



MEMORANDUM

TO: Michael Specht, Supervisor
Town Board Members, Town of Ramapo

FROM: Jonathan Lockman, AICP, Principal Environmental Planner
On Behalf of ROSA 4 Rockland, Inc.

SUBJECT: Comments on Draft Scoping Document for Harriman Meadows

DATE: November 13, 2023

We appreciate the opportunity to provide input to the Town Board on the Draft Scoping Document for the SEIS for the proposed Harriman Meadows project, on behalf of ROSA 4 Rockland Inc. (“ROSA”). ROSA’s mission is environmental advocacy which includes advocating for compliance with the procedural and substantive requirements of the SEQRA process, and promoting transparent and substantive involvement with existing residents who will be impacted by large scale development projects.

Items Reviewed

- Town Board Resolution No. 2023-326 adopting SEQR Positive Declaration, dated 9/20/2023.
- Petition of PF RE Holdings, LLC, to the Town of Ramapo Town Board, for an Amendment to the Zoning Law and Zoning Map, dated March 7, 2022, signed by Daryl Hagler, Member.
- Schedule C, Proposed Amendments to the Comprehensive Plan, undated, listed as submission 1.0.4 at <https://www.ramapo.org/page/harriman-meadows-seqra-documents-168.html>
- Narrative Summary, dated 10/28/22.
- Proposed Layout Plan for Harriman Meadows, stamped by Leonard Jackson, P.E., Leonard Jackson Associates, with latest revision date of 2/1/22.
- Quantitative Risk Analysis for the Columbia Line 10338 Pipeline, for Harriman Meadows Development, PF RE Holdings LLC, by Quest Consultants, dated December 9, 2021.

Comments

1. **Why a Supplemental EIS?** We do not understand the rationale for why this matter is being considered for a Supplemental EIS (SEIS) when so much time has elapsed since the Patrick Farm project failed to move forward. ROSA contends that this matter should be address by a new EIS process, rather than a Supplemental process. The proposed scoping document reflecting an SEIS is dated January 17, 2023. However, the Town Board Resolution 2023-396 “directs that a Draft Environmental Impact Statement/Supplemental Environmental Impact Statement shall be prepared.” The Final Scoping should be for a DEIS.
2. **Why is the Same Exact Design for Patrick Farm Being Use for Harriman Meadows?** We see that the concept plan presented for this project is identical to its predecessor Patrick Farm, without any changes

other than its name, which is now Harriman Meadows. Also, no alternatives are being presented. ROSA sees this as a short-sighted and improper approach, as the predecessor project failed after its approvals were overturned many years ago because of improperly conducted SEQRA analyses and processes. ROSA recommends that the Lead Agency rework this draft scope to provide a fresh approach to studying the environmental impacts of the development of this site. In the 2009 FEIS for Patrick Farm the reasoning provided in response to County Planning comments and the failure to consider clustering was: "The alternatives described in the Patrick Farm DEIS were requested during the scoping process and stipulated in the final scoping document. The final scoping document did not stipulate discussion of a clustered subdivision analysis for the DEIS for this project, therefore one was not completed." Consideration of clustered subdivision alternatives for the project must be considered as discussed below.

3. **Other Site Plan and Subdivision Application Materials to be Provided and Reviewed?** It is apparent that the Town Board is attempting to avoid segmentation, and in its role as lead agency, it has put involved agencies on notice that the action under SEQRA review includes consideration of legislative changes, comprehensive plan changes, and subdivision and site plans for the proposed project. However, at this time, the materials provided on the SEQRA webpage for this project on the Town website only include a single page drawing sheet, which is presented only as a concept plan. To prepare an EIS many more specific details will be needed, regarding the design of the project. Will the same submittals for the old Patrick Farm be considered? If so, they should be included in this package for this new SEQRA review. This process should be clarified before the SEQRA review proceeds further.
4. **Wetland Buffers, Section III.C.** Regarding Section III.C of the draft scope, ROSA urges the applicant to consider the inclusion of a 100' buffer around the "Wetland Pond System" as shown on the plans, and to incorporate this Wetland Pond System into a protected open space area as part of a clustered subdivision scheme. In 2016, ROSA participated in a joint effort with the Town of Clarkstown and the Villages of Montebello, Suffern and Wesley Hills to petition the NYS DEC to mandate a 100-foot buffer around the subject wetlands using the ULI process, as these on-site wetlands have a direct hydraulic connection to the water supply wells located on the north side of Route 202, across from the site. The EIS should have a specific section addressing this issue (see comment 6).
5. **Amendments to Article 24, New York Freshwater Wetlands Act, Section III.C.** The section III.C on wetlands also should include a discussion of the pending changes in wetland protection that take effect in 2025 and 2028. This application was made following the enactment of this new legislation. In 2025, the current NYS Freshwater Wetlands Maps will no longer limit DEC regulatory jurisdiction to wetlands depicted on those maps. Instead, maps will become informational, and any wetlands that meet the applicable definition and criteria will be regulated by DEC and subject to permitting, regardless of whether they appear on the informational maps. In 2028, the default size threshold of regulated wetlands will decrease from 12.4 acres to 7.4 acres. Small wetlands of "unusual importance" will continue to be regulated if they meet one of the criteria listed in the new legislation. As the construction of this project will take many years, the EIS must consider these pending regulatory changes.
6. **Aquifer Discussion, Section III.B.** The discussion of aquifer protection is included under the surface water section III.B.d. It should be expanded and considered for its own section. The primary aquifer should be discussed vs. the role of the sole source aquifer designation. Potential impacts on the public water supply wells directly across Rt 202 from the site that were raised during review of the former Patrick Farm project should be analyzed. Consideration of eliminating basements in ground water tables should be considered.

7. **Proposed Amendments to the Comprehensive Plan, Section III.D.** Section III.D of the scoping document should be expanded to address the impacts of amending the Comprehensive Plan to eliminate policies to require clustering at this site. We have noted that the Town of Ramapo code requires clustering in the Scenic Road District in Chapter 215. This chapter mandates the area within 1,000 feet from the center line of Route 202 as a Scenic Road District. In this District, the code requires that “the important scenic and natural features of the site will be substantially preserved.” Furthermore, pursuant to §215-4, subpart A.(4).(d), “cluster subdivisions in accordance with the Town Law of the State of New York shall be the preferred residential land development technique,” with a conservation easement to preserve vegetation screening required.

An analysis of how the proposed project fits with clustering requirements in the code must be included in the scope in section III.D. The proposed removal of clustering policies for Patrick Farm in the existing comp plan will not relieve the applicant of the requirement for clustering at this site.

8. **Consideration of §376-43 Clustering Provisions in Scope Section III.D.** The Planning Board is responsible under Section §376-43 Clustering, to use clustering to protect the sensitive environmental resources. As proposed, the Harriman Meadows project is laid out without any buffers around the perimeter, no common open space around the wetlands that provide groundwater recharge for the aquifer that is the sourced of a public water-supply, no conservation areas within the scenic road district, no clustering away from steep slopes, no clustering away from the high pressure gas transmission pipeline, and no consideration of reserving lands for neighborhood level recreational space. The Scoping Document must address how the proposed project addresses all these Town clustering requirements.
9. **Existing Comprehensive Plan Consistency, Scope Section II.D.** The scoping document III.D.3 states: “The SDEIS will provide an assessment of conformance of the project with the Town of Ramapo Northeast Comprehensive Plan, and any other relevant local planning documents.” However, the Harriman Meadows site specifically was not included as part of the Northeast Comprehensive Plan effort. This area is referred to specifically in the current Town Comprehensive Plan that is in force as Patrick Farm and the very specific recommendations of the 2004 Comprehensive Plan are authoritative in this matter, until amended.

In 2018 and in 2019 in public meetings related to the Town of Ramapo Northeast Comprehensive Plan update, questions and concerns were raised by the public regarding the future of the former Patrick Farm site. The public noted that this subject site was not part of the Northeast Plan. Town officials promised that this site would be included in a future effort to update to the Town Comprehensive Plan for “Western Ramapo”.

We are disappointed that rather new Comprehensive Planning covering this site has not been undertaken, and now all references and policies regarding the Patrick Farm site are proposed to be removed from the currently adopted version of the Comprehensive Plan.

10. **Alternatives to the Concept Plan Must Be Included.** A glaring missing component in the Draft Scoping document is the consideration of the alternatives to the single concept plan presented. At a minimum, we insist that at least one alternative be considered to design the project as a cluster development. This alternative would allow the applicant to develop the same number of units, while lowering infrastructure installation costs by shortening the lengths of roads and utility line installations. Clustering would allow the creation of wetland buffers and placement of the wetlands into commonly held open space. The only alternative now being presented includes the wetland on dozens of individually owned lots. If these

sensitive environmental areas become under fragmented ownership, located in dozens of private yards, they will be very difficult to manage, and water quality will be almost impossible to maintain. The best practice is to place such sensitive areas into commonly held open space for joint management by a homeowners' association or the Town of Ramapo. Also, with clustering, buffers around the outside of the project could be preserved, in accordance with the Scenic Road District standards, preserving community character and the views and experiences of those traveling on the Route 202 corridor.

ROSA respectfully requests that at a minimum the applicant include the two alternatives listed below to be studied in the EIS, in addition to the concept plan already presented:

- a. Cluster Development under Existing Codes: Maintain existing Comprehensive Plan and Zoning Code requirements for average density clustering development as per the current code with no changes.
- b. Clustered Subdivision with Incentive Zoning to Increase Density, on Lots Identified as Suitable for Development. Such an alternative could provide opportunities for additional housing units in exchange for implementing practices to mitigate environmental and aesthetic impacts. Areas which could receive higher densities could include areas not viewable from surrounding communities, roads and residences; lands 100' or further from both DEC and federal NWI wetlands, and from NYDEC Class C(t) or higher streams; and lands beyond the pipeline potential impact radius (PIR). Guidelines could be included for development of areas to receive higher densities. Incentives could also be included for the provision of affordable housing.

An overall site map showing development constraints should be prepared to evaluate where clustering can safely occur to avoid such constraints, and to demonstrate where there are opportunities for higher density multifamily housing. The proposed concept plan for any alternative should be consistent with this development constraints map.

11. **Pipeline Safety, Scope Section III.K.** The section on the gas pipeline safety should incorporate consideration of the Pipelines and Informed Planning Alliance (PIPA) guidelines including a depiction of the Potential Impact Radius (PIR) and the NTSB recommendations that the USDOT Pipeline and Hazardous Materials Safety Administration PIR calculations be revised to increase the PIR¹.

Additionally, the section on the pipeline should include consideration of how zoning affects the calculation of High Consequence Areas as per 49 CFR 192.903. The applicant and Town should ensure that communications with the pipeline operator address whether there are opportunities to mitigate the risk by the operator reducing pipeline pressure in the vicinity of the newly created High Consequence Areas caused by increased zoning.

12. **Project Purpose and Need, Section II.C.** A Housing Needs Study should be included as part of this section, as was included in Appendix U of the 2009 DEIS for Patrick Farm which is now outdated. The applicant should study the needs in Western Ramapo to guide bedroom mix and diversity of housing types to include in this project. Western Ramapo residents are primarily drawn to single family housing but have needs for starter apartments for young adults, newlyweds needing small apartments, divorced families, active senior housing, assisted living housing, affordable housing and first responder volunteer housing. The applicant should document that it is helping to meet the specific housing needs of the Town.

¹ See NTSB Report dated August 15, 2022 on Enbridge Explosion of August 1, 2019 - Pipeline Investigation Report: NTSB/PIR-22/02.

13. **Community Facilities and Services, Section III.F.** The analyses in this section should be based on bedroom counts rather than unit counts. In other project reviews, ROSA has found that unit counts without accompanying bedroom counts can lead to serious underestimation of project impacts. A definition of “bedroom” should be provided by the applicant and utilized consistently throughout the EIS.
 - a. Water Supply and Water Demand – The applicant should base rates on figures obtained from Veolia on actual comparable approved projects in the Town of Ramapo and other Towns for use in this DGEIS. The typical rate in New York State of 110 gpd per bedroom may not be appropriate. What will be used for studio apartments? What will be forecast for landscaping irrigation? What fire flow requirements will be applied for protecting multifamily uses?
 - b. Sewer Capacity of Area. Please include an analysis of available sewage treatment capacity based on existing treatment levels, approved projects not connected and planned and projected projects.

14. **Demographics and Fiscal Impact Analysis, Section III.G.** The Town of Ramapo has unique population growth characteristics that unquestionably have led to increased market demand. When considering multifamily alternatives and projected population, the applicant should look to census areas that include similar development. The current population per household for the Monsey CDP, which includes a blend of single family and multifamily housing is 5.84. The applicant should including wording in the scope to ensure that population projections for the proposed project are reasonably based on similarly designed housing in the area. The mix of rental and owner-occupied units at a variety of sizes and prices should be provided to ensure the income diversity of the residents.

15. **Transportation, Section III.E.**
 - a. The applicant should expand this section to include discussions of how “complete streets” policies will be met, through the incorporation of pedestrian and bike paths. Provision of sidewalks along proposed roadways within the project site and along frontage roads should be discussed.
 - b. A strategy should be discussed for providing electric vehicle charging opportunities for all residential unit types.

16. **Light pollution, Section III.I.** Discussions of lighting should be added to this section. New lighting in this rural dark area of town should be minimized by employing Dark Sky Association compliant street, path and building lighting. This area should not create a “sky glow” seen from Routes 202 and 306. LED lighting should be employed with “warm” color temperatures of 2,700 K or less.

17. **Climate Change.** Loss of trees lead to a “heat island effect”. It is well-documented that forested areas can reduce heat, while impervious surfaces can increase it, leading to differences between rural and urban temperatures by as much as 20 degrees. An effort should be made to improve mature tree retention. This is difficult without tree mapping. Some compromise should be considered to document mature trees that can be preserved so maintain a favorable microclimate at the site.²

Thank you for this opportunity to provide input. Please contact me, if you have any comments or concerns or wish for ROSA to provide any additional information. ROSA is committed to working collaboratively with the Town and applicants at any time to improve this project review process and would be happy to assist with the Town’s citizen participation activities in any way.

² <https://www.dropbox.com/scl/fi/0fndgn4mu7jqb7bshnjni/Summer-in-the-City-Is-Hot-but-Some-Neighborhoods-Suffer-More-The-New-York-Times.pdf?rlkey=xfbhjil9i8y1bpcvqzsid173&dl=0>