

Summary of Engineering and Environmental Review Findings by David Clouser & Associates of the Basher Kill Subdivision DEIS, in correspondence to the Town Planning Board dated October 13, 2008

Our review of the DEIS materials was conducted to: 1) evaluate whether the document was complete (i.e., conformance with the information required in the Scoping Document), 2) determine whether substantive impacts associated with the proposed development require further investigation, and 3) identify corrections that must be made to the document to allow an accurate representation of potentially significant project impacts.

The results of our review indicate that the DEIS documentation:

- does not address numerous items that were required to be investigated in the project's environmental review, which were a requirement of the Planning Board's *Final Scoping Document*;
- is deficient by not assessing the potential impact that the proposed development might have on the site's natural resources, the area's visual character and needs of the Town; and
- contains many substantive errors and significant omissions in the information presented that must be corrected so that the Board is provided accurate information on which it will make its recommendation to the Town Board with regards to whether the Planned Residential Development Overlay might be appropriate at this development scale and within this sensitive natural resource area.

Additionally, the significant and important impacts on land associated with construction on steep slopes (i.e., soil erosion and sediment transport into the site's high quality receiving waters, long-term slope stability issues, etc.) and the requirement for blasting is not accurately represented to the extent of understatement and misrepresentation of the construction methods that must be undertaken and visual contrast to this area's natural rural character. The results of this development, as proposed, would pose severe adverse effects on the land and associated significant adverse impacts to valuable wetland resources, a variety of plant and animal species, their habitat areas and important wildlife movement corridors.

Our review noted several important issues that require a detailed, thorough investigation before any consideration of the project's potential adverse environmental impact or acceptance of the presently proposed project layout can be evaluated. These investigations include the potential adverse impact that might result to the project's proposed water supply due to the upgrading and uncapped landfill is located immediately adjacent to the site. An investigation must also be conducted to determine whether the federal wetland complex that traverses the site might be hydrologically connected to the NYSDEC Class 2 wetland (i.e., NYSDEC regulated wetlands OT-1 which is the existing lake) that exists on the site. If this connection exists then a majority of the federal wetlands shown within the site would be classified as State regulated wetlands, thereby which require a 100 foot buffer adjacent area and thereby eliminating many of the

proposed lots and multiple family units. Additionally, a professionally prepared Visual Assessment must be provided that shows an accurate simulation of post-development visual impacts, including the impact on the viewshed from the Shawangunk Ridge and including the proposed 382,000 gallon water storage tank which has not been addressed with regards to its potential visual impact to the area.

As the Board will note, the water supply investigation that is presented in the DEIS is patently incomplete as it did not address a number of significant scoping requirements. This deficient water supply investigation cannot be relied on to determine either the available water capacity that must be provided to meet the development's proposed density or whether the water quality will meet NYS Department of Health minimum public water supply requirements. Additionally, no information has been provided with regards to disposal of project generated wastewater by alternative means, as was required in the Planning Board's *Final Scoping Document*.

The information contained in the DEIS' Fiscal Analysis appears to have used several erroneous parameters and omitted pertinent information that must be corrected. Without providing an accurate projection of costs to the Town, it would be inappropriate to request a recommendation from the Planning Board and unreasonable for the Town to decide whether establishing this proposed Planned Residential Development would benefit the Town or would conversely require perpetual town resident taxpayer support.

Our review of the proposal's drainage analysis and stormwater design identified numerous critical flaws in the drainage modeling methodology and significant errors in the stormwater management system design. These errors included fundamental modeling mistakes and serious design flaws. When corrected, the revised impacts associated with site drainage and the mitigation required will substantially increase the scale of the stormwater management system and require a significant change in the layout of the project and its scale. These changes are critical to keep from exacerbating the flooding conditions that are already present in the surrounding area. Without significant revisions to the stormwater management system design, the minimum Stormwater SPDES Permit requirements for the project cannot be met.

Finally, our review noted several inconsistencies in the DEIS document that, when corrected, will be shown to contradict the conclusions stated by the Applicant about the proposal's potential adverse impacts.

We strongly recommend that the corrected information and omitted information that did not comply with the project's Final Scoping Document be requested by the Planning Board to be prepared by the Applicant and submitted for public review and comment prior to proceeding toward the preparation of a Final Environment Impact Statement (FEIS).