

To: The Chairman and Members of the Millwood of Fire Commissioners

From: The Chairman of the Millwood Task Force

Date: October 23, 2008

**Comments on the Draft Environmental Impact Statement scheduled for a Public Hearing on Thursday, October 23, 2008**

Good Evening, My name is Dianne Kleinmann. I am chair of the Millwood Task Force, a town appointed group charged with the responsibility of commenting on matters concerning the Millwood Hamlet and the West End of New Castle.

The Task Force has always been a strong supporter of the Fire Company throughout its lengthy search for a location on which to build a new firehouse. This search began in 1989. However, the Task Force support has sought to maintain a balance between the needs of the Fire District and our responsibilities to ensure that the new firehouse be built without imposing an undue burden on the taxpayers of the Millwood Fire District.

Before placing our comments into the record, we must emphasize that in spite of our best efforts, we found the DEIS difficult to access because the indexing is imprecise and incomplete. Appendices are listed but those contained in a separate Appendix document lack both a cover page and an index.

The quality of the document in our opinion fails to reach the basic standards required by the State Environmental Quality Review Act.

Tonight, we will submit preliminary comments on a number of issues included in the DEIS but reserve the right to continue submitting statements throughout the public hearing process.

We have already submitted comments on Applications that are under the Planning Boards' jurisdiction. These were given to the New Castle Planning Board in time for their meeting of October 21, 2008. The Applications include: Subdivision Plat (Lot Merger); Site Plan Development Plan; Steep Slopes Permit; Wetlands Permit and Tree Removal Permit.

Copies of these submissions are available for your Board. The questions posed in the memo to the Planning Board are also directed to your Board. Extracts from our comments are as follows:

1. Subdivision Plat (Lot Merger), and Site Plan Development Plan present some significant challenges that must be resolved before any approvals can be granted. For example:

a) A restrictive covenant (that limits development to detached single-family dwellings) would have to be condemned. And 219 square feet of Cortez's property would have to be acquired to construct an appropriate entrance drive on Allen Avenue.

Question: Can this SEQRA process be completed without a resolution of these matters?

## 2. Proposed Allen Avenue Alignment with Schuman Road

Question: Will this issue have to be resolved before the entry road to the Realis site is designed? Are discussions currently underway?

## 3. Steep Slopes

The preferred location described as Alternative K in the DEIS requires the construction of a massive retaining wall. We have sought the advice of former Planning Board Member Donald Weisstuch, PE. Mr. Weisstuch will present a statement on our behalf.

## 4. Application for a Wetlands Permit – Off site mitigation.

We have no objection to the off-site mitigation being used to make improvements at the Gedney Park Pond but we have some questions:

- a) Does the applicant pay for the baseline study? Currently estimated at about \$10,000).
- b) Who pays for the long-term maintenance of these improvements at Gedney Park?

## 5. Tree Removal Permit

The DEIS (as far as we could find) gives no data on the number of trees that will have to be removed and its impact on wildlife and other factors.

## 6. Remote Siren

The contents of the adopted Final Scope dated November 12, 2007 did not include the possible relocation of the siren to the Shinglehouse Road- Route 100 intersection. Consequently, the DEIS has failed to analyze the possible impacts on the nearby homes and businesses.

How did the Applicant determine that the noise impact would be more 'acceptable' at Shinglehouse Road and Route 100 than on the Realis site.

## Stormwater Pollution Retention Plan

The Task Force has many concerns regarding the Retention Plan. They include the lack of information regarding extraordinary storm events. For example: there is no reference to Hurricane Floyd that occurred in 1999. Several tables provide data for 2, 20, 25 and 100 year storms, we do not believe that this would cover events such Hurricane Floyd, Westchester County has recognized the need for planning for such events. Access to their web page [www.HurricaneFloyd 1999](http://www.HurricaneFloyd1999.com) , Westchester County NY., should be explored and extracts from this page should be included in the DEIS.

We have many reasons for requesting for this data to be added to the DEIS

1. During Hurricane Floyd our hard working and dedicated Volunteer Fire Company worked above and beyond their usual duties. They performed heroically and at least one Fire Company Member received a Citation for his acts of bravery.
2. The Route 100 corridor in Millwood sustained serious damage.
3. Public utilities were out of commission for days.
4. Government entities at all levels were stretched to their limits and the costs to all were substantial.

Therefore, we believe it is reasonable to conclude that the additional data should be supplied as soon as possible.

### **Financial Transparency**

During the Scoping Session phase for the Draft Environmental Impact Statement the Task Force, the Town and the League of Women Voters requested that financial data be included in the document.

The Town Board sent you a letter, dated November 21, 2005 prepared on their behalf by Young, Sommer LLC. Included in this letter was the following paragraph:

“a) There must be a detailed analysis of the financial impact on taxpayers of the Fire District of the proposed firehouse construction, and each of the alternative scenarios, over the life of any anticipated bonding. There must also be a detailed analysis of the potential fiscal implications to the Town of removing existing commercial properties from the tax rolls. There must be a discussion of the likely long-term impact of the proposed project on property values in the neighborhoods surrounding the project site.”

What was the rationale behind your refusal to include this legal opinion in the DEIS along with the data requested?

Why did you consider these data to be irrelevant?

It is obviously relevant to the taxpayers who will have to bear the cost of the bond and other expenditures. Furthermore, the current financial crisis makes it even more important that there be complete transparency throughout this process. The DEIS should be amended to include these figures.

### **Traffic 3.5 see page 79. Appendices C&D**

This section gives an overview of traffic impacts.

As far as we can determine it includes very little information regarding off-site impacts during the two-year construction period. We note that the hours of construction will be

from 7 a.m. to 4 p.m. Monday to Friday. This coincides with both commuter traffic and school bus operations.

Question: Is there a plan to ensure that commuter traffic and school buses can get to their destinations without delays?

### **Public Need, Section 1.3 –**

It is stated that a Community Room can be used for multiple public uses in the Western End of Town. It is also stated under section 3.6.3 Mitigation Measures (page 87) that the room can be used for multiple purposes.

The DEIS should supply more specific information on the proposed public uses and the impact on traffic, noise and lighting, etc.

For example: The number and type of anticipated meetings should be given along with traffic involved; an estimate of the number of banquets and the number of people who could attend; impacts of traffic on meetings held by the Fire Company for training, recruiting volunteers etc.

### **General Comments**

1. Ground water pollution. Have any tests been performed to determine whether or not there is any soil contamination on the Realis Site?

2. Lighting should be designed to ensure there is no increase in ambient light levels on adjoining property owners. Please supply more specific data on proposed lighting plan.

3. Solid Waste see page 11 section 1.10

As there is no sewer line available, a septic system has to be installed.

This section states that “Sanitary solid waste is accommodated by Westchester County Department of Environmental Facilities, Yonkers Joint Wastewater Treatment Plant”

Does this mean that solid waste will be trucked out to the transitional site in Hawthorne? How frequently will the system have to be cleaned?

4. Aesthetics 1.14 page 12

In our opinion this section is completely subjective and opinionated. For example: the area is described in the following ways:

“visual chaos”, “views toward sites 1, 2 and 3 are unaesthetic.” “Views from the Realis site are quite pleasant”. Etc.

DEIS documents are supposed to remain objective in tone and these comments are purely personal opinions. There is no specific reference to the Millwood Area Design Plan and its criteria in this section.

Finally, we continue to hope that we are nearing the goal of having a new firehouse.

We are, however, very discouraged that this document fails to make a convincing case that will enable us to give our whole-hearted support whenever the bond issue is presented to the public.

Chair Millwood Task Force

