

# Commission for Conservation of the Environment

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To: Planning Board of the Town of Wallkill  
600 Route 211 East  
P.O. Box 398  
Middletown, NY 10940

Re: The Draft Environmental Impact Statement for the “Golden Triangle” project

## General Comments:

One of this commission’s primary concerns with the “Golden Triangle” project is the effect this development will have on local traffic. The roadway and intersection upgrades proposed in the DEIS may ease existing traffic problems, but these improvements are not sufficient enough to prevent further congestion that would inevitably result from the commercial development of Phase II and other pending projects in the immediate vicinity. The members of this commission are not convinced, as some members of the planning board are, that the proposed Town road from Silver Lake Scotchtown Road to Route 211 will improve traffic conditions in the area of this project. Furthermore, the uncertainty regarding the proposed alteration of the Exit 120 interchange on Route 17 makes it very difficult to assess the effects this project will have on local traffic patterns.

The DEIS indicates, though we strongly disagree, that the project “will help alleviate traffic circulation in the area, and associated air quality effects,” yet there is no mention of the effects of clearing 96 acres of woodland will have on air quality. For those living in the Silver Lake area, the undeveloped site currently acts as a buffer against noise and air pollution emanating from Route 17. These conditions should have been addressed, or at least mentioned, in section 3.3 of the DEIS entitled “Air Resources.”

Given that approximately 52 acres of the project site will be covered with impervious surfaces, stormwater runoff is another area of serious concern. The Executive Summary of the DEIS notes that the basins to be employed are designed to remove 80% of suspended solids from runoff after site stabilization. It should also be noted in this context that the practices in New York State’s Design Manual typically remove in the range of 40 to 60% of *dissolved* pollutants. Since developments of this nature can increase pollutant loadings greatly compared to pre-development levels and that many of the pollutants of concern occur in the dissolved form, significant increases in pollutant export can potentially be expected from such sites even after runoff passes through a stormwater management practice. At this point we would like to point out that runoff from this site will enter Silver Lake where overflow will then drain into the Wallkill River and ultimately end up in the Hudson River.

## Findings:

After studying the Draft Environmental Impact Statement for the “Golden Triangle” project, The Town of Wallkill Commission for Conservation of the Environment has found the following:

1. This project has not been referred to the Orange County Planning Department. According to the department’s commissioner, David Church, “to the best of our knowledge, we have yet to receive a referral for advice or formal review as required on any recent proposal and/or environmental impact statement.” The Planning Department is the most qualified agency to judge the project’s potential cost to community services and they should be given an opportunity to do so.
2. The DEIS seems to indicate that large storm *quantity* control will not be required, and only *quality* control for smaller storms will be put into place. The DEIS justifies the lack of quantity control by claiming the “peak” output from this site will pass through Silver Lake before the peak from the entire Silver Lake watershed reaches that body of water. The time difference in these peaks, based on hydrology computer models, is about one hour. However, models are idealized representations of the way rainfall comes and the way runoff occurs. We recognize that use of these models is accepted for this purpose, but it should be remembered that there are many variables that could impact the timing and nature of peak flows. There are additional concerns beyond just the timing of the peak. The overall volume of runoff relative to infiltration will be shifted significantly. We believe the most effective way to deal with these potential changes in runoff patterns is to mimic the pre-development runoff patterns as closely as feasible using a combination of stormwater management practices on the site. This approach might be considered beyond the minimum New York State requirements, but is not unreasonable given the size and nature of this project.
3. The DEIS does not give a detailed description of a proposed approach for maintenance of the stormwater facilities. This is an important issue since any anticipated pollutant removal performance will hinge on future maintenance. The applicant should propose a mechanism for this. If it’s the homeowner association’s responsibility, there should be some provision for the Town to step in and perform the maintenance and get their expenses recouped if the association fails to do it.
4. The USDA Soil Survey shows significant areas of “hydric” soils on the project site. Hydric soils are likely to meet the federal criteria for wetlands. The applicant has apparently conducted on-site wetland mapping which normally would be expected to be more accurate than the Soil Survey. It is difficult to further evaluate any potential discrepancy between the Soil Survey and the applicant’s mapping without reviewing a more detailed map of their wetland delineation. The DEIS notes that a jurisdictional determination from the Army

Corp of Engineers has been requested. If additional attention to this matter is deemed prudent, the Town may wish to request that ACOE include a field visit in their review of the applicant's delineation.

5. The Town of Wallkill Historian Dorothy Hunt-Ingrassia was not contacted for the Cultural Resources Survey. Contacting the historian should have been the first step for the cultural resources consultant. A town historian is the unique position of having access to traditional historical data not found in the texts cited by the consultant. Although the Conservation Commission does not dispute the findings of the survey, the Planning Board should ensure that planners follow this recommended course of action in the future for projects of this magnitude.

**Recommendations:**

The Town of Wallkill Commission for Conservation of the Environment recommends that this project should NOT receive any form of approval until the following conditions have been met:

1. The project must be referred to the Orange County Planning Department for review as required and that agency should have time to assess the proposal.
2. The project engineer must address this commission's significant concerns regarding stormwater runoff.
3. The proposed modifications to the Exit 120 interchange on NYS Route 17 must receive formal approval from the New York State Department of Transportation and the Federal Highway Administration.
4. The ongoing Town of Wallkill Master Plan review should be completed so this board can be certain the property will remain zoned as Planned Interchange Development. However, a guarantee from the Master Plan Review Committee that the project site will remain zoned PID would be sufficient.
5. A Final Environmental Impact Statement should be produced, preferably by an independent planner and at the expense of the project sponsor, addressing the above mentioned deficiencies in the DEIS.

We would like to thank the Planning Board for allowing us the opportunity to evaluate this proposed project and submit our comments.

Sincerely,

Salvatore J. LaBruna  
Town of Wallkill  
Conservation Commission