



Town of East Fishkill

Dutchess County, New York

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Nicholas D'Alessandro, Supervisor
Town of East Fishkill

December 12, 2024

Chairman John Eickman
330 Route 376
Hopewell Junction, NY 12533

**Re: PB 2024-081-Woodland Estates (Twin Creeks)
Scoping Comments**

Dear Chairman Eickman,

I write this letter to you on behalf of the Town Board and myself to provide comments with respect to the proposal known as Woodland Estates. The Town Board members and I have reviewed the Planning Board's November 19, 2024 Scoping Public Hearing that was conducted per the State Environmental Quality Review Act ("SEQRA"). Our residents provided heartfelt and insightful comments, which inspired us to provide this comment letter on the Scope of the review. I ask that you please read this letter into the Record during the next Public Scoping Session on December 17, 2024.

Below are our comments on the State Environmental Quality Review Act Scope:

A. Land Use, Zoning and Public Policy

This project has been proposed in many iterations for approximately four decades, and the underlying zoning requirements have changed multiple times. I agree with our resident who mentioned that all of these zoning and land use acronyms make it very difficult for people to follow the discussion. It feels, at times, like land use professionals are speaking an entirely different language.

The Town respects property rights, including those of the developer, and importantly, the rights of the surrounding community members. I think it is important to note that the Town has been advised by its retained land use counsel that there is still a question given the long and winding history of this project as to what the applicant actually has vested rights to build. The applicant should clearly document the history of approvals, the zoning that was in place at the time of each approval, and why the Applicant believes that its proposal is permitted per the Town's Code.

B. Community Character/Visual Resources

The Town takes its motto of East Fishkill being a great place to live very seriously. I was particularly struck by the testimony of one of our residents who was a veteran, completed multiple tours overseas, and is worried about this proposal disturbing her tranquil home. The Applicant should provide architectural renderings of what the proposal would look like if built and also how this project would be screened from the surrounding neighbors.

C. Geology – Soils, Topography and Steep Slopes

The Applicant should provide an estimate of how much fill would be brought to and from the site. Our residents need to understand the number of truck trips that this would equal. It would also be critical for the Applicant to provide erosion and slope stabilization plans. Finally, would there be any blasting? This is a residential community, and it is critical that these residents not be disturbed with loud explosions.

D. Wetlands and Surface Water Resources

Predecessor projects have been referred to as “Twin Creeks”. I am not a hydrogeologist, but anyone with common sense could infer that having creeks on the property is strong evidence that the property is wet. This creates challenges for property development.

E. Stormwater Management

Any proposed stormwater management systems should be ecologically friendly. Techniques should be studied that would prevent any sort of ponding on the property. There seemed to be an increase in insect-borne illnesses this past year, and the applicant needs to show that its stormwater facilities will not attract insects.

F. Water Supply and Sanitary

The Applicant needs to clearly show the maximum water usage and sanitary capacity under emergency conditions. I also believe the Applicant needs to study the ability to expand municipal water and sewer services to neighboring communities.

G. Other Utilities and Services (Gas, Electric Cable, Telephone)

The Applicant should submit a detailed description of existing utilities and to demonstrate how additions of new residences will not lead to blackouts or other interruptions in service to nearby residences.

H. Solid Waste, Organic Waste and Recyclables

The Town needs to have an estimate of total waste for the proposed project and to confirm that waste generated by this Project will not have a negative impact on existing residents.

I. Vegetation and Wildlife

The Applicant should study ways to preserve a *dense* vegetative buffer to minimize potential impacts to adjoining neighbors. I believe that the feasibility of a 100-foot non-disturbance area between existing residences and the proposal should be studied. In this non-disturbance area, no vegetation, except for diseased or otherwise dangerous vegetation, would be removed by the Applicant.

J. Traffic, Transportation and Parking

I have the utmost respect for our traffic consultants, Hudson Valley Engineering Associates. They have helped the Town with the East Fishkill Route 52 Traffic Mitigation Plan. Similar to that improvement plan, the Applicant needs to study traffic measures that actually *improve* traffic flow rather than keep it the same or worsen it.

K. Community Demographics, Facilities and Services

It is absolutely critical that the Applicant study the number of members that would be added to the community using multiple methodologies. I understand that Rutgers University has a method for calculating school children, but in my opinion, that is not sufficient. The Applicant needs to provide real-world data from its own projects and other projects in communities within a 50-mile radius of East Fishkill to determine how many school children were added. We have to ensure that the School District is not overwhelmed and that current residents are not subject to any school changes due to overcrowding.

In addition, we need to know the estimated number of yearly emergency situations that would be generated by the density of this proposal. We need to ensure that the Town’s Police Department and Sheriff’s Department would not be overburdened.

In addition, East Fishkill is served by Volunteer Fire and EMS services. It is *critical* that they also not be overburdened by any new projects. The existing equipment needs to be studied in relation to the needs of any new community.

L. Fiscal and Economic Conditions

The Applicant should provide a full fiscal analysis of proposed tax benefits to the Town against proposed costs. While the Town has been extremely successful in fulfilling its vision to broaden the tax base with commercial properties to lower the tax burden of the residents, this proposal should be studied to ensure that it is not a net-negative to the Town.

M. Historic and Cultural

The Applicant should submit an archeological study to ensure that it will not be disturbing any existing resources. Also, would any aspects of the community be open to the public?

N. Construction

The Applicant needs to provide an accurate construction schedule. What type of construction phasing, if any, is the Applicant proposing? The Town needs to have an accurate number of construction vehicles that will be arriving per day.

In addition, one of our residents was concerned about what sorts of performance bonds would be provided by the Applicant. The Applicant should provide examples of its completed construction projects, what bonds were provided to the Town, and confirmation that it has not begun projects in the past without completing them, leaving a mess for the municipality to clean up.

Conclusion

I want to thank you and the Planning Board members for devoting the time to the Town for this and other matters. The Town Board and I respect private property rights, but I want emphasize again, this means respect for both the Applicant's property rights and also the private property rights of peace and quiet enjoyment for our residents.

The Town Board and I will continue to actively review this process and reserve right to further comment as review of this proposal proceeds.

Very truly yours,



NICHOLAS D'ALESSANDRO
Town Supervisor

cc: Town Board Members
Thomas F. Wood, Esq.
Town Attorney
Scott Bryant, P.E.
Town Engineer
Michelle Robbins
Town Planner
Jackie Keenan
Planning Board Clerk