenance and***
8 ***operation of the water supply and treatment systems. The easements are shown on the final***
9 ***site plans.***

10

11 -The Water Report states that based on hydraulic properties determined from STEP drawdown
12 test, four wells may be required for service. Only three wells are shown on the Water System
13 Plans. Has the requirement for a fourth well been determined?

14

15 **Response:**

16 ***The final report concerning the availability of groundwater at the project site and titled***
17 ***“Groundwater supply assessment study well siting and aquifer testing, Park Point, Town of***
18 ***New Paltz, Ulster County, New York” discusses all of the groundwater supply testing and***
19 ***analysis that was performed at the project site. This report is presented in Appendix D of the***
20 ***FEIS. As the report discusses, a total of eight bedrock test wells were installed during the***
21 ***groundwater assessment study, with a total of five bedrock wells used to meet the project's***
22 ***required water usage.***

23

24 -Waterline 'stubs' should be provided for future connection at north end of the water line within
25 the site and at the water line within the Route 32 right of way (cross) and near the proposed
26 water tank.

27

28 **Response:**

29 ***We have included watermain stubs on the final plans, as requested. We have provide a valve***
30 ***and stubs near the proposed water tank, at the Route 32 crossing going to the south and also***

1 *going to the north. We have also provided a valve and stub at the north end of the site, where*
2 *the watermain ends near building 6.*

3
4 -The water system should be comprised of one water line connecting the wells to the water
5 tower, and a second water line connecting the water tower to the project. The plans only show
6 only one water line.

7
8 ***Response:***

9 *An updated watermain layout has been included with the preparation of the final site plans.*
10 *Please reference the Offsite Watermain Plans for the revised layout. The updated watermain*
11 *layout shows the proposed raw watermain connecting the proposed wells to the water*
12 *treatment facility and water tank, and also shows the proposed watermain from the tank to the*
13 *site.*

14
15 -Water valves should be shown on the plan including any necessary blow off or air release
16 valves.

17
18 ***Response:***

19 *The design and location of the proposed watermain, including the proposed hydrant and valve*
20 *locations, is shown on the final site plans.*

21
22 -The current plan shows a fire hydrant within bio-retention area 1.4. The hydrant should be
23 relocated out of any stormwater management facilities. Also, the Town of New Paltz Fire
24 Department should review the fire hydrant layout when the distribution system is better defined.

25
26 ***Response:***

27 *The proposed hydrants have been relocated so they do not conflict with the stormwater*
28 *management facilities or green infrastructure areas. The final plans will be forwarded to the*
29 *New Paltz Fire Department for review of the hydrant layout.*

30

1 -Applicant uses 75 gpd per bedroom to size water flow and assumes 25 gpd and 75 gpd (upper
2 and lower end of design flow) for clubhouse users. The Applicant should reference where the
3 water design flow 75 gpd/bed came from and provide a flow confirmation from the reviewing
4 agency.

5
6 ***Response:***

7 ***See water supply calculations, FEIS Appendix N, for flow determination. Confirmation of***
8 ***flows from NYSDOH and NYSDEC will be forwarded when received.***

9
10 **Stormwater Management**

11 The following SWMDM criteria have not been addressed:

- 12
- 13 • NYSDEC SWMDM (pg 4-5) states "The SWPPP must demonstrate that all green
14 infrastructure planning and design options are evaluated to meet the runoff reduction
15 requirement and provide documentation if any components of this approach are not
16 technically feasible. Projects that cannot meet 100% of runoff reduction requirement
17 must provide a justification that evaluates each of the green infrastructure planning and
18 reduction techniques, presented in Chapter 5, and identify the specific limitations of the
19 site according to which application of this criterion is technically infeasible. ... A
20 determination that application of none of the runoff reduction options is feasible may not
21 be based on:
 - 22 1. The cost of implementation measures; or
 - 23 2. Lack of space for required footprint of the practice.
- 24

25 ***Response:***

26 ***Justification for the green infrastructure practices has been provided in the Final***
27 ***Stormwater Management Report, in FEIS Appendix C. As required by the NYSDEC***
28 ***Stormwater Management Design Manual, the feasibility of the green infrastructure***
29 ***practices and the analysis for not providing 100% of the runoff reduction volume is***
30 ***provided.***

- 1 • It appears that 100% RRv is met for all impervious areas except for the area labeled
2 'GIB-2.1' Please provide justification as to why the full RRv is not met for this area.

3
4 ***Response:***

5 ***Runoff reduction is provided to the extent possible considering soil permeability,***
6 ***groundwater, and bedrock elevations. The runoff reduction for all impervious runoff***
7 ***areas is met for all areas and 100% of the water quality volume is provided.***

- 8
9 • A pond buffer must be provided that extends 25 feet outward from the maximum water
10 surface elevation of the pond.

11
12 ***Response:***

13 ***The maximum pond buffer is provided as shown on the final plans.***

- 14
15 • A maintenance right of way or easement must extend to the ponds from a public or
16 private road, providing vehicular access to the ponds. This easement should be shown
17 and submitted for review.

18
19 ***Response:***

20 ***With the final design of the stormwater management facilities, the necessary***
21 ***maintenance access to the ponds has been shown. Ponds A-1, B-2, and C-1, can all be***
22 ***accessed from the nearby roadways and parking areas. Since pond B-1 is not near a***
23 ***proposed parking area or roadway, a maintenance access drive will be utilized along***
24 ***the top of the berm. This will allow maintenance access around the pond. The***
25 ***required access easements have been proposed on the Site Plans for review.***

- 26
27 • A forebay shall be provided at each pond inflow point, unless an inflow point provides
28 less than 10% of the total design storm flow to the pond. (Verify that this criterion is met
29 for all ponds, specifically Pond C-1 and drainage area to GI C 1.2.) If runoff flows
30 through a green infrastructure practice prior to entering a pond, then the pond
31 pretreatment requirement is considered satisfied.

1 **Response:**

2 *Additional information has been provided for the green infrastructure (GI) practices*
3 *on the plans. The GI areas around the ponds have been located such that drainage*
4 *entering the pond flows through the GI practices. The plans have not included the*
5 *forebays in the ponds for this reason. Also having to grade the pond in order to create*
6 *the two separate forebays and deep pools requires a larger overall footprint in the*
7 *wooded area. The necessary deep pool in the ponds is provided to meet the required*
8 *water quality volume.*

- 9
- 10 • NYSDEC SWMDM (Table 3-5) Bio-retention facilities in type C or D soils should be
11 designed with underdrains and are able to claim RRV treatment for 40% of the WQv
12 draining to each specific practice. (GI B-2.2, B-1.6, A-1.2, etc.)

13

14 **Response:**

15 *The number of bio-retention areas have been reduced. Based on the depth to bedrock,*
16 *depth to the perched groundwater level, and soils permeability, all perimeter green*
17 *infrastructure practices have been designed as infiltration basins that also allow for*
18 *90% runoff reduction volume. The only bio-retention areas to be constructed are*
19 *within the landscaped islands of the boulevard road where aesthetics are important.*
20 *The infiltration basins will be located along the perimeter of the developed areas where*
21 *they will enhance the wetland environment. The runoff reduction credit for bio-*
22 *retention is 80% where the underlying soils have a permeability rate of 0.5 ft./day and*
23 *40% when the underlying soils are impermeable, in which case pipe underdrains are*
24 *required. The appropriate credit will be provided in the calculations once final soil*
25 *testing has been completed.*

- 26
- 27 • NYSDEC SWMDM (pg 6-52) In order to adequately size the bio-retention facilities,
28 'Bio-retention Soil' should be specified with a coefficient of permeability (k) of 0.5 ft/day.
- 29
- 30
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Response:
The bio-retention soil gradation mix is in accordance with current NYSDEC standards as shown on the plans that provide for permeability of 0.5 ft./day.

- NYSDEC SWMDM (pg 6-52) With regards to Bio-retention facility sizing, "The entire treatment system (including pretreatment) shall be sized to temporarily hold at least 75% of the WQv prior to filtration."

Response:
See calculations in the final stormwater management report for design of pre-treatment basins.

- NYSDEC SWMDM (pg 6-50) With regards to pretreatment for Bio-retention facility, "Dry or wet pretreatment shall be provided to filter media equivalent to at least 25% of the computed WQv."

Response:
See calculations in the revised stormwater management report for conformity with this requirement.

- NYSDEC SWMDM (pg 6-50) The current design, shows the outlet control structures within the bio-retention areas as being in-line with the site's stormwater conveyance system. These outlet control structures utilized for bio-retention areas should be designed off-line. "If runoff is delivered by a storm drain pipe or is along the main conveyance system, the filtering practice shall be designed off-line." (see Appendix K in the SWMDM)

Response:
The top of inlets is proposed at the runoff reduction volume elevation. Therefore, the treatment area is off line of the stormwater conveyance system.

- 1 • NYSDEC SWMDM (pg 6-12) With regards to pond sizing, "The perimeter of all deep
2 pool areas (four feet or greater in depth) shall be surrounded by two benches:
3 1. Except when pond side slopes are 4:1 (h:v) or flatter, provide a safety bench
4 that generally extends 15 feet outward (10' to 12' allowable on sites with
5 extreme space limitations) from the normal water edge to the toe of the pond
6 side slope. The maximum slope of the safety bench shall be 6%, and
7 2. Incorporate an aquatic bench that generally extends up to 15 feet inward from
8 the normal shoreline, has an irregular configuration, and a maximum depth of
9 18 inches below the normal pool water surface elevation. Aquatic Bench may
10 be 10 feet wide on sites with extreme space limitations.

11
12 ***Response:***

13 ***The proposed grading around the ponds has been revised in order to provide the***
14 ***required benches per the NYSDEC Stormwater Management Design Manual. In areas***
15 ***that require a steeper slope than 4H:1V, the necessary safety bench along with the***
16 ***aquatic bench is provided.***

- 17
18 • As the ponds are currently shown, both a safety bench and an aquatic bench will be
19 required, but only one bench is shown (aquatic).

20
21 ***Response:***

22 ***Please refer to the above response. The proposed grading around the ponds has been***
23 ***revised to include the necessary aquatic bench on all ponds, and the safety bench***
24 ***where the proposed grading is steeper than 4H:1V.***

- 25
26 • NYSDEC SWMDM (§ 6.3) - Overflow from infiltration basins should be directed to a
27 stabilized watercourse.

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Response:

Overflow is proposed from the stormwater management ponds through a stable rip-rap channel that discharges to the existing wetlands. The wetlands eventually consolidate to a stable ditch drainage way.

- NYSDEC SWMDM (§ 6.3) - Soil Testing must be provided for areas where Infiltration Basins are proposed in accordance with NYSDEC SWMDM.

Response:

Soil testing is underway for all green infrastructure practices and will be forwarded for review when completed.

- NYSDEC SWMDM (§ 6.3) - Infiltration trenches must be setback 25 feet down gradient from structures.

Response:

No infiltration trenches are proposed with the final design.

- The infiltration practice must be designed as an off-line practice.

Response:

The top of inlet for perimeter infiltration basins is at the runoff reduction volume elevation, so that the larger flows are off line. Likewise, the spillway elevation for those basins adjacent to the stormwater pond is at the water quality volume, so that the larger flows are off line.

- -A minimum of 25% (could be a greater percentage depending upon soil percolation rates) of the WQv treated by the Infiltration Trench must undergo pretreatment.

1 **Response:**
2 *See final stormwater management report for the design of pre-treatment practices in*
3 *accordance with the requirements.*

4
5 -Pond details should be provided on the site plans.

6
7 **Response:**
8 *Additional pond details have been provided with the preparation of the final site plans. The*
9 *necessary design information including pond elevations, outlet structure details, design storm*
10 *ponding elevations, and pond profiles has been included.*

11
12 -It appears that some of the rainfall amounts used within the Stormwater Management Report are
13 still inaccurate. Please verify that correct rainfall amounts are used in the watershed modeling
14 calculations.

15
16 **Response:**
17 *The rainfall amounts used in the calculations provided in the Stormwater Management Report*
18 *have been updated, as requested.*

19
20 -During the 10 year storm, the water surface within this pond would be approximately 4 feet
21 above the bottom of the wall. Erosion control measures must be proposed along with this
22 alternative plan.

23
24 **Response:**
25 *The plan has been revised so that the wall is on top of the berm so that the 10-year storm*
26 *would not encroach onto the wall as shown on FEIS Exhibit F111-10B.*

27
28 -Provide documentation that the infiltration trench sizing equation has been utilized for trench
29 design.

30
31

1 **Response:**

2 ***The infiltration trenches have been eliminated from the design.***

3

4 -Post development flow rates are significantly lower than pre development flow rates. This
5 indicates that stormwater management practices have been over designed and may be occupying
6 a larger footprint / greater disturbance area than necessary. The stormwater management
7 facilities should be sized large enough to meet all NYSDEC criteria, but not oversized to disturb
8 more land than necessary.

9

10 **Response:**

11 ***The stormwater management facilities have been revised with the design of the final site plans.***
12 ***The sizes of the facilities have been revised to meet the pre-development runoff rates without***
13 ***being larger than necessary. A large part of the overall footprint of the ponds is due to the***
14 ***necessary grading and NYSDEC design requirements. The sizes of the ponds have been***
15 ***reduced as much as possible, while still reducing the post-development runoff rates to meet the***
16 ***existing rates (see FEIS Appendix C).***

17

18 **Sewer System**

19 -Page 279 of the DEIS, the Applicant claims that based upon initial discussions with NYSDEC,
20 there are no Phosphorus or Total Nitrogen Limits for the project, even at full expansion (250,000
21 gpd or 0.3868 cfs). Discussions with NYSDEC staff are currently taking place to determine
22 whether phosphorus or nitrogen limits will be imposed upon effluent from the wastewater
23 treatment plant, and we understand that a phosphorus limit will be imposed on the permitted
24 discharge. Please update our office with this information once it becomes available.

25

26 **Response:**

27 ***NYSDEC has imposed, via draft limits a phosphorus limit of 0.5 mg/L with issuance of the***
28 ***SPDES permit. The DEC will review this during the SPDES permit process and adjust if***
29 ***necessary.***

30

1 -More details on the proposed sewer collection system are required. Specify the type of pump
2 that will be utilized.

3

4 **Response:**

5 *The final plans include additional design information not previously provided. The sanitary*
6 *sewer system will consist of 8” PVC sewer with 6” PVC laterals to the buildings. The sewer*
7 *system will gravity drain to the proposed submersible pump station, where it will be pumped to*
8 *the wastewater treatment facility (see Final Site Plans).*

9

10 **Air Quality**

11 -Applicant states that guidelines for EPA Airplus will be taken into account, but NYS building
12 code will be the standard used to assess potential air quality impacts. Discuss which code is
13 more rigorous.

14

15 **Responses:**

16 *NYS Building Code does not stipulate any specific standards for air quality, but defers to the*
17 *ASHRAE 62 for ventilation requirements. The Park Point project will be Energy Star*
18 *certified, as required by local code, and designed according to the guidelines of the NGBS.*
19 *Compliance with ASHRAE 62 is a required component for Energy Star certification. The air*
20 *quality guidelines for NGBS are very similar, but more rigorous than those outlined by EPA*
21 *airPLUS.*

22

23 -With regards to anti-idling program for construction vehicles and equipment, Applicant claims
24 that all local, state and federal regulations will be followed. Provide information regarding any
25 anti-idling regulations.

26

27 **Response:**

28 *NYS Department of Environmental Conservation Subpart 217-3 regulates idling for heavy*
29 *duty vehicles. The Town of New Paltz has no regulations in this regard.*

30

31

1 **Roadways - Traffic**

2 -The Applicant should provide documentation showing that the proposed bus route through Park
3 Point and SUNY provides the necessary maneuvering capability to facilitate UCAT travel.

4
5 ***Response:***

6 *A turning radius and maneuvering is provided for UCAT and Town review to justify the*
7 *roadway configuration and travel for the UCAT bus system through the site. Furthermore a*
8 *letter from UCAT dated March 11, 2013 states that “As the project is currently configured*
9 *UCAT would have no issues with entering and exiting Park Point”. This letter is included*
10 *within Appendix L of the FEIS.*

11
12 -Consult with NYSDOT and SUNY New Paltz regarding road connections and provide any
13 documentation for their requirements.

14
15 ***Response:***

16 *The traffic impact study that defines the roadway connection is included in FEIS Appendix H.*
17 *NYSDOT has responded to the report and additional information is provided in response to its*
18 *comments. Final NYSDOT access and utility permit plans will be submitted for NYSDOT*
19 *review and permit issuance prior to construction.*

20
21 -Should the Applicant consider using the north entrance as a gated emergency access only to
22 limit access points to Route 32? Discuss the pros and cons of limiting access at this location.

23
24 ***Response:***

25 *Driveway spacing and sight distance is available to allow the entrance to be a full time access*
26 *point. Although its use will be of a lower volume, as shown in the traffic impact analysis. The*
27 *second access point will slightly reduce delay time at the primary entrance during peak hour.*
28 *The access will also allow for the use of the SUNY fueling station for Town vehicles to more*
29 *conveniently and more safely use the fueling station without these vehicles having to travel*
30 *through the project.*

31

1 - With the proposed density (parking spaces, bike lanes, crosswalks) and decreased visibility of
2 road ways (parking on both sides) within the project, speed deterrents (such as speed bumps at
3 crosswalks) might be considered for pedestrian safety. Discuss all measures that will be taken to
4 ensure pedestrian safety.

5
6 ***Response:***

7 ***The roadway network with on-street parking will reduce the speed vehicles travel within the***
8 ***project. Striped crosswalks with stop signs are proposed.***

9
10 - Consider whether lowering speed limits below those currently posted along Route 32 north of
11 site could be extended south past Park Point main entrance to calm traffic in area. Discuss what
12 measures must be taken with the regulatory authority if speed limits would be lowered in this
13 area.

14
15 ***Response:***

16 ***The Lead Agency would support lowering the speed limit as suggested. It is the Lead Agency's***
17 ***understanding that the Town must request the reduced speed limit. NYSDOT will grant the***
18 ***request if the lower speed limit proves to be in accordance with their standards.***

19
20 -The speed limit for the private roadway within the development is said to be 15 MPH on page
21 336 and 10 MPH for the cross access corridor from the proposed site to the campus (on page 72).
22 Isn't the cross access corridor part of the private roadway? The Town's traffic engineer should
23 suggest a speed limit recommendation for this site.

24
25 ***Response:***

26 ***The Project Sponsor has stated that it will comply with a speed limit recommendation from the***
27 ***Town's traffic consultant.***

28
29 **Site Lighting**

30 -Provide catalogue cuts of lighting fixtures intended for use.

1 **Response:**
2 *Catalog cut sheets and manufacturer specification sheets are provided as requested. See FEIS*
3 *Exhibit F-3.*

4
5 -A more detailed lighting plan should be provided showing footcandle levels plotted at a
6 standard size grid for the proposed site.

7
8 **Response:**
9 *A lighting plan has been prepared that depicts the iso-footcandle curve for the proposed*
10 *lighting on the site. A detailed point plot has also been provided by the lighting manufacturer*
11 *(see Lighting Plans in Appendix R of the FEIS).*

12
13 **Landscaping**

14 -Landscape design should be submitted to the Town of New Paltz for review.

15
16 **Response:**
17 *A detailed Final Landscape Plan has been provided for review.*

18
19 -Landscaping / screening should be provided along property line at north and northwest portions
20 of site.

21
22 **Response:**
23 *Landscape screening has been incorporated along the northern and northwestern portions of*
24 *the site as requested.*

25
26 **SECTION T - TOWN BOARD 1/31/13 COMMENTS**

27
28 The Supervisor has been authorized to submit the following comments on behalf of the Town
29 Board. Comments from individual Town Board members are being submitted separately:

30
31 1. Fiscal Impact Analysis

1 The Project Sponsor’s fiscal impact analysis is flawed and must be reviewed and updated to
2 include a realistic analysis of the actual fiscal impact of the project on the cost of delivery of
3 services from the Town and Village. The cost information must be acceptable to the Town
4 Board, state the assumptions that were used to calculate the baseline costs, and reviewed by an
5 independent fiscal analyst to determine whether the anticipated costs to the Town have been fully
6 and fairly stated by the Project Sponsor.

7
8 The review needs to address the substantial cost of providing the services of: Fire Protection,
9 Ambulance, Police, Water and Sewer. As discussed below, provisions acceptable to the lead
10 agency must be made for any mitigation required to address each of the significant fiscal impacts
11 on the Town or Village identified by the updated study.

12
13 While it appears the community is ready to embrace the project, the community response to a
14 proposed PILOT agreement on this project has been overwhelmingly negative. Today’s
15 economic realities dictate the cost of services be shared fairly and responsibly by all community
16 members

17
18 The Town recognizes the Project Sponsor’s right to seek a PILOT agreement which can be
19 negotiated with the Ulster County IDA, however the Town requires that Wilmorite and SUNY
20 commit to measures that mitigate all fiscal impacts caused by the increased residential population
21 in the Town that will result from the project, and, possibly increases in SUNY enrollment.

22
23 These measures may include reaching agreements that would consolidate and/ or share the cost
24 of services with Town. The largest expense to the Town and a significant expense to SUNY is
25 the cost of providing police services. The Project Sponsor’s economic impact study assumes that
26 residents of the project will frequent local businesses. If we accept that assumption, this project
27 will therefore require the Town to increase its police expenditures in proportion to the greater
28 number of students frequenting downtown businesses.

29
30 **Response:**
31 ***This FEIS calculates and documents the impact of the Project on the Town in terms of the***

1 *cost of providing police services to serve the increased Town population, both on-site at the*
2 *Project and throughout the Town (including at downtown businesses). Please see the*
3 *Economic and Fiscal Impact Analysis for the calculation of the cost of providing police*
4 *services. In addition to the PILOT Payments, full taxes will be paid on the faculty/staff*
5 *housing, the clubhouse, and the water/sewage treatment facilities. It is estimated that the new*
6 *revenue received by the Town from the combined PILOT, variable revenue, full taxes on the*
7 *faculty/staff housing and clubhouse, and the full taxation on the sewer/water systems will*
8 *more than offset all of the costs associated with the Project on the Town.*

9
10 Unfortunately, the Town cannot recover its costs directly from the businesses that benefit, and it
11 is unfair for those costs to be borne by our already overburdened tax payer base.

12
13 The Project Sponsor must reimburse the Town for these additional costs or find a way to reduce
14 the cost of the delivery of police services to both the Town and SUNY New Paltz.

15
16 For example, SUNY New Paltz could undertake to obtain appropriate legislative approvals to
17 allow consolidated police services in communities which include SUNY educational institutions.
18 These legislative initiatives should include provisions which authorize reimbursement to
19 communities for the actual cost of the delivery of all other emergency services to all SUNY
20 institutions.

21
22 In addition, SUNY New Paltz can seek authorization from SUNY to enter into agreements for
23 shared services to areas of the Town and Village that require greater levels of service because of
24 increased student presence. Conversely, a shared services agreement could reimburse the Town
25 for the costs it incurs in providing police services to the SUNY campus and for a fair share of the
26 cost of student related police and emergency services in the business district of the Village.

27 SUNY should also explore the possibility of participating in a Business Improvement District for
28 the commercial areas of the Town and Village.

1 **Response:**
2 *These suggestions are generally beyond the purview of any single SUNY campus to arrange or*
3 *negotiate. Some would require legislative approval to use state funds in ways that state law*
4 *currently prohibits; others entail agreements with employee unions that are negotiated at the*
5 *level of the Governor’s office, not individual campuses. For at least the past two years, the*
6 *College and its University Police Department (UPD) have made no (zero) calls for NPPD*
7 *assistance on the campus. Requests for UPD assistance to NPPD (per the mutual aid*
8 *agreement) occur virtually daily, and are increasing.*

9
10 Until these fiscal efficiencies can be realized through legislation, the Project Sponsor should pay
11 taxes based on assessed value as all other taxpayers in the community, but must at least pay for
12 the increased costs that will be incurred by the Town and Village in providing services to the
13 project.

14
15 **Response:**
16 *Revenue generated by the Project will offset any increased costs through PILOT payments,*
17 *variable revenue, and property taxes paid on the faculty units, clubhouse, and water and sewer*
18 *facilities. Please see the Economic and Fiscal Impact Analysis for more information.*

19
20 A. Proposed PILOT
21 In general, the impact of a proposed PILOT agreement on the Town and the other affected
22 taxing jurisdictions cannot be fully evaluated in the absence of the new information required
23 by the Town Board in paragraph 1 above and full disclosure by the Project Sponsor, prior to
24 any municipal approvals, of the terms of the PILOT Agreement that it intends to request from
25 the Ulster County IDA.

26
27 The fiscal analysis in the FEIS should include:
28 (1) Clarify whether the Project Sponsor will seek a PILOT based on the new “dormitory
29 project” classification;

30
31

1 **Response:**
2 ***Yes, the Project Sponsor intends to seek a PILOT based on Category 5 of the UCIDA***
3 ***Uniform Tax Exempt Policy.***

4
5 (2) State whether or not the Project Sponsor will apply for any other form of IDA financing;

6
7 **Response:**
8 ***The Project Sponsor will also seek any other UCIDA benefit it may qualify for, including***
9 ***mortgage recording tax exemption and sales tax exemption.***

10
11 (3) Clarify what aspects of the project are eligible for IDA financing;

12
13 **Response:**
14 ***The Project Sponsor does not intend to obtain bond financing from UCIDA.***

15
16 (4) State the anticipated construction cost of the entire project; the assessed value of the
17 entire project (land and improvements) that would be established by the Town Assessor if
18 the project existed now, and clarify what improvements or other aspects of the project, if
19 any, will not be eligible for inclusion in a PILOT, and thus subject to taxation;

20
21 **Response:**
22 ***The Project Sponsor has indicated that only the student housing component of the Project***
23 ***will be subject to the PILOT. Therefore, the faculty/staff housing building, the clubhouse,***
24 ***and the water/sewer treatment facilities will be subject to full taxation by the Town. The***
25 ***Town Assessor will determine the value of the faculty/staff housing buildings, the***
26 ***clubhouse, and the water/sewer treatment facilities based on standard assessment***
27 ***practices.***

28
29 (5) State the respective amounts of tax revenue to taxing jurisdictions that will be (a) lost by
30 those improvements and other aspects of the project proposed to be covered by a PILOT
31 agreement and (b) paid by those improvements and other aspects of the project not

1 covered by a PILOT or other forms of property tax abatement or exemption.

2
3 The FEIS shall show in detail comprehensive unit costs analysis which demonstrates the
4 increased unit costs to the Town in providing the expanded municipal services to the project.
5 In expressing unit costs the Project Sponsor should use actual costs figures from current
6 Town and Village budget lines and the most current budgets of emergency service providers.
7 The Project Sponsor's utilization rates should be premised on data provided by the services
8 providers as it relates to services on the SUNY campus or to similar rental projects in the
9 Town and Village, with adjustments where appropriate to reflect differences between
10 campus dorms and the project, such as different construction materials, the inclusion of
11 kitchens in the project, and on-campus disciplinary rules.

12
13 ***Response:***

14 ***The economic impact analysis used the budget numbers as provided by the Town Clerk***
15 ***which were reported to be the Adopted 2012 budget.***

16
17 ***The Economic and Fiscal Impact Analysis determines the impact of the Project on the***
18 ***public safety providers based on utilization rates for the emergency service providers***
19 ***premised on emergency service calls to the SUNY campus, as well as calls to similar***
20 ***projects in the Town and Village. Detailed information can be found in the Camoin report***
21 ***regarding the methodology and impact of the Project on the emergency service providers.***

22
23 The analysis should provide accurate and complete detail of the reasonably anticipated costs
24 for services provided by the Town and other taxing jurisdictions, at a level of detail sufficient
25 to allow the UCIDA and all affected taxing jurisdictions to evaluate the fairness and equity of
26 any proposal by the developer for property tax relief.

27
28 ***Response:***

29 ***The Economic and Fiscal Impact Analysis and the FEIS provide accurate and complete***
30 ***detail of the reasonably anticipated costs of services provided by the Town and other taxing***
31 ***jurisdictions. New annual expenses to the Town can be seen below, with a full***

1 *methodology discussion and supporting information found in the Economic and Fiscal*
 2 *Impact Analysis. It should be noted that the combination of the PILOT payments,*
 3 *variable revenue, and property tax payments made by the Project Sponsor will more than*
 4 *offset these costs and that full taxes will be paid on the property following the 25 year*
 5 *PILOT agreement for the duration of the lease. Full taxes will also be paid on all*
 6 *faculty/staff units, the clubhouse and utilities throughout the life of the PILOT and*
 7 *beyond.*

New Annual Town Expenses	
Police Department	\$ 11,519
Fire Services	\$ 1,913
Rescue Squad	\$ 3,792
Other Variable Expenses	\$ 39,203
UCAT	\$ 2,074
Total New Annual Expenses	\$ 58,501

Source: Camoin Associates

* While these are not all technically Town expenses, they impact all Town residents.

9
 10 The FEIS shall include an evaluation of the anticipated tax revenue from portions of the
 11 project that are not eligible for IDA tax relief.

12
 13 **Response:**

14 *Please see the Economic and Fiscal Impact Analysis in Appendix S.*

15
 16 For purposes of comparison, the FEIS should also include an evaluation of the tax revenues
 17 that would be realized if the project was assessed at fair market value from the date of
 18 construction.

19
 20 **Response:**

21 *This is not relevant to the SEQR analysis.*

22 In addition to describing the nature and terms of any PILOT it proposes for the project, the
 23 Project Sponsor and the SUNY Foundation, as owner of the property, should affirmatively
 24 represent that the property will pay property taxes on the full assessed value of the project
 25 improvements after the expiration of the term of any PILOT that UCIDA may grant to

1 the Project Sponsor, and enter into an appropriate agreement to give effect to those
2 representations.

3
4 To allow full evaluation of the project, the FEIS should include:

5 (1) an explanation by the SUNY Foundation of how the proposed development is consistent
6 with its mission;

7 (2) a legal opinion by the SUNY Foundation counsel that it has the authority and powers
8 necessary to enter into a lease with the developer for student, faculty and staff housing
9 and related infrastructure;

10 (3) representations describing how and when it will offer the land or other property interests
11 to the Town that will be necessary to allow the dedication of water and sewer facilities to
12 the Town consistent with the plan of development;

13 (4) representations describing how it will ensure that terms of the lease relevant to
14 representations made by the Project Sponsor with respect to the operation of the
15 development will be enforced, particularly if there is a transfer of the project to a different
16 entity/operator;

17 (5) A copy of the lease with Wilmorite;

18
19 ***Response:***

20 ***After the 25 year PILOT program the property will pay taxes at full assessment for the***
21 ***term of the lease agreement.***

22
23 ***The mission of the SUNY Foundation is to support the College, including assisting the***
24 ***College in providing adequate, affordable and safe housing to its students, faculty and***
25 ***staff. The record clearly demonstrates that the College is facing a critical housing shortage***
26 ***and, accordingly, this project falls squarely within the SUNY Foundation's mission.***

27
28 ***SEQRA does not require the SUNY Foundation to go through the unnecessary expense of***
29 ***providing a legal opinion regarding its authority to enter into a lease with Wilmorite to***
30 ***facilitate development of the Project.***

1 *As set forth elsewhere in this FEIS, should the Town be interested at some future time to*
2 *accept dedication of the sewage treatment and water service facilities, the Town can*
3 *initiate the process for transfer of ownership and undertake the appropriate application*
4 *and permitting processes, which would include Town, County and State agency approvals.*
5 *SEQR does not require a detailed analysis of that possible future speculative event.*

6
7 *As set forth elsewhere in this FEIS, details of the business relationship between Goshawk*
8 *and Wilmorite are not within the Final Scope, nor would have it been reasonable to*
9 *require an analysis of such proprietary business dealings as part of the SEQR analysis.*

10
11 (6) A representation as to whether the Foundation will accept conditions of approval that
12 limit areas of disturbance to those areas shown on the approved site plan.

13
14 ***Response:***

15 *Nearly all open space lands are included in designated (passive and active) recreation*
16 *areas, setback, wetlands or wetland buffer areas. The use of the open space areas are*
17 *restricted to recreation uses by setbacks, site plan approvals and/or restricted from*
18 *alteration by the Federal Wetland Regulations. Any alteration of the wetland not approved*
19 *with this initial permit would require evaluation and issuance of a wetland permit by the*
20 *USACOE, and any changes to the use of the recreation areas would require discretionary*
21 *site plan review and approval by the Planning Board. As such, any change in use of the*
22 *open space areas would require specific approvals and SEQRA review by the Town of New*
23 *Paltz Planning Board and other agencies. Therefore, the Lead Agency believes the goal of*
24 *preserving the recreation areas as recreation areas and wetlands, and wetland buffers as*
25 *unaltered natural areas is sustained without the use of additional deed restrictions,*
26 *covenants or easements. See also, a letter from Bond, Schoeneck & King, PLLC to the*
27 *Town Planning Board, which describes the potential legal issues that would be created for*
28 *the SUNY New Paltz Foundation in conveying property rights for no consideration. This*
29 *letter is Exhibit III-10A within the DEIS.*

1 B. Sales Tax Revenues

2 The analysis of sales tax revenue assumes that students moving to the project from existing
3 places of residence create a positive impact on sales tax revenue for the Town.

4
5 ***Response:***

6 ***The analysis does not quantify the impact of the Project on Town sales tax revenue as it is***
7 ***expected to be negligible due to the manner in which the County distributes sales tax***
8 ***revenue; ie., the Town's portion of the County's total assessed value and total sales tax***
9 ***received.***

10
11 However, that conclusion must be qualified in two respects.

12
13 First, to the extent that students currently live in other Ulster County communities, the net
14 impact on County sales tax revenue will be constant, although the allocation of revenue
15 to the Town by the County may increase. Similarly, to the extent that existing students move
16 to Ulster County from other counties, it would appear that the regional distribution will
17 change, resulting in an increase in sales tax revenue to Ulster County and a decrease in other
18 counties.

19
20 Second, the County collects sales taxes and distributes a share of the collected receipts to
21 municipalities within the County. The share received by the Town is determined by the
22 County's formula. That formula is based in part on the sales taxes collected within the
23 municipality, and though students residing at Park Point will reside in the Town, and require
24 services from the Town, their spending will not necessarily take place in the Town.

25
26 Therefore, projections of the positive benefit of anticipated sales tax revenue should:

- 27 (1) clarify the assumptions made about net change in sales tax that will be collected by
28 Ulster County;

29
30 ***Response:***

31 ***No assumptions were made regarding the net change in sales tax collected by Ulster***

1 *County as that was not applicable to the analysis. This is also a purely economic impact*
2 *which is not under the purview of SEQRA.*

3
4 (2) identify and discuss the changes, if any, that will result in the County's distribution of
5 sales taxes to the Town; and

6
7 ***Response:***

8 *There may be a slight increase in the Town's revenue from the County's distribution as*
9 *overall sales tax revenue generated in the Town will increase. However, the County's*
10 *distribution formula is such that the increase in distribution from the County to the Town*
11 *as a result of new spending in the Town will be minimal.*

12
13 (3) identify and discuss any adverse impact on other municipalities that may result when
14 student change their place of residence.

15
16 ***Response:***

17 *Any beneficial or adverse impact on other municipalities was not analyzed.*
18 *Environmental impacts in other municipalities as associated with students changing their*
19 *addresses is outside of the purview of SEQRA for this project. Only the effects in New*
20 *Paltz are what is required to be analyzed under SEQRA (6 NYCRR Part 617.9(b)).*

21
22 The FEIS should measure the change in sales tax revenue associated with the project against
23 the increase in cost of municipal services that will be required by residents at the Park Point
24 project, who will increase the resident population of the Town whether or not the total
25 enrollment at SUNY increases.

26 ***Response:***

27 *The change in sales tax revenue associated with the Project was not calculated in this*
28 *analysis as it is expected to be negligible. All other revenues and expenses were calculated.*

29
30 C. Job Creation

31 The Project Sponsor should be required to support its claim that the project will have a net

1 positive impact on job creation in the Town and the County.

2
3 **Response:**

4 ***The Project will have a net positive impact on the Town in terms of new jobs. The new jobs***
5 ***in the Town will be a result of an increased number of students living in the Town as a***
6 ***result of the Project, without the Project the students and faculty would be living and***
7 ***spending their money elsewhere. Please see the Economic and Fiscal Impact Analysis for***
8 ***a full methodology for the calculation of the job impact on the Town of New Paltz.***

9
10 ***The final scope does not require performing an economic analysis of the impact of the***
11 ***project upon the County as a whole . The Economic and Fiscal Impact Analysis did not***
12 ***claim that there would be a net positive impact on the County. Under SEQRA the impact***
13 ***on the Town is what is required to be analyzed and, therefore, the impact on the County***
14 ***was not quantified.***

15
16 As noted above, the overall economic impact of spending by individuals relocating from
17 other areas of the County and the region is limited by the extent to which spending is simply
18 transferred from the municipalities where that spending currently takes place.

19
20 It may be possible that the aggregate impact of spending in the Town will create jobs that do
21 not exist in municipalities where individual students currently reside, but the Project Sponsor
22 should provide support for its claimed job creation.

23
24 **Response:**

25 ***The analysis claims a positive impact on the Town but does not claim job creation for the***
26 ***County.***

27
28 **D. Alternatives**

29 The EIS alternative that presumes SUNY could acquire the land and construct dormitories on
30 it, without local land use review should consider the beneficial impact, if any, of the
31 attendant requirement that construction comply with NYS policy on incorporating LEED

1 certification, as well as the anticipated timeframe for construction financing authority to be
2 made available to the campus.

3
4 2. Community Impacts

5 Based on the description of the project in the DEIS, the project will add more than 700 new
6 residents to the Town.

7
8 The FEIS should clarify the increased costs that the Town, Village and School District will incur
9 as a consequence.

10
11 The FEIS should also clearly state any assumptions that were used to determine the cost of those
12 services, and describe the consequences if those assumptions change in the course of the project.

13
14 ***Response:***

15 ***The Economic and Fiscal Impact Analysis shows the increased costs to the Town including***
16 ***the assumptions made.***

17
18 There are certain fundamental assumptions which could greatly impact the costs of services
19 provided by the Town or School District:

20
21 A. Police Services

22 The DEIS assumes that SUNYPD has the legal authority and capability to provide primary
23 police services to the project, and that it will do so over the course of the project. The
24 SUNYPD and NYS have agreed that they are governed by provisions of State Law that limits
25 their patrols to University grounds and public highways that adjoin SUNY property.

26 Therefore, it appears that the Town is required to provide police protection to the project, and
27 the actual cost of providing police protection must be provided.

28
29 ***Response:***

30 ***The Economic and Fiscal Impact Analysis calculates the increased cost to the Town***
31 ***Police. In summary, the Project will generate 288 new calls throughout the Town and cost***

1 *an additional \$11,519 in variable expenses. The table below calculates the increase in*
 2 *police calls as a result of the Project (including all kinds of calls from noise complaints to*
 3 *major incidents). The full Economic and Fiscal Impact Analysis documents the*
 4 *methodology used and background information.*

Impact on the Town of New Paltz Police Department	
Average Annual Calls in the Town	16,000
Residential Portion of Call Volume (71% of assessed value)*	11,360
# Households in the Town (including Village) in 2010	4,515
# Calls per Household (unit)	2.52
Net New Units at the Project	258
Calls From the Project	576
New Calls from the Project**	288

Source: Town Police Department, 2010 US Census, Camoin Associates

*** Residential property accounts for 71% of Townwide assessed value. This percentage is used to estimate call volumes resulting from residential units as opposed to commercial.**

**** Note that only half of the calls are considered new to the Town as it relates to public safety because even without the Project it is assumed that half of the project residents' time is spent in the Town.**

Police Department New Operational Costs	
Estimated New Calls	288
New Variable Costs (288 x \$19.16)	\$5,520
New Personnel Costs (30 minutes per call)	\$5,999
Total Estimated New Costs	\$11,519

6
 7 The FEIS should also describe the current 911 system, which polls available units in area for
 8 response, and the need for a MOU from SUNY Chancellor's office and commandant of
 9 SUNY PD stating how the SUNY PD could be polled to respond, and any restriction on
 10 response, such as restrictions in union contracts or budget constraints. The DEIS does not
 11 discuss the cost of providing increased police service to the downtown business district,
 12 which requires a high rate of call response, attributable in part to calls associated with the
 13 student population.

1 **Response:**

2 ***The number of police officers is based on the population as opposed to where the residents***
3 ***spend their time. So, such costs are already included in the analysis, as the 288 calls are***
4 ***occurring throughout the Town and not just on-site.***

5
6 The Police Chief estimates that if SUNYPD is unable or unwilling to provide such service,
7 the Town would have to add three additional officers to provide primary service to the
8 project and maintain the Department's ability to respond to an anticipated increase in calls in
9 the downtown business district.

10
11 The FEIS should document that the SUNYPD has adequate authority and capacity to provide
12 service to the project, and that it will do so over the duration of the use.

13
14 **Response:**

15 ***Standards set by NYS Division of Criminal Justice Services and other national police***
16 ***organizations indicate that the average for a town the size of New Paltz is 2 officers per***
17 ***1,000 residents. This average is similar to what the Town of New Paltz is currently***
18 ***operating at and the additional residents of the Project would not create enough of a***
19 ***demand to require three additional officers. Based on the research and comparison***
20 ***analysis conducted, it is estimated that the Project will generate less than 4 weeks worth of***
21 ***additional work for the Police Department which can reasonably be assumed to be handled***
22 ***by current staff (288 calls at 30 minutes per call equals 144 hours, or 3.6 weeks worth of***
23 ***work). The Project will have a 24/7 on-site management team including a security guard***
24 ***between 7pm and 7am that will handle all minor incidents including noise complaints,***
25 ***lock-outs, and other small disturbances that will not require police intervention.***

26
27 **B. Fire Services**

28 The DEIS assumes that the Fire Department will continue to be a volunteer department.
29 However, the NPFDP is experiencing challenges in ensuring services are available, due to
30 mandated responses to the College and difficulties in maintaining an adequate volunteer base.
31 Several hundred responses of the NPFDP are currently made to the SUNY campus. The ability

1 of the NPF D to deliver this service with the anticipated increase in utilization needs to be
2 addressed.

3
4 **Response:**

5 ***The Fire Chief has advised the Project Sponsor that the existing staff and equipment are***
6 ***adequate to handle any increase in calls as a result of the Project. Based on the annual***
7 ***fire calls to the SUNY New Paltz dorms over the last three years, the fire department***
8 ***responds to dorm related fire incidents approximately 70 times per year (a total of 209***
9 ***incidents between January 2010 and December 2012). With 1,462 residential units on***
10 ***campus, that is equal to 0.047 calls per unit annually or 5 new calls annually to the***
11 ***Project.***

12
13 NPF D may also need to replace a number of vehicles due to age and maintenance
14 requirements, which will only be exacerbated by more calls to the Park Point project.

15
16 Call levels may actually increase beyond the levels on campus, as the project will include
17 kitchen facilities not normally available in dorm rooms.

18
19 **Response:**

20 ***The Fire Chief did not indicate that the Project would result in the Department needing to***
21 ***replace any vehicles. In addition, when the Fire Chief projected the impact of the Project***
22 ***on his department he was aware of design and amenities available at the Project including***
23 ***the kitchens, and he made his determination based on that knowledge.***

24
25 **C. Ambulance Services**

26 The DEIS assumes that the Rescue Squad would be reimbursed by insurance for ambulance
27 services. That assumption is based on the SUNY policy of requiring students to maintain
28 health insurance. The DEIS also assumes that Rescue Squad would be able to maintain
29 adequate levels of service with its existing equipment. The FEIS should address those
30 assumptions, and demonstrate that the Rescue Squad will not require additional equipment or
31 volunteer staff to maintain service levels. The costs of providing services to the project
32 should use current calls made to the university housing to set base level calls (205

1 incremental calls) and use current costs of delivery without the assumption of medical
2 reimbursement.

3
4 **Response:**

5 ***The DEIS assumes that a large portion of the Rescue Squad services would be reimbursed***
6 ***by insurance, as is the case for the general population and the SUNY students. Using the***
7 ***cost of delivery service as the basis of the impact analysis would be an unreasonable***
8 ***assumption as the current student body maintains medical insurance and, therefore, the***
9 ***Rescue Squad is able to bill the private insurance companies for service; there is no reason***
10 ***to assume this would change. The Rescue Squad is a separate entity from the Town and***
11 ***the vast majority of its budget comes from the private insurance payments. The analysis is***
12 ***based on the impact on the Town, assuming that the percent of insured versus non-insured***
13 ***customers remains stable (in reality the vast majority of the residents of the Project will be***
14 ***insured) and therefore Rescue Squads needs from the Town will increase proportionally.***

15
16 ***In a conversation between Camoin Associates, Wilmorite, and Chief Gina Bassinette, she***
17 ***reported that the Town of New Paltz (outside of the Village) accounts for an average of***
18 ***37% of the Rescue Squad's annual calls and that SUNY New Paltz accounts for 12% of all***
19 ***calls. The New Paltz Rescue Squad reports responding to 1,950 calls in 2011 and expecting***
20 ***that number to increase to 2,050 in 2012.***

21
22 ***If the Rescue Squad responds to the SUNY New Paltz campus 246 times a year, and there***
23 ***are 1,496 dorm units on the campus that is equal to .16 calls per unit, or 19 new calls as a***
24 ***result of the Project.***

25

New Rescue Squad Calls Based on Current Call Volume	
Total EMS Calls Per Year	2,050
Percent of Calls to College	12%
Number of Calls to College	246
Number of Resident Units	1,496
EMS Calls Per Unit	0.16
Units at Project	229
Number of Calls (.16 x 229)	28
Number of New Calls Resulting from Project*	19

1 ** Note that only half of the calls are considered new to the Town as it relates to public safety*
2 *because even without the Project it is assumed that half of the project residents' time is spent in the*
3 *Town of New Paltz.*
4

5 *It is important to note here that the Project is not adding to the total number of students*
6 *attending SUNY New Paltz and therefore the emergency service providers (police, fire,*
7 *EMS) are already responding to any of the daytime calls of the Project tenants (including*
8 *students and faculty). The Project is only adding to the night and weekend calls (i.e. not*
9 *the daytime calls already occurring) and therefore the total calls generated by the Project*
10 *residents is divided in half to account for the calls that public safety providers are already*
11 *responding to on their behalf as they spend their time in Town and on campus.*
12

13 In the course of the public hearing, it was noted that the Rescue Squad has been called on
14 more often due to trends such as student drinking. As the project is not subject to the SUNY
15 dorm rules, and off-campus activities may not be subject to SUNY disciplinary rules, the
16 FEIS should also address the possibility that student activities at the project may result in
17 increased Rescue Squad calls.
18

19 ***Response:***

20 *Student drinking is not a new trend and it should be noted that the facility will have 24/7*
21 *staff including a security guard between 7pm and 7am on site to maintain control of the*
22 *facility. Student activities at the project would result in no more Rescue Squad calls than*
23 *student activities on campus would generate.*
24

25 The FEIS should also provide mitigation measures that can avoid or minimize the impact on
26 Town resources since the project will require police, fire and ambulance services from the
27 Town at higher levels than discussed in the DEIS, including, but not limited to: providing in
28 any PILOT application for an increase in any PILOT payment sufficient to cover the costs
29 incurred by the Town; agreement by the Project Sponsor or SUNY to provide a dedicated
30 PILOT payment in the event costs are incurred by the Town in excess of the assumed costs of
31 service set forth in the DEIS; commitment by the SUNY administration and the project
32 management to adopt policies and procedures to address any behavior by student residents

1 that imposes burden on Town services.

2
3 The FEIS should identify specific mitigation measures that can address such impacts. For
4 example, the Project Sponsor and SUNY can agree to cooperatively identify admitted
5 students with interest, ability and/or experience as volunteer firefighters or paramedic/EMTs,
6 and actively encourage their participation with NPF and the Rescue Squad, and perhaps
7 offer some discount on leases to students or employees who are accepted as volunteers.

8
9 ***Response:***

10 ***NPRS and the NP Fire Department (through Scott Schulte) already do this informally,***
11 ***and SUNY students are and have been making excellent contributions to the work of these***
12 ***agencies.***

13
14 **D. Water Supply**

15 The DEIS describes a water supply for the project, and states that it may be offered to the
16 Town.

17
18 The FEIS should describe the capacity of the proposed system to serve the project, any
19 proven or anticipated water resources that would be available to serve other properties in the
20 area, the incremental cost of increasing the capacity of the proposed facilities to provide
21 capacity to meet water needs along South Putt Corners Road, and the terms on which the
22 proposed water supply facilities would be dedicated to the Town.

23
24 The FEIS should also explain how the proposed water supply will meet the requirements of
25 the R-V zoning district for a municipal water supply.

26
27 The FEIS should clearly describe the nature and extent of the benefit that will be provided to
28 the Town by the proposed water and sewer districts, including the benefit of creating a back
29 up district to address the R-V zoning district requirement.

1 The FEIS should also describe how the operator of the proposed water supply will provide
2 service to adjoining property owners in the event that their wells are affected by operation of
3 the water supply facilities, including the legal authority required to provide service to
4 properties other than Park Point.

5
6 The FEIS should also describe how the project operator will cover the anticipated costs of
7 water supply service to tenants, how the Town would recover the costs of providing service
8 in the event that it took over the district, the maintenance and operation costs of the proposed
9 facilities, and how the charges for service would be structured to ensure that the operator has
10 sufficient reserves available to maintain and, as necessary, replace the water supply
11 infrastructure over the course of the project.

12
13 The FEIS should clearly describe the ownership and legal relationships that will be
14 established to create the water supply facilities on the JAM property, including access for
15 maintenance and operation, and how the property interests associated with those facilities
16 would be transferred to the Town in the event that the Town elects to take over the water
17 supply facilities, including conveyance of good title to the equipment, land and permits to the
18 Town.

19
20 ***Response:***

21 ***The offsite water system is designed to supply water for domestic use and fire protection.***
22 ***Should the Town take over the system, some components of the system would have to be***
23 ***expanded or upgraded, and some of them have the capacity to serve additional areas.***

24
25 ***Determining exactly how much excess capacity and the cost to serve additional areas is***
26 ***beyond the purview of the final scope and SEQRA as the Project Sponsor is charged under***
27 ***SEQRA with analyzing the environmental impacts of its project; not speculative***
28 ***environmental consequences of some expanded and non-existent future project [6 NYCRR***
29 ***Part 617.9(b)].***

1 E. Sewage Treatment

2 The FEIS should address the same issues raised in the forgoing section, dealing with the
3 proposed water supply, for the proposed sewage treatment plant.
4

5 **Response:**

6 *The sewage treatment plant has been designed to allow for additional treatment equipment*
7 *to be installed inside of and outside of the building as shown on the site plan and floor*
8 *plan of the proposed building. Determining exactly how much excess capacity and the cost*
9 *to serve additional areas is beyond the purview of SEQRA. There is currently no plan for*
10 *additional use of the sewage treatment facility beyond that which is planned for Park Point*
11 *[6 NYCRR Part 617.9(b)].*
12

13 F. Schools

14 The DEIS fiscal impact analysis assumes that no school services will be required as a direct
15 result of the Park Point project. Consider the impact of the transition of students from current
16 community housing stock to the proposed units from the project and the impact of the
17 potential families moving into the vacated homes in the community. However, the proposed
18 faculty housing units may include families. The FEIS should include a revised fiscal impact
19 analysis that considers the potential for those units to include children who will attend school,
20 and include the impact of reasonably anticipated school services.
21

22 **Response:**

23 *The proposed faculty housing units will not likely house any school aged children,*
24 *therefore any impact on the school district is not anticipated. Furthermore, the Project*
25 *Sponsor has agreed to pay the equivalent full taxes on the faculty units, clubhouse and*
26 *water and sanitary sewer facilities which would more than cover any school costs.*
27

28 G. Farmland Preservation Impact

29 A. The Town of New Paltz Farmland Preservation Plan was accepted in 2011 and will be
30 incorporated in the Town's Comprehensive Plan when it is finalized. The DEIS does not
31 appear to reference the Plan or taken it into account when considering the impact of the

1 project on agricultural resources (pps. 206-216). .

2
3 The FEIS should consider whether the proposed use of the farmland resources on the site
4 is consistent with the goals, objectives and strategies set out in that Plan, and discuss how
5 this project conforms or conflicts with the farmland plan..

6
7 B. The project is located in the Ulster County Agricultural District and includes soils
8 suitable for certain types of farming. In recognition that the Project will convert lands
9 designated as agricultural lands and included in an Ulster County Agricultural District to
10 other purposes, SUNY and the Project Sponsor should consider potential mitigation of
11 that impact.

12
13 One mitigation measure discussed in the DEIS is to consider allowing use of suitable
14 agricultural soils on the site for agricultural use. The FEIS should described more clearly in
15 the FEIS how portions of the project can be used for student farming activities, and where
16 such uses would be practicable, the potential to make suitable land available for community
17 supported agricultural activities.

18
19 Another mitigation opportunity could be provided if SUNY New Paltz and its students
20 support local and municipal initiatives to play an important role in supporting the existing use
21 of agricultural lands in the Town. Exploring the feasibility of developing agricultural support
22 activities on the SUNY campus, in the Town of New Paltz, or Ulster County, in collaboration
23 with Sustainable Agricultural Initiative, the Ulster County Farmland Protection Board and
24 other organizations.

25
26 ***Response:***

27 ***Reference to the Town of New Paltz Farmland Preservation Plan is contained in the***
28 ***Section II.D of the DEIS. This Section describes the project site relative to the agricultural***
29 ***value of the property. The Project Sponsor will provide garden opportunities onsite for***
30 ***residents to utilize.***

1 3. Growth Inducing Impacts

2
3 A. SUNY Enrollment

4 The DEIS states that the project will not result in an increase in SUNY undergraduate
5 enrollment, and the impact analysis appears to have been based on the current SUNY enrollment
6 of 7,200.

7
8 However, the DEIS notes that during the last decade, total SUNY enrollment has fluctuated, at
9 times exceeding 8,000 students, and further notes at various points that housing is needed for
10 transfer and graduate students.

11
12 While the Town Board recognizes that neither Wilmorite nor the SUNY Foundation exercise any
13 control over enrollment, various aspects of the impact analysis reflect the assumption that
14 enrollment will not increase. For example, if total enrollment increases without a corresponding
15 increase in on-campus housing, those students will add to commuter traffic.

16
17 In order to evaluate the potential impact of this project on community services, the EIS
18 should include appropriate documentation by SUNY explaining:

- 19
20 (1) The reasons for fluctuation of the total SUNY enrollment in the past;
21 (2) An explanation of how likely those circumstances are to exist until the project is built
22 out and fully occupied, which we understand is anticipated to be in 2016-2018.
23 (3) An explanation of the projected total student enrollment during that time, and how
24 projected enrollment has been used for campus planning purposes during that time;
25 (4) Any anticipated growth in enrollment for graduate student programs during that time;
26 (5) The commitment of the College and SUNY facility planners to include complete and
27 adequate impact analysis of traffic, community services and other impacts affected by
28 total student enrollment when considering planning annual student enrollment, or
29 proposals to construct proposed College dorms and other facilities on campus, by
30 including such analysis when conducting SEQRA review of such actions, circulating
31 information on such actions to the Town and Village;

1 (6) How SUNY will afford meaningful opportunities for interested agencies and the public
2 to participate in the environmental review of annual enrollment increases and related
3 infrastructure improvements that support increased enrollment;

4 (7) How SUNY will participate in the development and utilization of mitigation measures
5 that can avoid or minimize impacts of increased enrollment. For example, to mitigate
6 the impact of increased enrollment on traffic, SUNY could utilize restrictions on
7 campus parking permits, shifts in the times of classes, participate in the design and
8 installation of traffic improvements that mitigate SUNY-related traffic impacts, provide
9 information to students on transportation alternatives and ensure that campus planning
10 supports and encourages such alternatives.

11
12 ***Response:***

13 ***Several questions from the Town Board focus on past fluctuations of SUNY New Paltz***
14 ***enrollment, on the basis that these somehow suggest a future increase in enrollment. The***
15 ***College has stated that it believes that this focus is misdirected, and instead the Town***
16 ***should recognize:***

- 17
18 ***1) the remarkable stability of the College's enrollment,***
19 ***2) its longstanding and often publicly stated plans not to grow undergraduate***
20 ***enrollments, and***
21 ***3) limits in overall physical capacity (New Paltz ranks highest in its need for additional***
22 ***square footage of classrooms, study space and offices to meet current enrollment***
23 ***levels) that constrain major increases in enrollment even if they were part of the***
24 ***College's plan.***

25
26 ***The Lead Agency concurs with the foregoing based upon the following response, as***
27 ***provided by SUNY New Paltz's President Donald Christian:***

28
29 ***The College's 2011 re-accreditation self-study stated "For the past decade, New Paltz has***
30 ***experienced a sustained period of enrollment stability."*** Fall 2012 student enrollment was
31 ***about 7,800 undergraduate and graduate students, not 7,200 as stated in the Town Board***

1 *comments, and has varied between about 7,600 and just over 8,000 students in the past*
2 *decade. Year-to-year fluctuation of 200-300 students around a long-term average is as*
3 *close to steady state as can be expected at a public institution of this size, in a dynamic and*
4 *unpredictable recruitment environment. Indeed, with some students graduating at the end*
5 *of fall semester and others not returning for the spring semester, enrollment typically*
6 *varies by that much from fall to spring semesters.*

7
8 *A no-growth enrollment objective was formally adopted in the College's Strategic Plan of*
9 *1999, and reinforced in the Memorandum of Understanding of 2000 (MOU I) and MOU II*
10 *in 2006 between the College and SUNY system. MOU II stated "For the future, SUNY*
11 *New Paltz is committed to maintaining current enrollments while continuing to enhance*
12 *student quality." This principle has been emphasized in all subsequent planning by the*
13 *College, as noted by President Christian in his 1/4/2013 letter to the Town Planning*
14 *Board. SUNY leadership has been supportive of this planning principle. For many years,*
15 *the College has accepted less than half of the applicants for undergraduate admission. If*
16 *it intended to grow its undergraduate enrollment, it would have had ample opportunity to*
17 *do so in recent years.*

18
19 *As President Christian wrote in his 1/4/2013 letter, the College has capacity to increase its*
20 *graduate enrollment. But any growth would be to recover enrollment losses of the past*
21 *decade, from 1,832 total graduate students in fall 2002 to 1,071 in fall 2012 -- not to grow*
22 *to high levels that the College and community have never seen. Almost all of that loss has*
23 *been in part-time students. The College's plans to replace those losses focus heavily on*
24 *online and "hybrid" (combined online and face-to-face) instruction, which would result in,*
25 *at most, slight increases in on-campus student presence and travel to and from the*
26 *campus. Full-time graduate student enrollment during this period has been very stable*
27 *(525 in fall 2002, 540 in fall 2012, ranging during the past 7 years from 519 to 549).*
28 *These are the students who are most likely to be interested in apartment-style housing near*
29 *the campus, and none of the College's planning projects large increases in their numbers.*
30 *As noted in the President's letter, graduate students are not the primary target population*

1 *of the Park Point project, even though resident graduate students would surely benefit*
2 *from this housing option.*

3
4 *On a per student, basis, the College has the fewest residence hall beds and the smallest*
5 *square footage of residence hall space of any SUNY comprehensive college. New Paltz*
6 *also is among a small minority of SUNY baccalaureate campuses that do not also have on-*
7 *campus or affiliated, adjacent apartment-style student housing. The College is planning*
8 *to increase student housing capacity by constructing a 225-bed residence hall, pending*
9 *state authorization. But this initiative would only reduce, not eliminate, the gap between*
10 *the housing standard at New Paltz and that enjoyed by students at other SUNY campuses.*
11 *It would not create capacity for the College to increase its enrollment. And the same can*
12 *be said for the impact of Park Point.*

13
14 *For reasons well beyond limited student housing, the College would be hard-pressed to*
15 *support increased undergraduate enrollment if its plans were to grow rather than sustain*
16 *current enrollment levels. SUNY New Paltz has the smallest non-residential (e.g.,*
17 *academic, academic-support, administrative, etc.) space per student of any SUNY*
18 *comprehensive campus. The College would need more space merely to support current*
19 *numbers of students at a standard that students at other SUNY campuses experience – and*
20 *that will remain the case even when the new science building is completed. The College*
21 *does not and will not in the foreseeable future have the space to support more students,*
22 *without sacrificing the standard of excellence for which the College has become known.*
23 *This constraint extends to other factors, such as numbers of faculty, support staff, and*
24 *mental health counselors, library capacity, athletic and wellness facilities, food service*
25 *capacity, and administrative support.*

26
27 *The Town Board is concerned that the College will stress the capacity of the Town by*
28 *increases in enrollment when, in reality, the College is investing resources and serious*
29 *attention to avoid decreases in the number and caliber of incoming students -- to sustain*
30 *current enrollments. A February 6, 2013 Chronicle of Higher Education article was*
31 *entitled “Colleges in Northeast Face Grimmer Future, Analysis Predicts.” That article*

1 *highlighted the imperative that colleges adapt to demographic and economic changes “to*
2 *avoid closure or consolidation.” Major external drivers include dramatic decreases in*
3 *numbers of high school graduates (in New York and across the Northeast) through 2028;*
4 *continuing constraints in state taxpayer support; lingering impacts of the recession on the*
5 *ability of students and families to pay for education; and increasing competition with other*
6 *educational delivery systems (e.g., online). Several SUNY community colleges have built*
7 *or are planning residence halls, to accommodate students they are trying to recruit from*
8 *beyond their traditional service areas – merely to maintain their current enrollment*
9 *numbers. Many of the state’s 2- and 4-year institutions are increasing their student*
10 *recruitment efforts in the Hudson Valley, New York City metro area, and Long Island –*
11 *areas where New Paltz has traditionally drawn most of its students. This year, some SUNY*
12 *campuses have seen drops in number of applications for first-year admission of as much*
13 *as 8%.*

14
15 *Thus, statewide and regional competition for undergraduate students is very real, and will*
16 *only grow in intensity in the coming years. Campuses like New Paltz are taking every*
17 *measure to sustain undergraduate enrollments at levels of current capacity. Expanded*
18 *housing via the Park Point project is critical for remaining competitive in a competitive*
19 *environment, not a step to increase capacity to allow enrollment growth.*

20 *Enrollment management and student recruitment are strategic areas for every college and*
21 *university, requiring diverse and specialized expertise, careful analysis, and considerable*
22 *investment of financial and personnel resources; and attention to volatility in external*
23 *factors noted above. At SUNY New Paltz, this work is undertaken to fulfill its mission as a*
24 *public institution to provide high-quality educational opportunities for New York citizens.*
25 *Like other SUNY campuses, New Paltz submits enrollment plans and projections annually*
26 *for review and approval by SUNY system. The College’s enrollment plans are responsive*
27 *to directions and priorities established by the SUNY Chancellor and the governing bodies*
28 *of the Board of Trustees and the College Council.*

29
30 B. The draft comprehensive plan, while not yet adopted by the town, shows this area as
31 “University Growth”. The intention of the Town was to have mixed commercial and residential

1 use throughout this growth area. As proposed, this project does not provide the recommended
2 commercial component.

3

4 ***Response:***

5 ***There is no requirement at law for the Park Point project to provide for commercial***
6 ***components, and the draft Comprehensive Plan has not been adopted and incorporated into***
7 ***the zoning law of the Town of New Paltz.***

8

9 Given the probability that the Town may will eventually update its comprehensive plan before
10 the project has been completed, and approval of the project could affect the development of such
11 uses on property in the vicinity of the project, the FEIS should evaluate the consistency of the
12 proposed project with the University Growth concept, and opportunities for the Town to plan for
13 and encourage significant commercial uses and work force housing on those undeveloped lands
14 that are considered in the draft Comprehensive Plan for designation as the “University Growth”
15 area, and the potential for such uses to increase the tax base of the Town.

16

17 The FEIS discussion should include an evaluation of how the proposed water and sewer facilities
18 could allow commercial uses and work force housing on undeveloped areas designated in the
19 draft plan for such uses. The FEIS should also include discussion of the ability of those facilities
20 to provide water and sewer service to the undeveloped lands along South Putt Corners Road, any
21 growth inducing aspects of such facilities and the fiscal benefit of facilitating the development of
22 rateables in these areas.

23

24 ***Response:***

25 ***For the reasons articulated at length within this FEIS, such speculative environmental***
26 ***consequences for non-existent projects are outside of the SEQRA review for the project.***
27 ***Moreover, these other lands are not under the control of the Project Sponsor and under***
28 ***SEQRA such lands, and hypothetical uses do not require analysis [6 NYCRR Part***
29 ***617.9(b)(5)(v)(g)].***

30

31

1 C. The FEIS should discuss how the College and SUNY facility planners will provide complete
2 and adequate impact analysis of traffic, community services and other impacts affected by total
3 student enrollment when considering planning annual student enrollment, or proposals to
4 construct proposed College dorms and other facilities on campus, by including such analysis
5 when conducting SEQRA review of such actions, circulating information on such actions to the
6 Town and Village, and ensuring meaningful opportunities are provided to interested agencies
7 and the public to participate in the environmental review of annual enrollment increases and
8 related infrastructure improvements that support increased enrollment.

9
10 ***Response:***

11 ***The following response was provided by SUNY New Paltz's President Donald Christian:***

12
13 ***Like several other concerns raised by the Town Board, this paragraph is predicated on the***
14 ***assumption that the College intends to grow its enrollment. That is not the case.***

15 ***Longstanding practice has been for SUNY New Paltz, along with the Dormitory Authority of***
16 ***the State of New York and the State University Construction Fund, to consult with the Town***
17 ***and Village on its planned construction and major renovation projects. That practice will***
18 ***continue, even though not required by law. Accordingly, based upon the record, the Lead***
19 ***Agency finds no evidence of record that the College intends to grow its enrollment.***

20
21 **4. Traffic Impacts**

22 As noted above, the Park Point traffic study assumes student enrollment will continue at current
23 levels. While the Project Sponsors do not exercise any control over SUNY enrollment, various
24 aspects of the impact analysis state and rely on the stated assumption that SUNY undergraduate
25 enrollment will not increase.

26
27 Enrollment has fluctuated over time, and the DEIS suggests that graduate and transfer enrollment
28 may increase.

29
30 To ensure that potential traffic impacts related to increased enrollment can be mitigated to the
31 extent possible, the EIS should evaluate the sensitivity of the existing and future traffic

1 conditions in the study area to increased levels of undergraduate and student enrollment.

2

3 The FEIS should clearly state the assumptions used in the traffic study that enrollment will not
4 increase, and that student residents at Park Point will be taken from the existing commuter traffic
5 on the road network.

6

7 The Park Point Project is anticipated to be phased, and thus will take place over a number of
8 years. If the overall student enrollment increases during the construction of Park Point project
9 beyond the enrollment level assumed in the traffic study, without a corresponding increase in on-
10 campus housing, those students will live off campus and add to baseline traffic on the road
11 network. The Park Point traffic may then contribute to impacts not evaluated in the DEIS traffic
12 study. On the other hand, an increase in students residing on campus would require additional
13 community services.

14

15 The FEIS should propose and evaluate mitigation measures to assess potential impacts of
16 increased enrollment, particularly on traffic and community services. For example, the DEIS
17 notes that graduate students are more likely to be commuters. A significant increase in graduate
18 student enrollment prior to the second phase of the project may increase traffic on the road
19 network such that it offsets any decrease in traffic that resulted from the project bringing
20 commuting undergraduate students to the project.

21 The potential impact of an increase in SUNY enrollment can be evaluated by updating
22 appropriate analyses in the EIS when enrollment exceeds the assumed enrollment studied in the
23 DEIS by more than 5%.

24

25 This mitigation measure would allow SUNY to participate in the development and utilization of
26 mitigation measures that can avoid or minimize impacts of increased enrollment.

27

28 For example, to mitigate the impact of increased enrollment on traffic, SUNY could utilize
29 restrictions on campus parking permits, shifts in the times of classes, participate in the design and
30 installation of traffic improvements that mitigate SUNY-related traffic impacts, provide
31 information to students on transportation alternatives and ensure that campus planning supports

1 and encourages such alternatives.

2

3 Evaluation of the potential impacts of increased enrollment on traffic may be mitigated by an
4 agreement on the part of SUNY New Paltz and the Project Sponsors that acknowledges the Park
5 Point traffic study is based on existing student enrollment levels, and that in the event that SUNY
6 anticipates increasing overall enrollment of students prior to completion of the Park Point
7 project, the traffic study must be updated after the completion of each phase of construction and
8 prior to the start of the second phase of construction, to reflect the actual level of traffic on the
9 local traffic network and the consistency of the trip distribution with the distribution anticipated
10 by the DEIS traffic study.

11

12 Other mitigation measures that should be considered in the FEIS are:

13

14 A. Provision acceptable to the lead agency should be made for any mitigation required to
15 address any significant traffic impacts identified by the updated study, including
16 upgraded signal controls or design at the intersections on Route 32, especially at the intersection
17 with Route 299.

18

19 B. It should be a condition of approval that in the event mitigation is identified and required to
20 address any significant traffic impacts identified by the updated study, that SUNY and the
21 Project Sponsors agree to pay their fair share of the costs of such mitigation as may be necessary
22 to avoid or minimize traffic impacts associated with the Project or increased enrollment, as
23 determined by the lead agency, prior to the completion of the second phase of construction at the
24 project.

25

26 C. The Park Point traffic study presumes that traffic impacts will be mitigated by allowing
27 students currently living off-campus to move to the Project, removing vehicles from the traffic
28 network. The traffic study further presumes that a significant proportion of the reduction will be
29 trips originating to the north of the Village. SUNY and Wilmorite shall coordinate the marketing
30 of rental opportunities so as to accord preference to those students currently living off-campus,
31 consistent with the presumptions of the traffic study, and provide an annual report to the Town of

1 overall SUNY students living off campus.

2

3 ***Response:***

4 ***The above analysis and discussion of enrollment answers most of the foregoing questions.***

5 ***(Also see Traffic Impact Analysis located in DEIS Appendix O and FEIS Appendix H.)***

6

7 ***Park Point will help address the College’s need for more student housing in two primary ways.***

8 ***Students who now commute to and from the College will have an additional housing option***
9 ***adjacent to campus, eliminating the need for regular travel by vehicle or public transportation***

10 ***to and from campus. Another way that Park Point will create new housing options for these***
11 ***students is as follows: many students now re-contract to remain in the residence halls through***

12 ***their junior and even senior years, in part because of their and/or their parents’ judgment***
13 ***about the comparative value of current off-campus rental options. This high rate of re-***

14 ***contracting has reduced residence hall vacancies, a primary reason that the College has not***
15 ***been able to provide on-campus housing for transfer students for most of the past six years.***

16 ***By creating an attractive option for more students to “graduate” from the residence halls to***
17 ***apartment-style living, Park Point will have the effect of opening up space in the residence***

18 ***halls for transfer students – many of whom actively seek that residential experience. Thus,***

19 ***both directly and indirectly, Park Point will create housing opportunities for students currently***
20 ***living off-campus. Wilmorite will market the Park Point housing options, and the College will***

21 ***ensure that prospective transfer students are aware of the variety of on- and off-campus***

22 ***housing options available to them.***

23

24 ***The Town Board is requesting that the College and Wilmorite “provide an annual report to***

25 ***the Town of overall SUNY students living off campus.” This request is beyond the purview of***

26 ***SEQR.***

27

28 **5. Open Space and Habitat Conservation**

29 The FEIS should describe how areas of the project with open space or habitat value will be

30 maintained by the property owner and the project operator, including wetlands and habitat areas

31 identified by the Town’s wetland consultant, and protected against disturbance.

1 The FEIS should identify legally enforceable means to ensure that those open space and habitat
2 areas will be protected from future development. Historical legal protection is available through
3 conservation easements. The Town recognizes that the underlying property owner is separate
4 and distant from the owner and separate from the project. The Project Sponsor should address
5 how it can remove any impediment to getting a protective restrictive covenant or conservation
6 easement from the Foundation on identified lands to be kept as open space.

7
8 Unless the Project Sponsor and owner provide suitable assurances that those areas will not be
9 disturbed by future development activities, the FEIS should evaluate the potential for such
10 activities to adversely impact the environmentally significant values of those areas, and
11 determine whether suitable mitigation measures are available to avoid, minimize or mitigate such
12 impacts.

13
14 ***Response:***

15 ***Nearly all open space lands are included in designated (passive and active) recreation areas,***
16 ***setback, wetlands or wetland buffer areas. The use of the open space areas are restricted to***
17 ***recreation uses by setbacks, site plan approvals and/or restricted from alteration by the***
18 ***Federal Wetland Regulations. Any alteration of the wetland not approved with this initial***
19 ***permit would require evaluation and issuance of a wetland permit by the USACOE, and any***
20 ***changes to the use of the recreation areas would require discretionary site plan review and***
21 ***approval by the Planning Board. As such, any change in use of the open space areas would***
22 ***require specific approvals and SEQRA review by the Town of New Paltz Planning Board and***
23 ***other agencies. Therefore, the Lead Agency believes the goal of preserving the recreation***
24 ***areas as recreation areas and wetlands, and wetland buffers as unaltered natural areas is***
25 ***sustained without the use of additional deed restrictions, covenants or easements. See also, a***
26 ***letter from Bond, Schoeneck & King, PLLC to the Town Planning Board, which describes the***
27 ***potential legal issues that would be created for the SUNY New Paltz Foundation in conveying***
28 ***property rights for no consideration. This letter is Exhibit III-10A within the DEIS.***

29
30 6. Energy Conservation

31 The FEIS should describe the specific energy conservation measures that will be incorporated in

1 the project, the overall benefit of such measures in terms of reducing the energy use of the
2 project and its impact on the environmental values set forth in the Sustainable Communities
3 policy, and such measures should be incorporated as conditions of any approval.

4
5 Where the financial feasibility of proposed actions has not been established, the Project Sponsor
6 should commit to taking such action on stated terms, and fully describe the procedure that the
7 Project Sponsor will utilize to establish the financial feasibility of such measures.

8
9 The FEIS should include documentation that the Project Sponsor has identified and considered
10 available NYSERDA programs that may enhance the feasibility of such actions, and the Project
11 Sponsor should commit to participating in such programs.

12
13 The FEIS should consider the feasibility of using parking areas and buildings to locate solar
14 energy equipment.

15
16 ***Response:***

17 ***Designing thermal envelope performance that first meets all NYS Energy Conservation Code***
18 ***2010 requirements, then improving the design and performance levels using the National***
19 ***Green Building Standard (NGBS), its Energy Efficiency and Indoor Air Quality Practice***
20 ***Chapters, and ENERGY STAR Version 3.5, will reduce heating and cooling needs in all***
21 ***apartment units. Efficiently sizing the HVAC equipment coupled with proper design,***
22 ***installation and commissioning will further minimize fuel consumption.***

23
24 ***The primary consideration for HVAC is to maximize the thermal envelope performance of all***
25 ***buildings with proper insulation and air-sealing. Focusing on lowering HVAC loads in each***
26 ***dwelling unit, the equipment can be properly matched to the loads. This will eliminate over-***
27 ***sizing and minimize energy consumption regardless of the fuel source. The project is***
28 ***committed to using widely-accepted industry practice manuals to ensure code compliant***
29 ***HVAC equipment sizing and distribution duct installation such as: estimating heating and***
30 ***cooling loads that will be needed (ACCA Manual J); determining the proper sizing on the***

1 *equipment to limit HVAC equipment from being oversized and resulting in excess energy use*
2 *(ACCA Manual S); and the proper duct system sizing (ACCA Manual D).*

3
4 *All of the above will reduce fossil fuel requirements and global warming even if 100% of the*
5 *HVAC and other energy requirements are supplied by the utility-Central Hudson Gas and*
6 *Electric. Smart, efficient design simply reduces the overall fuel requirement.*

7
8 *Installation of high efficiency lighting (inside and outside) and high efficiency appliances, i.e.*
9 *ENERGY STAR appliances, will reduce energy demand. The project is committed to using*
10 *such lighting and appliances in all apartments. This should result in at least 800 kwh lower*
11 *electric use compared to less efficient equipment.*

12
13 *The following lighting practices will be designed and installed. The NGBS and ENERGY*
14 *STAR program provide incentives and, in some cases, mandates for use of these techniques,*
15 *practices and equipment and help reduce energy consumption: High performance lighting*
16 *systems using LED lamps in the parking areas; use of ES-qualified compact CFL or LED*
17 *bulbs, lamps and hard-wired fixtures to meet program requirements; if final design calls for*
18 *recessed lighting they will be minimized and will have necessary sealants, caulking and*
19 *gaskets to tightly seal those penetrations; installing occupancy sensors in at least public access*
20 *areas of all buildings; and design and final building siting will utilize wherever practical*
21 *natural daylight to capture some passive solar benefits.*

22
23 *Once the above approaches are adopted, all fuel consumption will be reduced significantly;*
24 *estimated to be a minimum 15-20% for heating and cooling annually with increased occupant*
25 *comfort, and as much as 30-50% cost reduction for lighting if 100% LED lighting is used.*
26 *Something less in savings will occur if CFL bulbs/lamps and hard-wired ES fixtures are used.*
27 *Either option will reduce maintenance and operating costs because of less frequent lamp or*
28 *bulb replacement.*

1 *High efficiency windows will be used in accordance with NGBS and ENERGY STAR, which*
2 *both provide fenestration rates (measured in U-Factor for climate zones) well beyond energy*
3 *codes.*

4
5 *The insulation standard under NGBS and Energy Star is achieved by using care and work*
6 *quality in the installation. Attention to details during installation and related sealing,*
7 *caulking, gasketing any penetrations to unconditioned spaces or insulation gaps are*
8 *hallmarks/requirements of the NGBS. The project will exceed the energy code fenestration*
9 *and insulation requirements to meet NGBS and Energy Star.*

10
11 *In summary, the Project Sponsor is committed to achieve the NGBS Silver level (equivalent to*
12 *LEED Silver pursuant to findings of NYSERDA and the independent study in Cincinnati) and*
13 *also ENERGY STAR version 3.0. The Project Sponsor will implement recommendations*
14 *associated with energy consumption with anticipated savings of at least 15% better than*
15 *energy code; high efficiency (correctly-sized) HVAC system design and installation; duct*
16 *systems with maximum air sealing and balanced air flow; high energy saving insulation*
17 *techniques/materials; extremely tight building envelope balanced with adequate ventilation to*
18 *mitigate moisture problems from developing; minimizing gaps in floors, foundations, walls,*
19 *ceilings, attics, recessed lighting and vents; high performance (low U-factor) windows and*
20 *doors with windows; high efficiency fans, lighting fixtures, bulbs and appliances; water*
21 *heating systems that are energy and water usage efficient; use of timers and occupancy*
22 *sensors; pipe insulations above code; use of passive solar considerations in building and site*
23 *lay-out.*

24 25 **NYSERDA FUNDING ASSISTANCE FOR NGBS AND ENERGY STAR**

26 *The project has identified all possible incentives and funding assistance available under state*
27 *and federal initiatives. Under ENERGY STAR, the Project Sponsor is committed to qualifying*
28 *for and becoming partners with the EPA and NYSERDA under that program. Such*
29 *partnerships will allow the Project Sponsor to receive significant funding assistance to help*
30 *offset significant soft and hard costs to meet the ES and NGBS program requirements. If the*
31 *apartment buildings receive ES certification \$1,250 per apartment can be obtained, plus a*

1 *possible additional incentive of \$750 for every tenth apartment under the NYSEERDA Model*
2 *Home Incentive requiring substantial marketing of ES lighting, appliances and other*
3 *equipment and keeping the model vacant and open for a designated time period. The Project*
4 *Sponsor is also exploring the NYSEERDA Cooperative Advertising Matching Funds that*
5 *provide a 50% NYSEERDA match up to \$50,000 per calendar year after meeting very rigorous*
6 *advertising specifications that require major promotion of the ENERGY STAR brand.*

7
8 *There is a state green building incentive law that provides significant cash incentives (Green*
9 *Residential Building Program-GRBP) for single family and apartment buildings with up to 11*
10 *apartments on a sliding scale. Unfortunately, the funding source for this NYSEERDA program*
11 *has dried up and the law sunsets on November 1, 2013 unless extended or made permanent.*
12 *The Project Sponsor's effort to meet the Silver level NGBS standard would have made them*
13 *eligible for this program if funding was available and the law was extended.*

14
15 7. Access

16 A. The FEIS should include written commitment from SUNY demonstrating that the tenants at
17 Park Point will have legal access to the campus through the direct connection, and that the
18 Project Sponsor and/or SUNY will construct all necessary improvements between the SUNY
19 campus and project to provide such access, including measures to encourage and facilitate
20 pedestrian and bicycle access. The Project Sponsor describe how access improvements on the
21 lands of the project including the roads, sidewalks and parking, will be maintained and
22 coordinated with connecting infrastructure on the SUNY property, including required services
23 such as road clearing, maintenance of surfaces, lighting, drainage , traffic control and directional
24 signage, establishment and enforcement of traffic regulations, including speed limits, fire zones
25 and no parking zones along project roadways, and any other related services.

26
27 B. The FEIS should describe how safe and adequate pedestrian access to the campus will be
28 provided and how it will be coordinated with the master plan for the SUNY campus. The plan
29 should include construction of a sidewalk on the campus along the west side of Route 32 to
30 connect with the sidewalk proposed by the Project Sponsors on the Park Point property.

1 C. The FEIS should describe measures that will be taken by SUNY and the Project Sponsor to
2 ensure that LOOP service between the Project, the campus and destinations in the Village is
3 available and reasonably adequate to provide transportation alternatives to residents of the
4 Project.

5
6 D. The FEIS should consider how the proposed active reaction areas will be established and
7 maintained to provide recreational opportunities to students and what recreational demands will
8 be made on Town facilities.

9
10 ***Response:***

11 ***In his letter to the Town Planning Board, President Christian spelled out the College's***
12 ***commitment to design "an attractive, well-lighted pathway that will encourage pedestrian***
13 ***travel and be consistent with our Campus Master Plan." He also wrote about the intention to***
14 ***design a connection that "will likely be used mostly by emergency vehicles, and by the LOOP***
15 ***bus if that is an advantageous route." President Christian also stated at the January 14, 2013***
16 ***public hearing that the College would commit to constructing a sidewalk on campus property***
17 ***on the west side of Highway 32 between Southside Loop and the southern border of campus.***

18
19 ***The proposed access is shown on Exhibits FII-10, F.z., and maintenance of the access will be***
20 ***by SUNY New Paltz and Wilmorite on the respective properties. UCAT has committed to***
21 ***provide a loop through the project (Appendix L of the FEIS).***

22
23 ***The proposed active recreation areas will be constructed as shown on the plans and will be***
24 ***maintained by on-site maintenance personnel. The residents will also have access to the***
25 ***extensive campus recreation facilities. Therefore, recreational demands on town facilities will***
26 ***be minimal.***

27
28 **SECTION U - J.G. BARBOUR G.P.S. BASED NATURAL RESOURCES INVENTORY**
29 **OF THE PARK POINT DEVELOPMENT SITE REPORT 11/13/12 COMMENTS**

30
31 In review and assessment of the report, drafted by the Town's Wetland Consultant (attached
32 hereto as Appendix E of the FEIS), we offer the following responses and comments:

1 **Overall Existing Conditions**

2 *The Park Point New Paltz site is generally made up of an abandoned apple and pear orchard*
3 *with a number of invasive / noxious species inhabiting the site. Areas of the site not utilized as*
4 *orchard contain wetlands, a maple forest area, two open water ponds used for irrigation*
5 *purposes, a few intermittent stream corridors, and a still active pear orchard in the northern*
6 *portion of the site. A full environmental assessment of the site was completed by North*
7 *County Ecological Services and can be found in Appendix B of the DEIS document. The*
8 *domination of the developable areas of the site with a low diversity of plant life and invasive /*
9 *noxious species such as Poison Ivy, Tartarian Honeysuckle and Goldenrod species, render the*
10 *site as relatively low / poor quality. The dominant species offer a fairly low wildlife habitat*
11 *value and are of little significance to the overall value of the surrounding lands.*

12
13 **Environmental Intent**

14 *The two significant habitats located and identified within the aforementioned report, the*
15 *mixed grove of small to medium sized trees along the northern drainage channel of the*
16 *existing irrigation pond(s) and the shale shrub-grassland found between the two irrigation*
17 *ponds will be, to the greatest extent practicable, retained, preserved and / or enhanced per the*
18 *recommendation within the report.*

19
20 *The northern drainage corridor has been retained and will be further enhanced with the*
21 *introduction of native grassland and meadow species, native woody shrub plantings, and*
22 *native deciduous and evergreen tree plantings on the site. The Red Cedar / Little Bluestem*
23 *shrubland on the north central shale ridge will be preserved and enhanced with the thinning*
24 *of, or transplanting of, the Juniperus Virginiana (Red Cedar) species. Areas immediately*
25 *surrounding the shrubland will be created and planted with a native wildflower and grass seed*
26 *mix to create more pollinator habitats on the site. The mix will contain native wildflowers and*
27 *grass species such as Little Bluestem, Sideoats Gramma, Virginia Wildrye and Indiangrass, as*
28 *well as Black-eyed Susan's, White Beardtongue, Common Milkweed, Wild Bergamont, Ohio*
29 *Spiderwort, Aster species, Sunflower and Coneflower species, to name a few. The overall*
30 *intent is to establish additional high quality diverse habitats that do not exist on the site today,*
31 *and provide for butterfly and pollinator habitats on the site.*

1 *The seed mix is developed by Ernest Seeds (seed mix “Showy Northeast Native Wildflower and*
2 *Grass mix ERNMX-153).*

3 *Sideoats Grama (Bouteloua curtipendula) is recommended as a suitable plant for reclaimed*
4 *mine lands by the NYSDEC. It is also recommended within a mix for their New York*
5 *Standards and Specifications for Erosion Control. We will notify the NYSDEC of this plant*
6 *within our proposed mix.*

7

8 *Cedar Shrubland*

9 *As stated previously, the shrubland area will be preserved and maintained to provide this*
10 *significant habitat on the site. Thinning, by the removal of some of the species that may*
11 *exhibit decline in health, damage or plant over-crowding, and selective transplanting of*
12 *suitable healthy juniperus species will be completed to maintain a balance of open and closed*
13 *spaces within the area. The transplanting of a number of the plants is being proposed to*
14 *establish additional concentrations of the species within different areas of the site. These*
15 *areas have been preliminarily identified on the final landscaping plan prepared for the project.*

16 *Testing, including soil suitability and pH testing will be completed prior to transplanting*
17 *materials to ascertain existing conditions and suitability of the proposed location for*
18 *establishment of the species. Plant materials that have been selected to be removed and/ or*
19 *transplanted will be flagged on the site prior to any alteration of the landscape, and reviewed*
20 *between the applicant and certified nursery professional completing the work. Per the DEIS*
21 *scoping outline, the applicant will not be conducting any additional scientific studies or*
22 *complete any additional scientific monitoring beyond what has been agreed to by the applicant*
23 *and the municipality. The thinning and transplanting operations will be overseen on the site*
24 *by qualified nursery professionals selected by the applicant for this project and will be*
25 *conducted per the most recent standards of the industry. The Lead Agency determined that*
26 *the Project Sponsor will monitor the landscape plan for a period of three years to help further*
27 *develop and execute a maintenance plan for preservation and establishment of significant and*
28 *high quality habitats on the site. Monitoring will include the assessment of the health of*
29 *existing and proposed plantings on the site, as well as the monitoring of invasive species*
30 *within any of the created habitats. The maintenance plan will react to the findings of the*

1 *monitoring program and will be designed to promote the establishment of the desired species*
2 *on the site, and the investigation of the removal of unwanted noxious weed and potential*
3 *invasive species. If an invasive species is identified on the site and consideration for removal*
4 *is warranted, the applicant will work with his selected nursery professional(s) to develop an*
5 *IPM program that will further define the methodology for removal of the unwanted species*
6 *and encourage the establishment of a more native plant palette.*

7 8 *Existing Ponds*

9 *As identified within the report, access to the two existing ponds and through the area has been*
10 *designed to lessen any impact on the more sensitive zones of this ecosystem. A scenic viewing*
11 *area has been proposed at the southern end of the western pond to take advantage of the*
12 *current vista. The proposed walkways through the area will promote the viewing of wildlife*
13 *and provide vantage points for this purpose. Planting in the surrounding areas have been*
14 *proposed to promote the attraction of pollinator species, insects and butterflies, and songbird*
15 *species. Marginal areas of the ponds will be maintained and may in the future be enhanced*
16 *by planting materials favorable to amphibians and reptiles.*

17 18 *Apple Orchard*

19 *Although the abandoned apple orchard is populated by diseased and dead apple trees, high*
20 *quality non-apple trees and shrubs within the apple orchard will be assessed for quality of*
21 *species, health and disease / pathogen issues. Healthy, young apple trees will be considered*
22 *for transplanting along the fringes of the site to provide additional wildlife value in the form*
23 *of food and nesting. Trees up to 15 cm (+6") of DBH will be considered for transplanting to*
24 *other areas of the site, most notably, to areas that are to remain undisturbed and undeveloped.*
25 *A number of native species shrub and tree plantings will be completed over the entire site to*
26 *help re-establish desirable plant and animal habitats. Plants to be established will include*
27 *native tree species such as Oak, Maple, Fir, Spruce, Tuliptree, and Birch. Additional non-*
28 *native, or adaptive species, such as Fir, Spruce and Pine will also be proposed to increase*
29 *diversity of plant communities within the site. Shrub plantings will include native Dogwood,*
30 *Chokeberry, Sweetshrub, Clethra, Witch-Hazel and Highbush Blueberry. Grasses and*
31 *perennials will be selected and utilized throughout the site to establish grasslands, meadow*

1 *areas, marginal wetland habitats, and steep slope vegetation for the control of erosion and*
2 *sedimentation.*

3
4 **Wetland Enhancements**

5 *Enhancements to the existing wetland buffer areas on the site have been depicted on the final*
6 *landscape plans (Appendix R of the FEIS) for the proposed development. Enhancements will*
7 *include the planting of native trees, shrubs, and herbaceous materials to introduce greater*
8 *variety of diversity within the ecological system. For further information, please see the*
9 *Landscape Plan within Appendix “R” which shows selected plant species of the region which*
10 *will be best suited for the site. The creation of the stormwater management areas will provide*
11 *the opportunity to create additional open water, shallow marsh and wetland meadows within*
12 *the site. Additionally, to provide habitat for amphibians and reptiles, vernal pools will be*
13 *created on the site. These areas will be created with suitable onsite materials and be*
14 *positioned to provide the greatest benefit for spawning of the inhabitants locating them*
15 *relatively close to protected wetland areas. The vernal pools have been depicted on the final*
16 *landscape plans which are located in Appendix R of the FEIS.*

17
18 **II. UNAVOIDABLE ENVIRONMENTAL IMPACTS (No Comments in this Section)**

19
20 **III. ALTERNATIVES**

21
22 *a. Alternatives*

23
24 Curt Lavalla (27)(B-18)

25 A full discussion of 'Alternative E' would also mitigate project construction costs, and enhance
26 project affordability, through the elimination of redundant recreational facilities.

27
28 Emily Sullivan (A-89)

29 Expressed concern that the clubhouse is unnecessary as there is existing facilities on campus and
30 it will use energy and space. Consider building 6 story buildings instead of 3 story buildings.

1 **Response:**

2 ***Alternative Plan “E”, as is the case with all of the Alternatives, was carefully considered***
3 ***during the design of the overall site. It was the preference of the Lead Agency that the Project***
4 ***Sponsor create a more typical village residential atmosphere with the least disruption to the***
5 ***environment, and not force a particular building design that would not fit the site and would***
6 ***not meet the Project Sponsor's desired aesthetic. Alternative “E” included 3-story dormitory***
7 ***style buildings, which would have created additional stormwater runoff and more of an***
8 ***institutional look to the project as opposed to the “row style” village like housing, which is***
9 ***being captured with the proposed plan. The overall mass of the dorm style buildings, along***
10 ***with the large asphalt paved parking lots, would have also created a more undesirable visual***
11 ***impact on the immediate neighborhood, as well as the general view sheds in the vicinity of the***
12 ***project site. Furthermore, this building type would not meet the market demand of the***
13 ***apartment style units that are being proposed.***

14
15 ***Alternative Plan “E” would have also required further encroachment into the wooded area***
16 ***located on the west side of the property, and an increase in impervious surface to meet the***
17 ***parking requirements in the current Town code, and/or to access the buildings in this area.***

18
19 ***Section V. of the DEIS also considered plans that included four and 5- story buildings. These***
20 ***alternatives did not meet the needs of the Project Sponsor and would have had a more***
21 ***significant impact on the environment including increased visual impacts, change of***
22 ***character of the community, additional loss of wooded habitat, greater impervious parking***
23 ***areas, and not in keeping with the desired neighborhood character the Lead Agency, Project***
24 ***Sponsor and SUNY New Paltz desire. (Also see Exhibit II-6 of the DEIS)***

25
26 ***The Park Point clubhouse will be available for residents and their guests. This facility will***
27 ***serve as an alternative meeting place to the available campus facilities and will be open to the***
28 ***residents year round, not just during the school year. The clubhouse can serve the resident's***
29 ***needs when some of the campus recreational and other facilities may not be readily available.***
30 ***This facility will provide recreational uses that are commonly offered in other apartment style***
31 ***residential developments, and are being offered as an amenity to the prospective tenants of this***

1 *community. The recreational uses include, tennis, bocce and volleyball courts, pool, fitness*
2 *equipment as well as picnic/grill areas.*

3

4 *The clubhouse will also provide space for the rental and marketing office, onsite security, as*
5 *well as some mechanical space for the water system; these services will be active on a year*
6 *round basis.*

7

8 Fred Bunt (59)

9 The proposed Park Point development requires 3 variances purportedly to make the development
10 more environmentally friendly. I would like to see a proposal that meets code and if this code-
11 compliant development could still be of the same magnitude (bedroom count wise) without the
12 variances in place?

13

14 ***Response:***

15 *Section V. Alternative within the DEIS provides a “code compliant” site plan, which*
16 *demonstrates that the proposed plan is more environmentally friendly. This was one of the*
17 *first alternatives the Lead Agency examined and it would have greatly impacted the wooded*
18 *areas and resulted in an extensive project footprint. The reduction in height of the buildings*
19 *(5 feet) and closer building separation instances are not significant in light of the benefits to*
20 *preserving the wooded areas, reducing impervious surfaces, and the improved visual effects of*
21 *the preferred alternative.*