

3.4 COMMUNITY CHARACTER

This Section analyzes the potential of the Project to generate significant adverse impacts on community character and concludes that the Project would not generate any such significant adverse impacts.

The Scoping Document states that “*The Village of South Blooming Grove zoning code emphasizes an overall policy goal of the code is to maintain the rural character of the area.*” As set forth in detail in Section 3.1, the Project would be in accordance with the provisions of the Zoning Code which was adopted to implement the goal of maintaining the character of the area. The Project as proposed would not require any waivers or variances. Thus, the Project is the type of development that the Village Board contemplated when it adopted its Zoning Code and concluded that development in accordance with such zoning would be consistent with the Village’s policy goal of maintaining the character of the area. Under SEQRA, consistency with the Zoning Code and Comprehensive Plan is the best indicator of consistency with existing community character.

The adoption of the Zoning Code followed issuance of a Negative Declaration under SEQRA (see Appendix O-7). By issuing the Negative Declaration, the Village Board as lead agency under SEQRA concluded that the Zoning Code, including the zoning applicable to the Project Site and the development authorized thereunder, would not have the potential to generate any significant adverse environmental impacts including on community character. Accordingly, as the Project proposes allowable uses at densities authorized under the Zoning Code, the Project would be what the Village envisioned for the Project Site and found would not have the potential to generate any significant adverse impacts upon community character. There is no rational basis for any different conclusion for the Project.

Nonetheless, the Scoping Document requires an analysis of potential community character impacts, including utilizing data from the Village of Kiryas Joel’s population patterns since there is a possibility that the Project would be populated by the Satmar Hasidic community. In fact, under its language addressing community character, the Village Scoping Document assumes that the Project would be “*wholly populated by the Satmar Hasidic community*” (Scoping Document, at 19) and, therefore, analysis is required of the Project’s impacts on population concentration, distribution or growth, and the potential impacts that a Satmar Hasidic community “*might have on the existing community or neighborhood character.*” (Id.)

It should be noted, however, as stated in Sections 1.0 and 2.0, that all residential units in the Project would be made available for occupancy, purchase or rental to any person regardless of race, color, religion, gender identity, handicap or disability, familial status, national origin, age, marital status, military status or other protected class status in accordance with federal and state law. The Applicant is an Equal Housing Opportunity developer and remains committed to equal housing

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opportunity principles. Even so, and to the extent that the Village could properly require an analysis of the impacts of Hasidic individuals occupying the units (as opposed to individuals of other religious backgrounds) any such potential impacts are analyzed below. The analysis provided here that assumes the Project would be occupied by members of the Satmar Hasidic community is provided solely because the Village has required such an analysis in the Scoping Document and, as required by the Co-Lead agencies, utilizes data from the Village of Kiryas Joel's population patterns.

3.4.1 Existing Conditions

The Village Scoping Document designates the Primary and Secondary Study Areas for the community character assessment. The Primary Study Area includes the communities within the one-mile radius of the Project Site and the Secondary Study Area includes the communities within the following thirteen municipalities: the towns of Blooming Grove, Woodbury, Monroe, Chester, and Cornwall, and the villages of Chester, Cornwall-on-Hudson, Harriman, Kiryas Joel, Monroe, South Blooming Grove, Washingtonville and Woodbury. Figure 341 maps these Study Areas in relation to the Project Site.

The majority of the Project Site consists of vacant and fallow lands. The few residential structures on the Project Site are in a state of disrepair and are not occupied, except for one utilized by the Project Site's caretaker. There are no businesses on the Project Site. Accordingly, the Project would not result in the displacement of any residents and/or businesses.

Secondary Study Area

Most of the communities located within the thirteen municipalities of the Secondary Study Area are so far removed from the Project Site that potential significant adverse community character impacts on these communities would be nonexistent. The communities in Chester, Monroe, Harriman and Cornwall-on-Hudson are located between three and ten physical miles and up to more than twenty minutes driving distance from the Project Site. These communities are too far distant from the Project for the Project to have the potential to generate any significant adverse community character impacts upon them.

Moreover, the Secondary Study Area's communities possess significant differences amongst themselves with respect to the elements defined by the Scoping Document as contributing to a community's character including land use, visual resources, historic resources, socioeconomics, traffic, noise levels and population. These communities also have different residential developments and varying combinations of commercial and business centers, including suburban development patterns and semi-rural development patterns.

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For example, Washingtonville's community, located between two and four miles from the Project Site, contains a historic center lined with sidewalks, containing businesses, homes, schools, and other community facilities set close to the roads. A suburban residential fabric extends out beyond the village center, including residences of many different styles on tree-lined streets. Likewise, Chester's community, located between four and seven miles from the Project Site, and Cornwall-on-Hudson's community, located between seven and ten miles from the Project Site, contain historic centers featuring a similar pattern.

Conversely, Monroe's community, located between three and five miles from the Project Site, and Harriman's community, located approximately four miles from the Project Site, contain commercialized Village centers that include mass merchandisers, various retail and commercial uses, and light industrial uses, located along NYS Routes 32 and 17M.

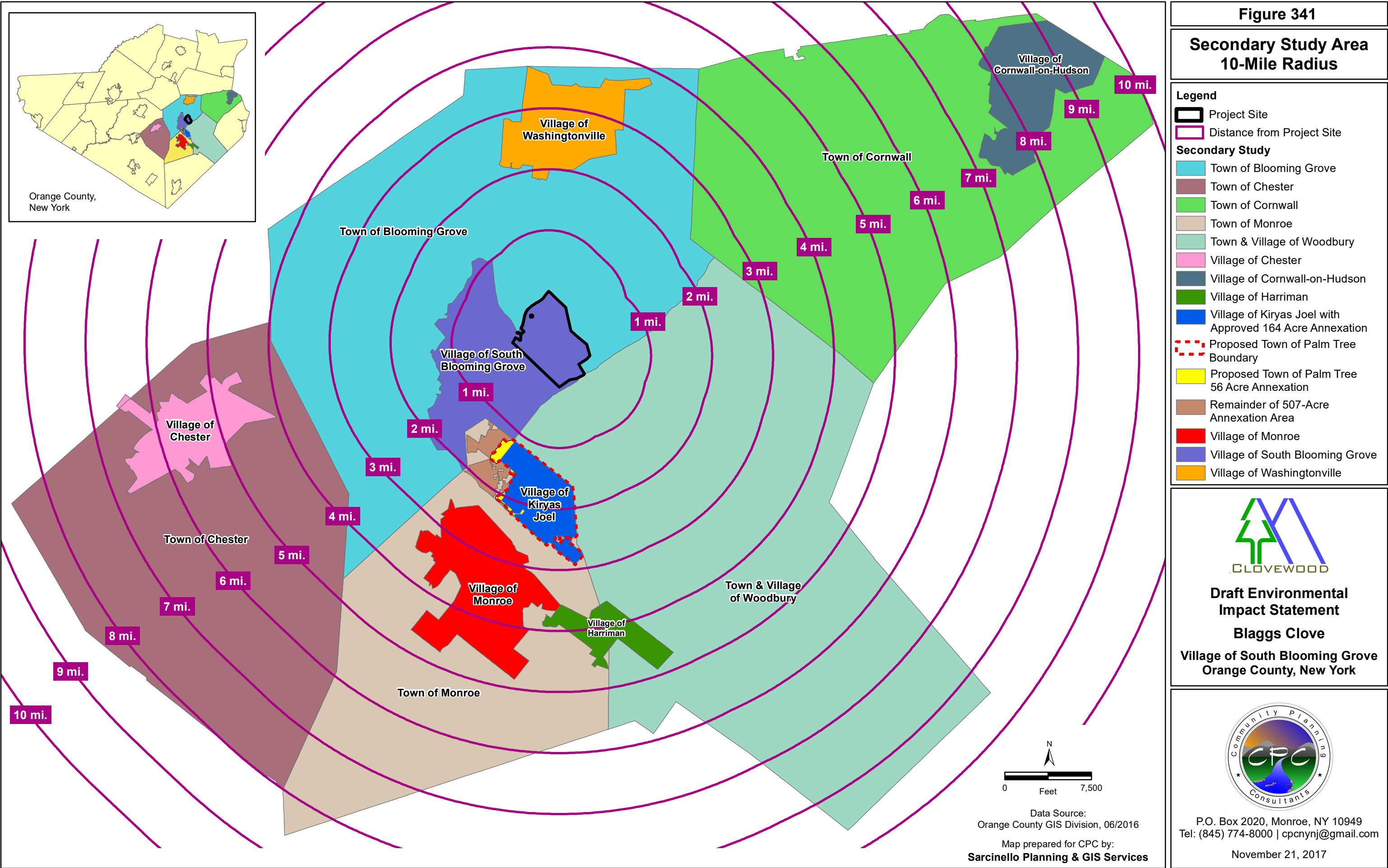
Other parts of these communities include residential developments of varying types, including both single-family and multi-family housing and various types of commercial development including the Woodbury Commons with over 200 stores, which is located in Woodbury. Some of the commercial development has significant related motor vehicle traffic, including truck traffic, along with the associated noise generated by these activities.

The vast physical distances and multiple differences with regards to the community character elements of the communities within the thirteen municipalities in the Secondary Study Area preclude the delineation of a uniform character, or creation of a common baseline, for a determination of the potential of the Project to generate any significant adverse community character impacts as these communities each have very different types of community characters and are so far physically removed from the Project that there would be no chance that their respective community characters would be impacted in any respect by the Project.

Primary Study Area

The following analysis for the community character assessment includes the adjacent subdivision communities in the Village, the Mountain Lodge community in the Town located within the Primary Study Area, and the nearby Satmar Hasidic community in Kiryas Joel as the Scoping Document references its population patterns as a potential impact to be evaluated in the community character assessment of the Project. These communities are mapped in Figure 342.

The Mountain Lodge community is located within the Town and within the one-mile radius of the Project. The Town is described in its *Comprehensive Plan* as "a diversity of landscapes and community patterns including: rolling hills and wooded hillsides, lakes and streams, rural settlements and suburban neighborhoods, and neighborhood shops and retail strips." The irregular pattern of hills and valleys defines the natural landscape, and the road corridors connect flatter



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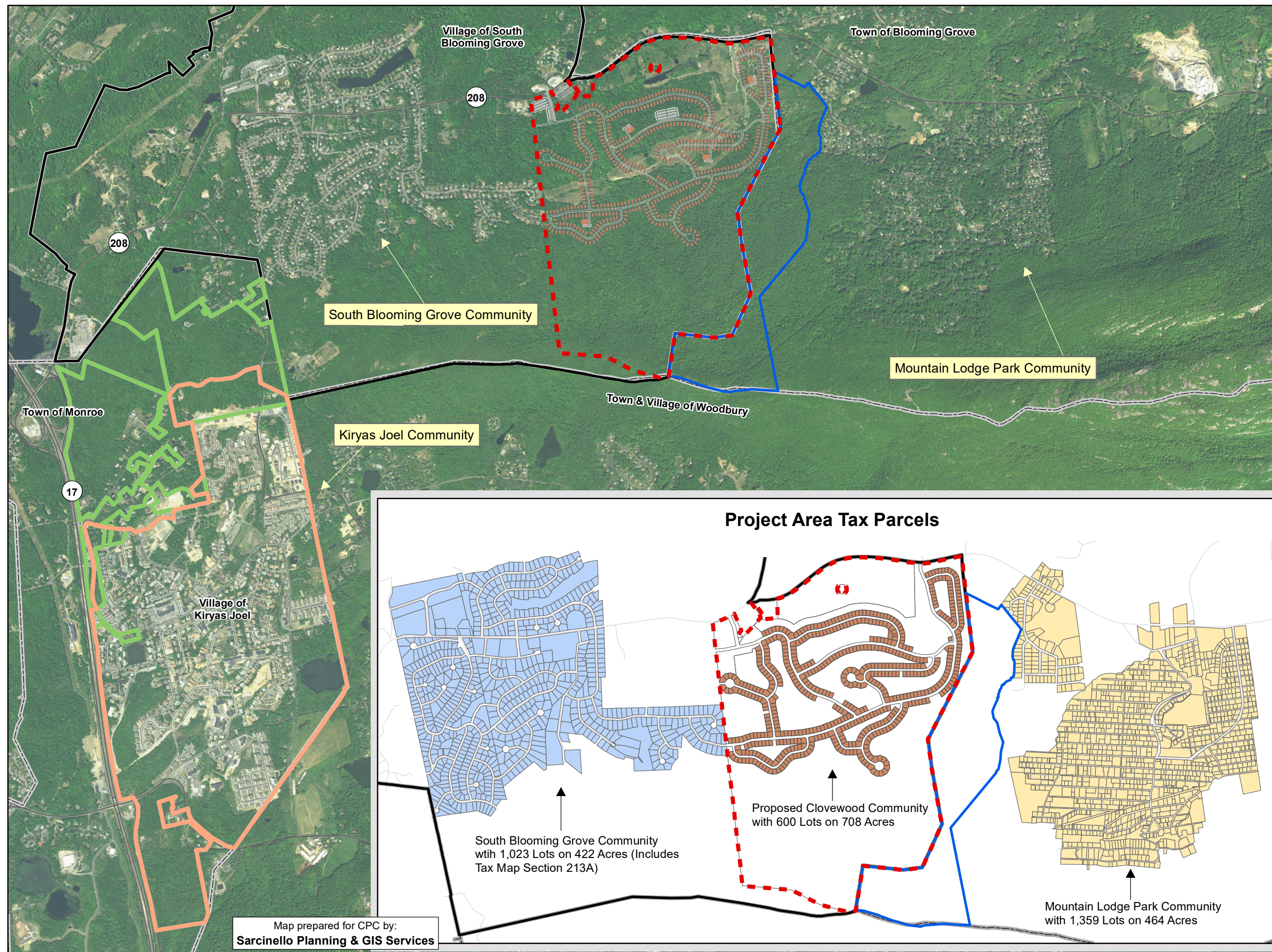
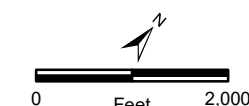


Figure 342

Surrounding Area Communities
With Leaves On and
With the Proposed Project

Legend

- Project Site
- Proposed Clovewood Community
- Additional Property Owned By Keen Equities
- Village of South Blooming Grove Boundary
- Proposed Town of Palm Tree Boundary
- Remainder of 507-Acre Annexation Area
- Other Municipal Boundaries
- Roads



Data Sources:
Orange County GIS Division, 06/2016
Clovewood Layout Plan: Kirk Rother, PE
Aerial Photo: USDA NAIP



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Blaggs Clove

**Village of South Blooming Grove
Orange County, New York**



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areas of land among the hills and steep slopes. The landscape within these flatter areas includes open areas, individual homesteads, small hamlets, and suburban-style residential subdivisions.

With the exception of the Schunnemunk Mountain Ridge, which forms the backbone of the natural landscape in eastern Blooming Grove, and a parallel line of lesser peaks west of Clove Road and a portion of NYS Route 208 (including Bull Mine Mountain, Round Hill, and Woodcock Hill), the Town road patterns amongst the rolling hills and accompanying development are framed by a visual background formed of higher elevations of woodland. Views of some historic farmland, abandoned open fields, and regenerated woodlands are punctuated by views of residential homes and subdivision developments and some commercial retail development. Most active land uses originate off NYS Route 208, the primary transportation corridor through the Village.

The Mountain Lodge community is located off of Clove Road adjacent to the approximately 160 acres of land in the Town owned by the Project Applicant adjacent to the northeast of the Project Site. This community is situated on approximately 500 acres of land area with approximately 1,300 subdivided lots containing approximately 950 dwelling units with a density of one lot per 0.38 acres or one dwelling unit per 0.52 acres.

As the Project's 600 residential lots/homes on approximately 708 acres of land including green open space interspersed throughout would be of a much lower density than the existing Mountain Lodge community, the Project would not have the potential to generate any adverse impacts upon the character of the Mountain Lodge Community.

The Village is characterized by its suburban appearance featuring varying ages and styles of houses mostly situated on lots less than 0.5 acres in size, particularly in the area adjacent to the southwest of the Project Site, which includes the Worley Heights, Capitol Hill, and Merriewold Lake subdivisions, as well as the Stone Gate Condominiums - these residential projects have a total of 1,012 parcels/dwelling units, situated upon approximately 480 acres of land.

Capitol Hill consists of newer and somewhat larger single-family homes, some with extensive landscaping, while Worley Heights and some of Merriewold Lake were built earlier with single-family homes of a more modest size and style. The Stone Gate Condominiums contain 249 dwelling units situated within nine apartment buildings on 17 acres of land. Figure 342 illustrates these existing adjacent communities near the Project Site.

As shown in Figure 342 and in Figure 22 of Section 2.0, the next settled community is in the Village of Kiryas Joel. The Village of Kiryas Joel is developed with single-family homes, townhouses, garden apartments and other multi-family housing types. It also contains other structures, including businesses and community facilities, which are generally laid out close together in a walkable environment with sidewalks on both sides of the streets. It is situated on

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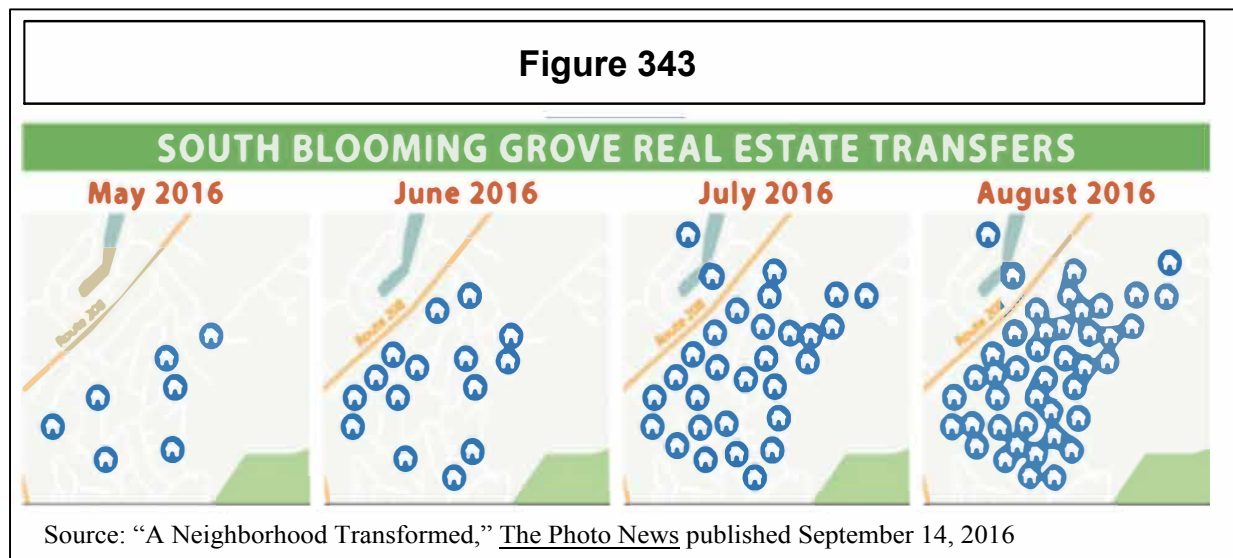
lands comprising 1.1 sq. miles and has a development density of approximately 5.8 dwelling units per acre, approximately 5.47 people per household and approximately 0.5 vehicles per household.

A total of approximately 164 acres of lands abutting the Villages of Kiryas Joel and South Blooming Grove have been annexed into the Village of Kiryas Joel. The Village of Kiryas Joel (including the recently annexed 164 acres), plus an additional 62.4 acres, is part of the newly formed Town of Palm Tree which was carved out of the Town of Monroe.

Currently, the Satmar Hasidic Jewish community extends beyond the Village of Kiryas Joel into the Town of Monroe, Town and Village of Woodbury, and the Village, where increasing numbers of the Satmar Hasidic community reside. According to Orange County Real Property Records and the Hudson Gateway Multiple Listing Service, members of the Satmar Hasidic community currently occupy approximately one-third of the residences within the Village. Thus, the Village has an evolving demographic: Satmar Hasidic community members have been steadily moving into the Village for the past three years.

In fact, according to Orange County Real Property Records, there were 561 real estate transfers (approximately 46% of the Village's total 1,216 parcels) from 2016 to 2018, of which approximately 87% were to members of the Satmar Hasidic community of Kiryas Joel.

The trend of Satmar Hasidic community members moving to the Village has also been documented in news articles. One such article in The Photo News published on September 14, 2016 and entitled, "A Neighborhood Transformed," highlights the migration of Satmar Hasidic community members, noting the Village's close proximity to the Village of Kiryas Joel. The same article contains the Figure 343, which illustrates the trend of acquisition of property in the Village by members of the Satmar Hasidic community.



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The migration of Satmar Hasidic community members into the Village has continued to the present. Over 50% of the land area in the Village is currently owned by members of the Satmar Hasidic community. Based upon the migration and housing trends, as well as the land ownership throughout the Village, it is reasonable to assume that in the foreseeable future, approximately one half of the population of the Village will be members of the Satmar Hasidic community. As mentioned above, 87% of the 561 real estate transfers from 2016-2018 in the Village were to members of the Satmar Hasidic community (approximately 88% of the 143 transfers from 2016, approximately 85% of the 242 transfers from 2017 and approximately 89% of the 176 transfers from 2018).

3.4.2 Potential Impacts

This section analyzes the potential of the Project to generate significant adverse impacts upon the character of the Village community within the Primary Study Area. The Project would be a Zoning Code compliant clustered residential subdivision of 600 lots/homes. The Project would be a neighborhood of conventional 2½-story single-family homes, with 4 bedrooms. If approval is obtained in the future by individual homeowners, the principal dwelling units could each also have an accessory apartment, subject to the Village Zoning Code regulations §235-45.6.

The development area within the Project Site encompasses approximately 140 acres and 22 acres of the Project Site is reserved with no plans for development at this time. The Project would include ample land for community active recreation areas and structures. More than three-quarters of the Project Site would be preserved as open space, including approximately 60 acres of parkland to be dedicated to the Village for public use.

The following is an evaluation of the Project's potential to generate significant adverse community character impacts as required by the Scoping Document in the areas of: (a) land use; (b) visual resources; (c) historic resources; (d) socioeconomics; (e) traffic; and (f) noise levels. The Project's population increase, including population increase similar to Kiryas Joel's population patterns is analyzed in 3.4.3 following.

(a) Land Use: The potential of the Project to generate significant adverse land use impacts is addressed in Section 3.1, which concludes that since the Project as proposed is consistent with all Village land use regulations without the need for any waivers or variances, the Project would not have the potential to generate any significant adverse impacts on land use and would be consistent with the Village community character and overall policy goal to maintain the character of the community.

Because the Project is within what is allowed under the Village's Zoning Code there is no potential for land use impacts that are any different from those which were considered by the Village Board

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when it issued its Negative Declaration in connection with the adoption of the Village Zoning Code.

There are several overlay districts in the Village Zoning Code which further regulate land use, including the following districts: Scenic Roads Overlay, Ridgeline/Significant Biological Overlay, and Scenic Viewshed/Significant Biological Overlay. As analyzed in Section 3.1, the Project would fully conform to the requirements of these overlay districts, thereby confirming consistency with those aspects of community character.

Furthermore, the Project's residential single-family lots/homes would not have the potential to generate any significant adverse community character land use impacts on the Village communities located adjacent to the Project Site, including the approximately 760 residential single-family lots/ homes of the Worley Heights, Capitol Hill, and Merriewold Lake subdivisions (about 300 homes in Worley Heights, 125 homes in Capitol Hill, and 335 homes in Merriewold).

In addition, the Project's overall density of 600 residential lots/homes on 708 acres of land (approximately one dwelling unit per 1.2 acres) would be less than half of the density of the aforementioned 760 residential lots/homes located within the adjacent Village communities situated on approximately 440 acres of land with an average density of approximately one dwelling unit per 0.58 acre.

Overall, the Worley Heights, Capitol Hill, Merriewold subdivisions as well as the Stone Gate Condominiums (Tax Map Sections 205, 209, 210, 211, 213, 214, 215, 216, and 221), contain over 1,000 residential parcels/dwelling units, situated on a total of approximately 480 acres of land, with an overall average density of approximately 2.1 dwelling units per acre (or one unit per 0.48 acre). Figures 344a and 344b illustrate the existing developed lot sizes in the Village (Figure 344a) as well as with the proposed Project (Figure 344b).

Figure 345 following illustrates approximately 80% of existing lots in the Village's RR District are less than half an acre in size and approximately 90% of the RR Zoning District is comprised of lots less than one acre in size. In fact, over 20% of the Village's lots are less than 3,000 square feet (0.069 acres) in size.

Furthermore, the ratio of developed to undeveloped land area in the Village would not be impacted by the Project, as the Project would preserve approximately 80% of the Project Site as open space, and in fact, the ratio of developed to undeveloped land in the Village current would be approximately the same as the ratio of developed to undeveloped land in the Project as illustrated in Figure 344b.

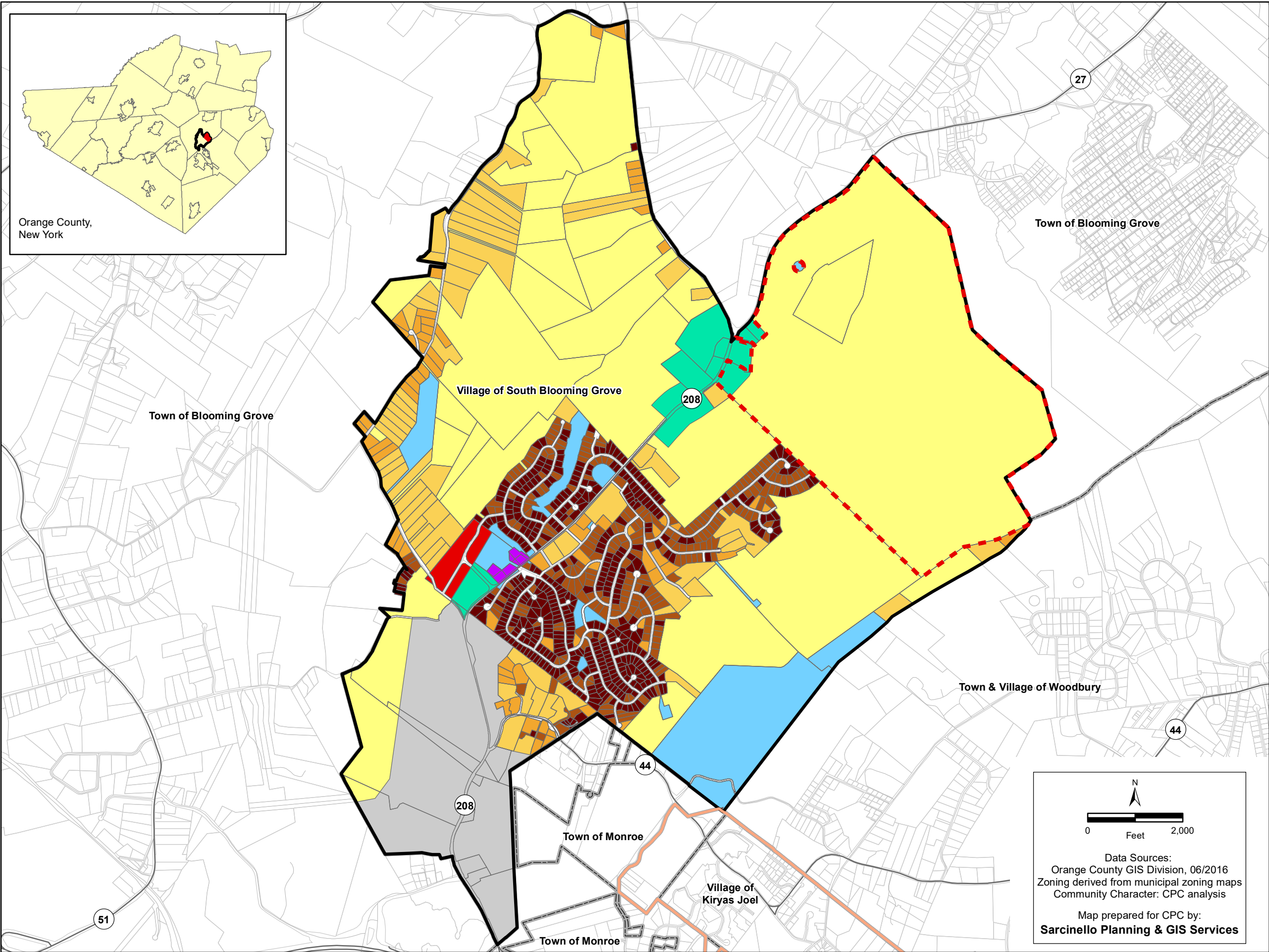


Figure 344a

Village of South Blooming Grove
Lot Type & Sizes
Without the Proposed Project

- Legend**
- Project Site
 - Village of South Blooming Grove Boundary
 - Proposed Town of Palm Tree
- Community Character**
- Government & Utility lots
 - ORI Zoning District lots
 - RC-1 Zoning District lots
 - RC-2 Zoning District lots
 - RMF du on 17 acres *
 - RSF du on 0.1 to 0.4 acre lots **
 - RSF du on 0.5 to 0.9 acre lots
 - RSF lots/du on 1.0 to 1.9 acre lots
 - RSF lots/du on 2 to 9 acre lots
 - RSF lots/du on 10+ acre lots
- *RMF = Residential Multi Family
**RSF = Residential Single Family



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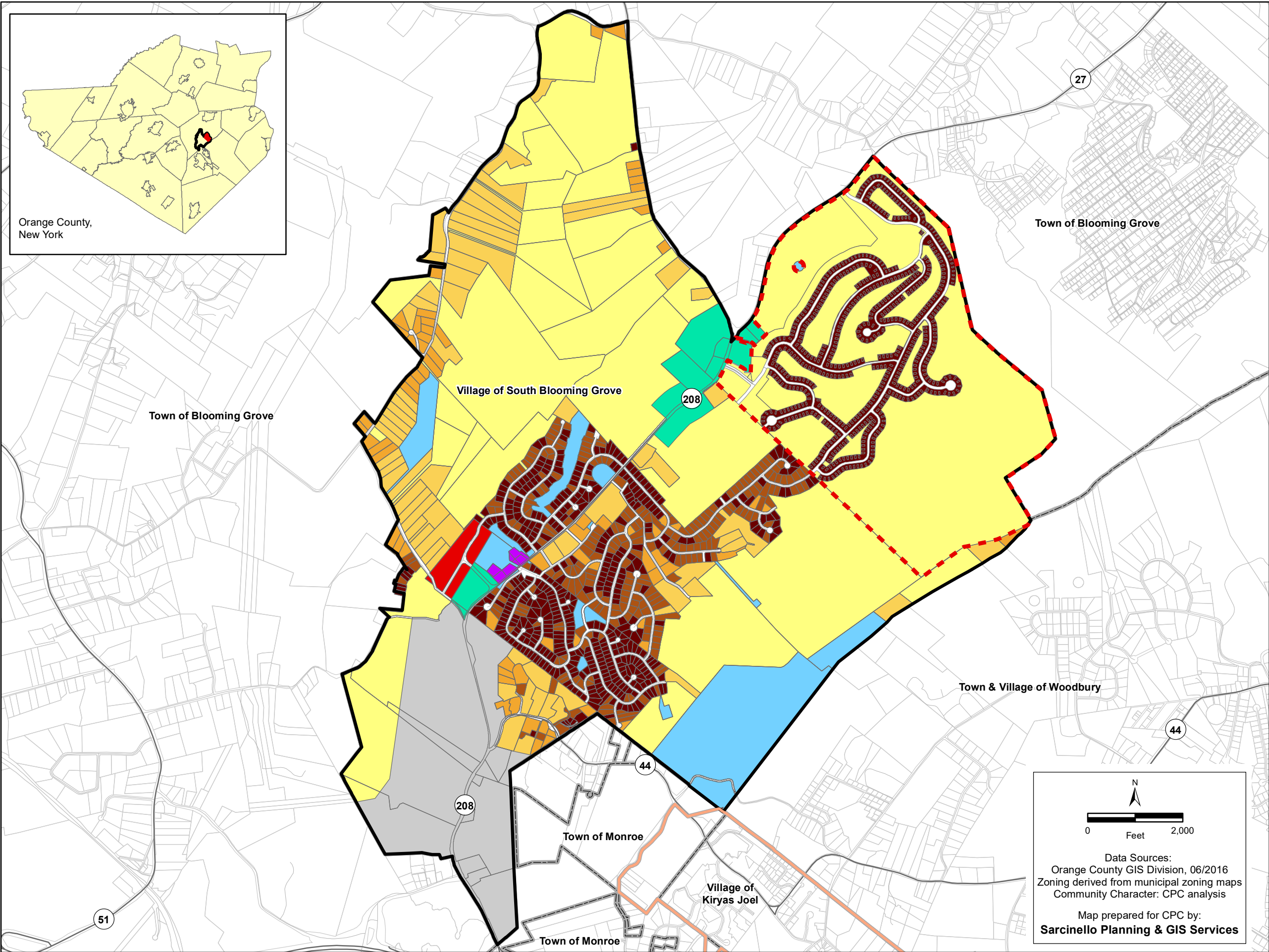


Figure 344b

Village of South Blooming Grove
Lot Type & Sizes
With the Proposed Project

- Legend**
- Project Site
 - Village of South Blooming Grove Boundary
 - Proposed Town of Palm Tree
- Community Character**
- Government & Utility lots
 - ORI Zoning District lots
 - RC-1 Zoning District lots
 - RC-2 Zoning District lots
 - RMF du on 17 acres *
 - RSF du on 0.1 to 0.4 acre lots **
 - RSF du on 0.5 to 0.9 acre lots
 - RSF lots/du on 1.0 to 1.9 acre lots
 - RSF lots/du on 2 to 9 acre lots
 - RSF lots/du on 10+ acre lots
- *RMF = Residential Multi Family
**RSF = Residential Single Family



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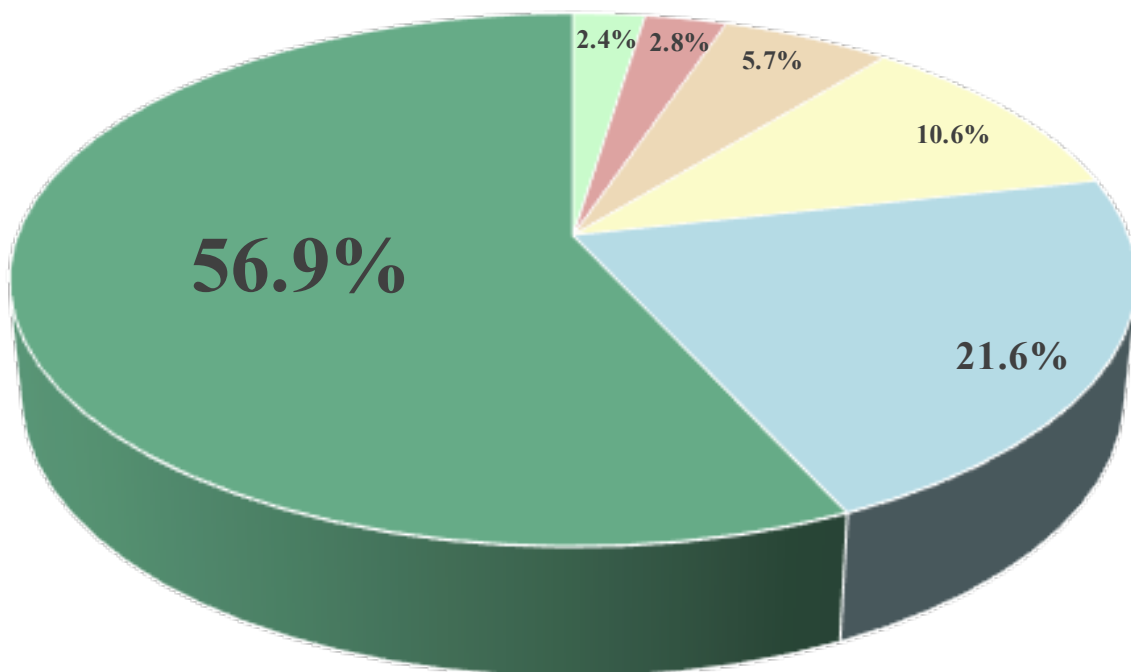
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In addition, the majority of the Village's undeveloped land is zoned RR, which allows the same residential development as the Project. Accordingly, the "character" and potential character of such undeveloped land would be consistent with the Project. Since the Project complies with the Village Zoning Code and no variances are required, it would consist with any future development proposed on such undeveloped land as they are, like the Project Site, located in the RR Zoning District.

Figure 345: Village RR Zoning District Lot Sizes



Category	Lot Size	Number of Lots	Percent
	> 10.0 Acres	28	2.4%
	2.0 to 9.9 Acres	66	5.7%
	1.0 to 1.9 Acres	32	2.8%
	0.5 to 0.9 Acre	123	10.6%
	3,000 sf to 0.49 Acres	658	56.9%
	< 3,000 Square Feet	250	21.6%
Total	All Lots	1,157	100.0%

Source: 2016 Final Assessment Roll for the Village of South Blooming Grove

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The Project's 600 residential dwelling units on 708.2 acres of land results in an overall density of one unit per 1.2 acres. Although the Project's individual home sites are approximately 0.2 acres in size, the development would be interspersed with approximately over 500 additional acres of open space and greenbelts throughout, resulting in a visual density of approximately over one acre per unit. In addition, smaller home sites enable larger amounts of open space to be preserved and assembled in large contiguous areas, which is consistent with the character envisioned by the Village in accordance with its authorized Zoning Code.

Since the Project is in conformity with applicable zoning which was found to not have the potential to generate any significant adverse community character impacts, and since the Project would be developed at a lower overall density than the existing adjacent communities within the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel, and because the Project would develop residential single-family lots/homes, the Project would not have the potential to generate any adverse impacts upon the land use character of the community including the adjacent subdivision communities in the Village, the Mountain Lodge community in the Town, and the Satmar Hasidic community in Kiryas Joel.

(b) Visual Resources: The potential of the Project to generate significant adverse visual and aesthetic impacts is addressed in Section 3.14 and concludes that no significant adverse visual impacts would be generated by the Project. The Project would not create a visual appearance out of character with the existing landscapes of the Village of South Blooming Grove or adjacent communities. The Project would be largely hidden from view to highway travelers and neighboring properties and the view from trails would be very distant even during leaf-off conditions. In addition, the Project would demolish the existing Lake Anne structures which constitute a current eye-sore.

The existing visual character of the communities adjacent to the Project Site is varied, formed mostly by the appearance of single-family homes and some multi-family buildings, as well as some vacant land, and some commercial and retail stores along NYS Route 208. Currently, the approximately 708 acres of the Project Site consist mostly of vacant and fallow land and specifically, approximately 22 acres consist of approximately 50 structures in a state of disrepair, approximately 60 acres are disturbed from the former Lake Anne Country Club golf course, and the remaining approximately 626 acres consists of forested land and some open fields, including approximately 35 acres of wetlands.

The Schunnemunk Ridge is a local visual resource, which can be viewed from portions of Clove Road. The view of the ridgeline as a backdrop to the fields and woodland on the Project Site is a feature of the view across the Project Site, which would be preserved and not impacted by the Project's design and layout, as the ridgeline is located at the rear boundary of the property at

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approximately 1,400 feet AMSL and the Project's development is proposed between 510 and 860 feet AMSL, as shown in Figure 13 of Section 1.0.

By demolishing the existing 50 structures and replacing them with new single-family homes on the Project Site, the Project would improve the visual appearance of the Project Site.

Furthermore, the Project's development would occur on approximately 140 of the 708 acres of land, including the 22 acres previously disturbed by the existing dilapidated structures and approximately 60 acres previously disturbed by the former Lake Anne Golf Course, thereby limiting the overall Project's disturbance to just approximately 60 acres, which would only be approximately 8% of the 708-acre Project Site. Accordingly, the magnitude of the change to the natural landscape would not be significant and would not result in adverse impacts to the overall visual character of the community.

In addition, the Project includes a 100-foot buffer along Clove Road which would be preserved as open space and further maintain the visual character of the community. The Project's structures and proposed utilities would not be taller than the predominant vegetation, thereby maintaining the character as it relates to visual resources and natural landscape. Likewise, homes would be designed with building materials and colors (browns, greens, grays, and other non-obtrusive earth tones) as well as textures that would blend in with the natural environment in accordance with the Village Zoning Code, further maintaining the visual character of the area. The architectural front elevation scale (approximately 30-ft. of frontage), siting, design, and function of the Project's homes would remedy the current visual inconsistencies with community character caused by the dilapidated 50 structures on the Project Site, while still blending in with and providing a well-designed visual character of the Project.

The Project would preserve far more forested land on the Project Site than has been conserved in connection with previous developments in the Primary Study Area, including the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel, and would not include structures colored with and containing white and light colors, brightly finished metal, and glossy surface materials that reflect light, although such colors and materials may be found in some of the structures currently developed in the Primary Study Area, including the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel.

Accordingly, the Project would not have the potential to generate any significant adverse impacts upon the visual character of the community, and would further uphold that character through its layout, design, and visual appearance.

(c) Historic Resources: The areas proposed for development on the Project Site do not contain any historic resources, and do not contain structures that would be National Register eligible. The

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Project would also avoid historic impacts by including a buffer around the Round Hill Cemetery and M.H. Howell Farm and Clove Road Precontact Site, as well as routing water pipes to avoid the Schunnemunk Precontact Site. Accordingly, as addressed in Section 3.5, the Project would not have the potential to generate any significant adverse impacts on historic resources in the Primary Study Area within the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel, including those as they relate to community character.

(d) Socioeconomics: The potential of the Project to generate significant adverse socioeconomic impacts is addressed in Section 3.2 and concludes that the Project would not result in any significant impacts. The analysis found the Project would produce a positive socioeconomic impact as the Project would provide 600 homes to meet immediate regional housing needs, and the associated increase in population would remedy the Village's shrinking population and population loss. The addition of the tax revenue totaling \$11,605,268 from the Project would not only offset the costs of associated services, but in fact would result in a positive net financial benefit upon the Village, Town, County, School District and accordingly their taxpayers under both demographic scenarios (\$7,967,466 under Scenario No.1 and \$7,930,660 under Scenario No. 2). Among to the positive short and long term employment benefits, the Project would also increase revenue to the retail, wholesale, and goods and services economic sectors in the area, stimulating significant new economic activity, while having a positive impact on the region. The Project would not displace any existing businesses or residents since there are no such businesses or occupied residences on the Project Site that could be displaced.

Furthermore, as the Village Scoping Document requires the community character study also include an analysis of the potential impacts from the Project's population increase similar to Kiryas Joel's population patterns since the Project could potentially be wholly populated by the Satmar Hasidic community, the analysis below evaluates this demographic as it relates to the character of the community.

It is reasonable to analyze a community's impacts upon other communities in a county according to its population contribution with its associated sales and property taxes versus its service utilization. According to the CGR Report, the Satmar Hasidic Community of Kiryas Joel utilizes a proportionate share of Orange County services for certain types of services, exceeds its proportionate share for a few services, but for most services the "*community's unique culture and preference for isolation has the opposite result for many other services*" (CGR Report p. 19). The services which KJ either does not utilize at all or utilizes very sparingly are detailed in Tables 3211 and 3212 in Section 3.2.2(d). Accordingly, Kiryas Joel's lack of usage or sparse usage of several of the County's services result in a net benefit to the County. To the extent Kiryas Joel is seen as a model for the Project's community character impacts, the Project would be a net benefit to the County.

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Moreover, Satmar Hasidic community members typically enroll their children in private Jewish schools and yeshivas. The CGR report noted, *“Yet if all children living in the Kiryas Joel district attended KJUFSD instead of private yeshivas, KJUFSD would receive upwards of \$100 million in state aid, possibly over \$150 million”* (page v of the CGR Report).

As a result, according to data from Orange County Department of Social Services and the CGR Report, there would be no significant impact upon fiscal conditions and socioeconomic character in the County, its municipalities and State from the Project under Scenario No. 1, as Project-generated taxes would at least cover, and likely exceed, the Project’s demand for services for its community. Especially great is the net benefit to the School District and State as a result of the Satmar Hasidic community’s enrollment of their children in private schools and yeshivas as indicated in the quotation from page v of the CGR report mentioned above.

Accordingly, the Project under both scenarios would not have the potential to generate any significant socioeconomic impacts as they relate to community character in the Primary Study Area within the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel.

(e) Traffic: The traffic from the Project would be the type of traffic associated with residential development and would be similar to the character of traffic generated by existing residential development in the Village and adjacent communities, although if the Project is populated with a largely Satmar Hasidic population (Scenario No. 1), then traffic generation would be lower because the Satmar Hasidic community does not drive at all on the Sabbath, as well as on many other Jewish religious holidays.

A Traffic Impact Study conducted by Maser Consulting estimates traffic levels from the Project under multiple scenarios for purposes of evaluating these impacts and mitigating them, which are summarized in Section 3.11 and Appendix J.

Several intersections in the study area within the Village community currently operate at poor levels of service and require improvements regardless of the Project. These include the intersections of NYS Route 208 and Clove Road and NYS Route 208 and Mountain Road. The Project includes access related intersection improvements, which would provide additional gaps in the traffic stream and would tend to improve the ability to enter and exit other roadways. These Project improvements would ensure the traffic generated by the Project would not only be accommodated but would also improve the levels of service compared to the current conditions and thereby improve the character of the community as it relates to traffic.

Furthermore, as the Village Scoping Document further requires the community character study also include an analysis of the potential impacts from the Project’s population increase similar to

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Kiryas Joel's population patterns since the Project would potentially be wholly populated by the Satmar Hasidic community the analysis below evaluates this demographic as it relates to the character of traffic upon the community.

An abundance daily activities in the Satmar Hasidic community are accomplished via walking or carpooling. Many men in the Satmar community do not drive, and women in the community do not drive at all. The Satmar Hasidic community trends on the younger side, and thus the majority of its population is under the age for issuance of a drivers license. As a consequence, there are only 0.5 vehicles per household in the Village of Kiryas Joel, according to the US Census. Furthermore, there are also approximately 65 days out of the 365 days of the year (approximately 18% of the year) when no one in the Satmar Hasidic community drives at all due to religious observance. Although the Project would have more people under Scenario No. 1 it would just add approximately 367 vehicles to Village roadways, and while Scenario No. 2 would have a lower population density, it would add approximately 1,325 vehicles to Village roadways.

According to the analysis detailed above, the Project, under both scenarios, would not result in adverse traffic impacts as they relate to community character in the Primary Study Area within the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel.

(f) Noise: The Project would generate limited noise over existing ambient conditions for those residences located within 50 feet of the Project access roads and these increases in noise levels would not be significant adverse noise impacts as discussed in more detail in Section 3.12.

The estimated increase in traffic noise resulting from Project traffic for residents within 50 feet of the Project roadways would be 2.0 dBA or less, substantially less than the 6.0 dBA increase typically requiring abatement for highway projects. This noise would be of a similar character to that of existing traffic noise in the Village and adjacent communities and would not result in an adverse traffic noise impact upon community character including those upon the adjacent subdivision communities in the Village, the Mountain Lodge community in the Town, and the Satmar Hasidic community in Kiryas Joel.

Additionally, the Project would generate limited noise from sources typical of the character of noise from a residential subdivision, including heating and cooling equipment such as air conditioning units, occasional lawn mowers and snow blowers. All of these noise sources currently exist throughout the Village and its communities and therefore, none of these noise sources has the potential to generate significant adverse noise impacts as they relate to community character. The proposed wastewater treatment plant would be contained in a small building including its mechanical equipment, and would thereby prevent generation of any significant noise.

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Furthermore, as the Village Scoping Document further requires the community character study to include an analysis of the potential impacts from the Project's population increase similar to Kiryas Joel's population patterns assuming the Project would be wholly or largely populated by members Satmar Hasidic community (in order to accommodate the growing housing needs of Kiryas Joel), it should be noted that the above list of noises would generally not be heard during Saturday under Scenario No. 1; however, there would be noise from a Sabbath Horn, which would sound for approximately 30 seconds to alert Satmar Hasidic community members of the arrival of the Sabbath fifteen minutes prior to and once again at sunset on Fridays. Also, it is unusual for Satmar Hasidic community members to own pets; therefore, under Scenario No. 1 there would also be no noise associated with dogs barking.

In addition, vegetated buffers at the edges of the Project Site, as well as the distance from nearby homes, would further reduce the possibility of significant adverse noise impacts. Accordingly, the Project would not result in any significant adverse noise impacts as they relate to community character in the Primary Study Area within the Village, the Mountain Lodge community in the Town and the Village of Kiryas Joel.

3.4.3 Population Increase

The Village Scoping Document generally requires an assessment of potential impacts through the analysis of two community scenarios. Scenario No. 1 assumes the Project would be occupied by a Satmar Hasidic community with demographics similar to those in the Village of Kiryas Joel, and Scenario No. 2 assumes the Project would be occupied by a community with demographics similar to those in the Village. However, in assessing the potential impacts of community character, the Scoping Document specifically requires an analysis of the Project's projected population increase from the Satmar Hasidic community of Kiryas Joel and the potential impact the Satmar Hasidic community may have on the existing community or neighboring character since it is likely that the Project would be occupied by members of the Satmar Hasidic community.

Although the Village of Kiryas Joel is predominately inhabited by the Satmar Hasidic community, a substantial number of members of the Satmar Hasidic community also live outside of the municipal boundaries of the Village of Kiryas Joel and within the neighboring municipalities of Monroe, Woodbury, and South Blooming Grove; specifically, in the Village's Worley Heights, Capital Hill and Merriewold Lake subdivisions.

While many characteristics of the Satmar Hasidic communities inside and outside of the Village of Kiryas Joel are similar, there are differences between the housing and development character of Kiryas Joel and the areas outside its boundaries. Kiryas Joel's residential density is approximately 5.8 dwelling units per acre, whereas the areas where Satmar Hasidic community members live outside of the boundaries of Kiryas Joel have a lower density per acre. The Project's proposed

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single-family homes would be consistent with the character of the Satmar Hasidic communities in the Village, including the Worley Heights, Capital Hill and Merriewold Lake subdivisions.

Given the current trend of migration of Satmar Hasidic families into the Village, as well as the current and likely ongoing unmet demand for housing in the local and regional Satmar Hasidic community including from the nearby Village of Kiryas Joel, it is likely that the Project would be occupied by members of the Satmar Hasidic community.

For these reasons, the Project would address regional and local present and future housing needs and the Project would not have the potential to generate any significant adverse character impacts to the Satmar Hasidic community or the Village of Kiryas Joel. Further, the Project's estimated population increase from the Satmar Hasidic community would not generate a significant adverse impact to the existing character of the Village community and neighborhood.

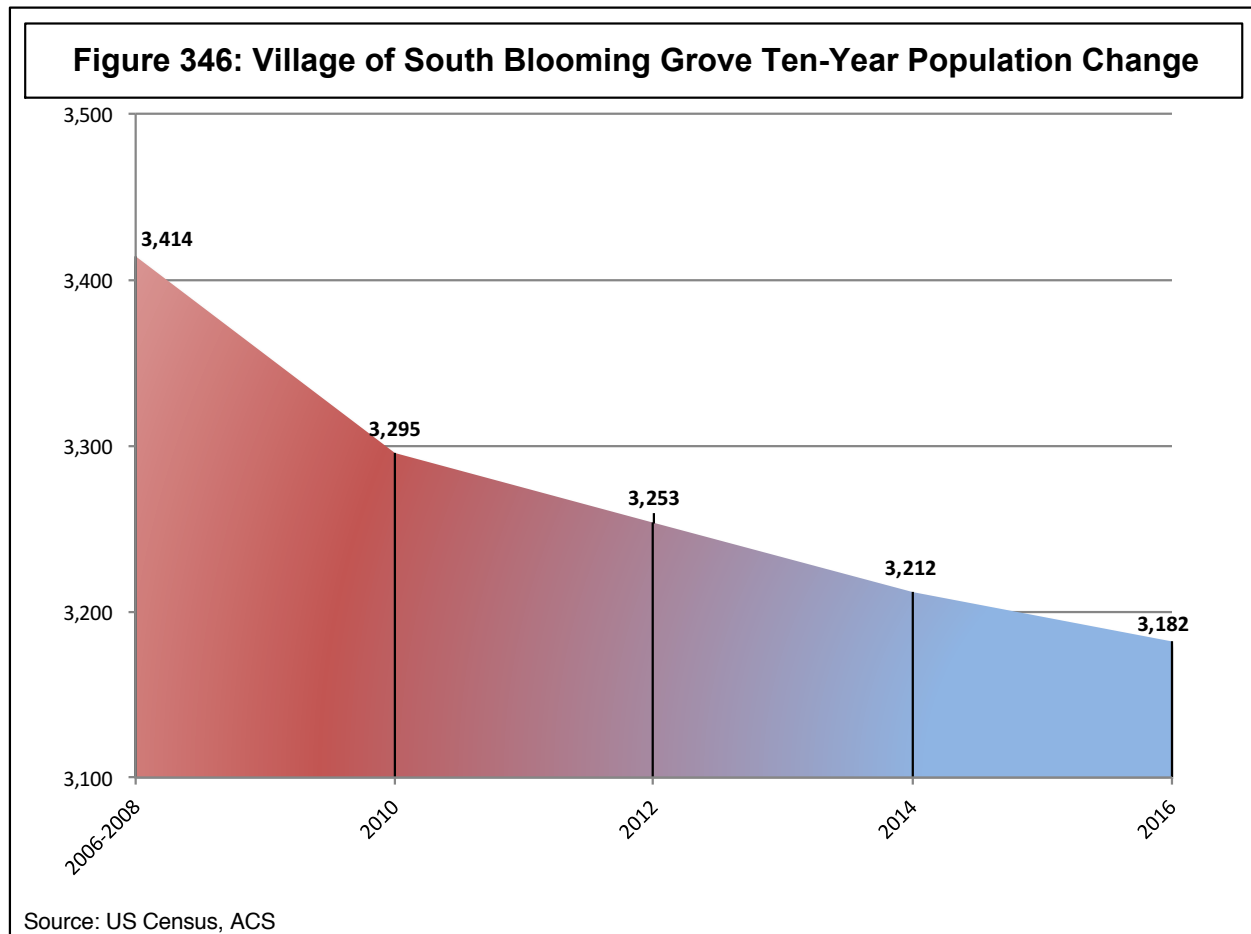
Table 341				
Population Projections				
	Village of Kiryas Joel	Village of South Blooming Grove	Clovewood Scenario 1	Clovewood Scenario 2
Population	21,655	3,182	3,052* 3,815**	1,568* 1,960**
Total Housing Units	4,257	1,216	600	600
Occupancy Rate	93.0%	91.4%	94.10%	94.10%
Occupied Housing Units	3,959	1,111	558	548
Average Household Size	5.47	2.86	5.47	2.86
Median Age	13.3	38.3	13.3	38.3
Vehicles Per Occupied Households	0.52	2.01	0.52	2.01
* Village Population with the Project's Primary Units ** Village Population with the Project's Primary Units and Accessory Apartments Note: The Village Zoning Code restricts the size of an accessory apartment to not exceed 25% of the size of the primary unit. It is assumed the household size of an accessory apartment would not exceed the same ratio of 25% of the primary unit. This results in 763 additional people in Scenario No. 1 and 392 additional people in Scenario No. 2.				
Source: Based on data from the U.S. Census American Community Survey, 2012-2016 and detailed below				

The projections of population increase for the Project under Scenario No. 1 are based upon the assumption that the Project would be occupied by the Satmar Hasidic community with demographics and population patterns similar to those in the Village of Kiryas Joel. The population projections for the Project under Scenario No. 2 are based upon the assumption that the Project would consist of a demographic scenario similar to those in the Village of South Blooming Grove are detailed in Table 327 of Section 3.2 and in Table 341 above. Note however, that with the increasing number of members of the Hasidic Community purchasing homes in the Village, the differences between Scenario No. 1 and Scenario No. 2 are diminishing as approximately one-third of the Village is comprised of Satmar Hasidic Households.

Census estimates reveal that the Village population has declined by about 232 persons (or 7%) in the past ten years (see Figure 346). Thus, population increase from the Project would in part offset

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prior population decreases in the Village. If the Village continues to lose population at its current rate, in 2026, its population would be 2,959 persons. The Project's estimated population of 3,052 persons under Scenario No. 1 or 1,568 persons under Scenario No. 2 would provide a means for the Village to offset prior and projected population losses, as discussed in Section 3.2.2(a) and in Figure 323a.



Based on its population, the Village is classified as an “urban cluster” community, and the Village with the Project’s population increase under both scenarios, would still maintain the same character classification. Federal guidelines¹ provide the following criteria for identifying urban and rural areas, designating the classifications based on population density as two types of urban areas and one type of rural area: urbanized area; a statistical geographic entity consisting of a population density of at least 50,000 persons; urban cluster, at least 2,500 persons but fewer than 50,000 persons; and rural, fewer than 2,500 persons.

¹ Docket No. 110714393-1939-01, Federal Register Vol. 76, No.164, dated 8/24/11 (Section V., Subsection C.)

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Even though the Village has lost population over the past ten years, its character classification as “urban cluster” has not changed to “rural,” as there have never been fewer than just 2,500 persons in the Village. Furthermore, the Project’s population increase, under both scenarios, which would add between 1,568 and 3,815 persons to the Village, would not result in any change to the Village’s classification threshold, as it would not increase the number of people to 50,000 or more persons.

Likewise, State guidelines² do not define the Village as rural, as the State defines a “*rural area*” as “*those portions of the state in counties of two hundred thousand or greater population, 'rural areas' means towns with population densities of one hundred fifty persons or less per square mile, and the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein.*”

Since Orange County has a population of greater than 200,000 people and the Town of Blooming Grove has population of over 500 persons per square mile, the Town of Blooming Grove and “the villages, individuals, institutions, communities, programs and such other entities or resources as are found therein” (the Village of South Blooming Grove) are not rural. Furthermore, the Village has a population of approximately 645 persons per square mile, which is not classified as rural, and the Village’s population with the Project would not change this classification.

As the State defines a community based on population per square mile, potential impacts from population increase related to community character are correlated to the populations per square mile in the villages within the Primary and Secondary Study Areas, as the Project is proposed in a village. Villages have historically been the preferred location for natural population growth rather than unincorporated Towns, which is also confirmed by the fact that the Orange County Priority Growth Areas are all village areas.

The populations of the villages located within the Primary and Secondary Study Area are found in Table 342 following, which provides a comparison between the populations of the villages within the Primary and Secondary Study Area.

The Village of South Blooming Grove has a population per square mile that is far below the population density of every other village in both Study Areas. With the Project’s population increase, the Village would still be below the average of all villages in the study area as shown in Figure 347.

The average in the Table and Figure for the 7 villages include all of the villages (shown in brown in Figure 347), while the 5 village average (shown in yellow in Figure 347) does not include the

² Executive Law section 481(7). SAPA section 102(10).

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highest (Kiryas Joel) and lowest (South Blooming Grove) in order to reach an average which does not include the spectrum's two extremes.

This fact confirms the Village would be well suited to accommodate the population growth in the area and satisfy some of the local and regional unmet housing needs. Indeed, based on the average population per square mile in the villages of the Primary and Secondary Study Areas, the Village would have a population between 10,493 (2,107 per square mile) and 18,411 (3,697 per square mile) if it was merely at the average population density of villages in the two study areas.

Table 342		
Primary & Secondary Study Area Village Population Characteristics		
Village	Land Area (Sq. Miles)	Population Per Sq. Mile
1. Harriman	1.00	2,556
2. Monroe	3.50	2,442
3. Washingtonville	2.55	2,280
4. Chester	2.12	1,855
5. Cornwall on Hudson	2.09	1,402
6. Kiryas Joel	1.49	14,708
7. South Blooming Grove	4.98	639
Average Population Per Sq. Mile (All 7 Villages)		3,697
Average Population Per Sq. Mile (Villages 1 - 5)		2,107
Source: U.S. Census, 2012-2016 ACS		

As previously discussed in Section 3.1, the Mid Hudson Regional Sustainability Plan sets a policy goal of reducing the number of acres per capita from an average of 0.31 acres to 0.20 acres by 2050. Since there are 640 acres in one square mile, the 5 Village average in the Primary Study Area shown in Table 344 is at 0.30 acres per capita.

The Village is slightly over one acre per capita. The Project Site's size and its projected population would bring the Village closer to this regional Plan's policy goal by decreasing the number of acres per capita to 0.45 acres under Scenario No. 1 and 0.67 acres under Scenario No. 2. Population from potential accessory apartments would change the overall acres per capita in the Village to 0.46 acres under Scenario No. 1 and 0.62 acres under Scenario No. 2.

According to average parcels per square mile in the villages of the Primary and Secondary Study Areas (see Figures 348a and 348b below) the Village would have between 4,019 parcels (807 per square mile) and 5,124 parcels (1,029 per square mile) if it was at the average level.

Figure 347: Study Areas' Average Population per Square Mile

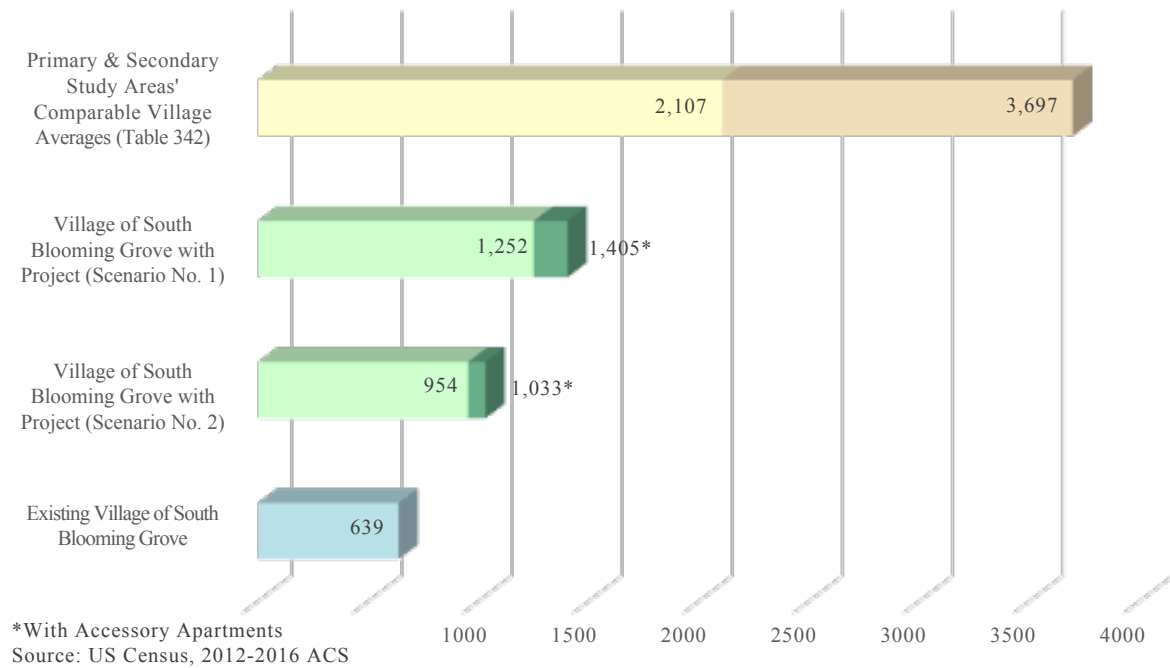
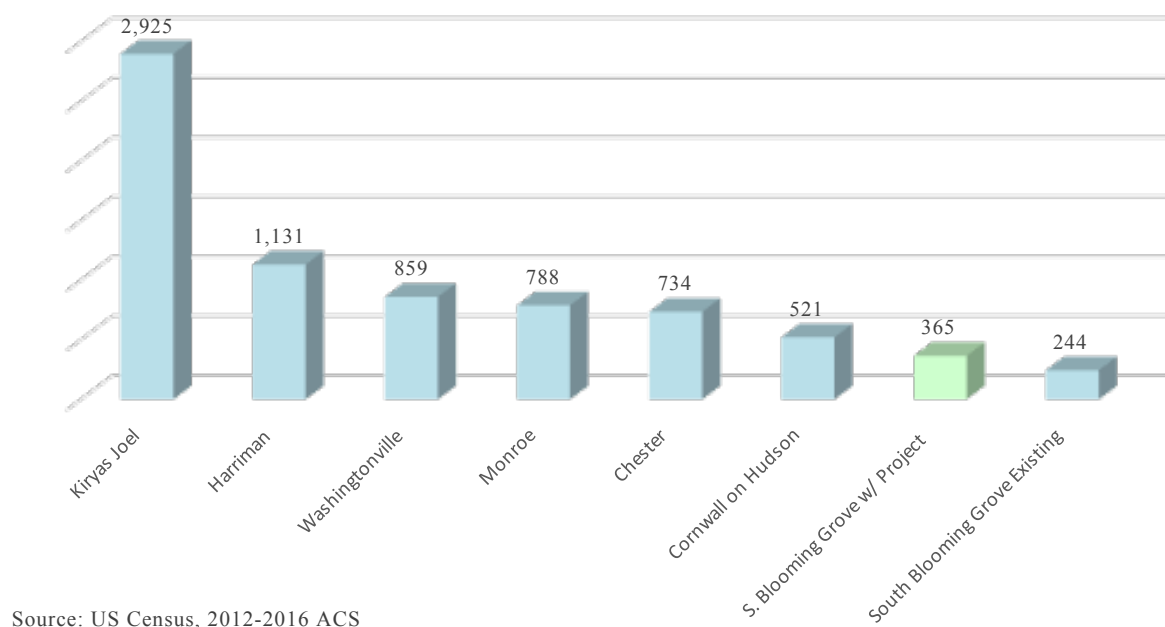
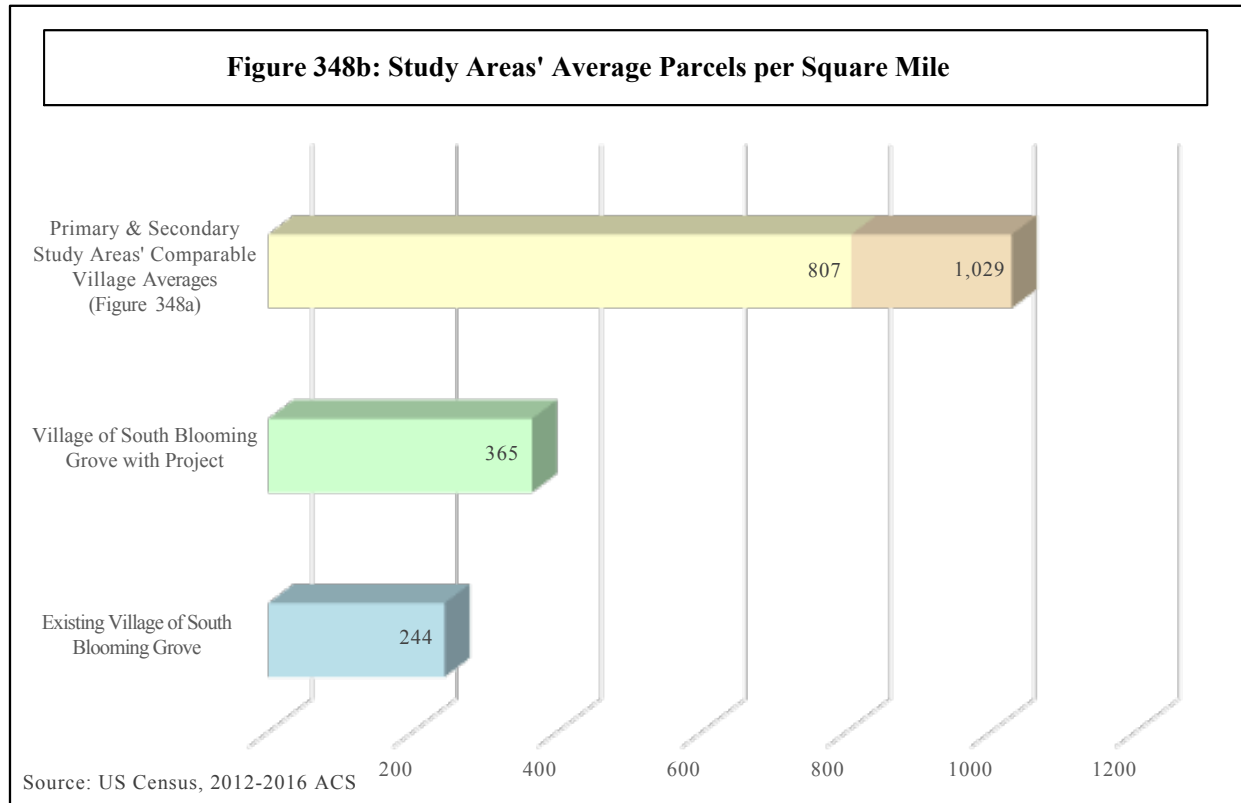


Figure 348a: Primary & Secondary Study Area Villages - Parcels per Square Mile



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The averages for the 7 villages include all of the villages is shown in brown on the chart, while the 5 village average shown in yellow does not include the highest (Kiryas Joel) and lowest (South Blooming Grove) in order to reach an average which does not include the spectrum's two extremes.

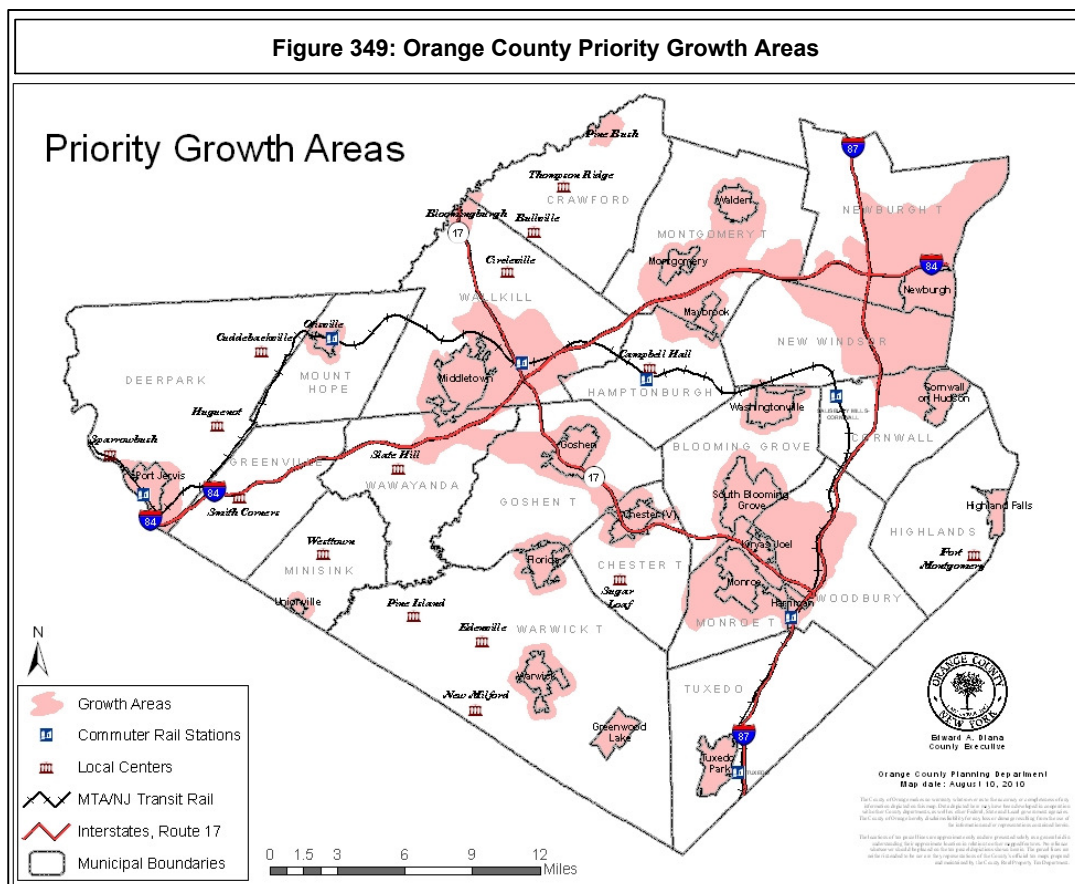


The Project would increase the Village's housing parcels from 1,216 to 1,816 and increase its population from 3,182 people to 6,234 people under Scenario No. 1 (6,997 with accessory apartments) and 4,620 people under Scenario No. 2 (5,142 with accessory apartments), which would still be lower than the average number of parcels and population per square mile of the other Villages within the Primary and Secondary Study Areas.

Based on the foregoing, the Project would cause the Village to: reverse its population decline; undergo reasonable population growth that would yield a village population that would remain below the average in both study areas; and partially meet the unmet local and regional demand for housing, including affordable housing. A reasonable population increase enables governmental services and costs to be spread over a larger tax base. Communities with declining populations, like the Village, face greater difficulty providing and maintaining community facilities and services. Therefore, the Project would not have the potential to generate any significant adverse impacts arising from population increase under both Scenario No. 1 and No. 2.

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Moreover, the Village, including the Project Site, is among the Priority Growth Areas within Orange County, New York, suggesting community character from both a county and regional perspective will be best enhanced by the Project's proposed development.



The future development of the Project Site and the Village were considered in the Southeast Orange County Land Use Study which was undertaken in cooperation with the Town and adjoining communities under the leadership of the Orange County Planning Department. The Regional Plan Association issued a publication entitled “*Illustrating Smart Growth for Orange County*” based upon that land use study. Like the Orange County Comprehensive Plan, the Regional Plan Association specifically identifies the Project Site area as a growth area (see Figure 314 in Section 3.1). Therefore, not only would the Project have no potential to generate any adverse population increase impacts, it would be consistent with regional growth policies.

The Village’s population with the Project’s proposed development and associated population increase under both scenarios would still yield overall Village population and parcels per square mile that would be the lowest among all comparable Orange County Villages located within the Priority Growth Area, as illustrated in Figures 3410a, 3410b, 3411a and 3411b.

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Figure 3410a: Orange County Priority Growth Area Villages - Population per Square Mile

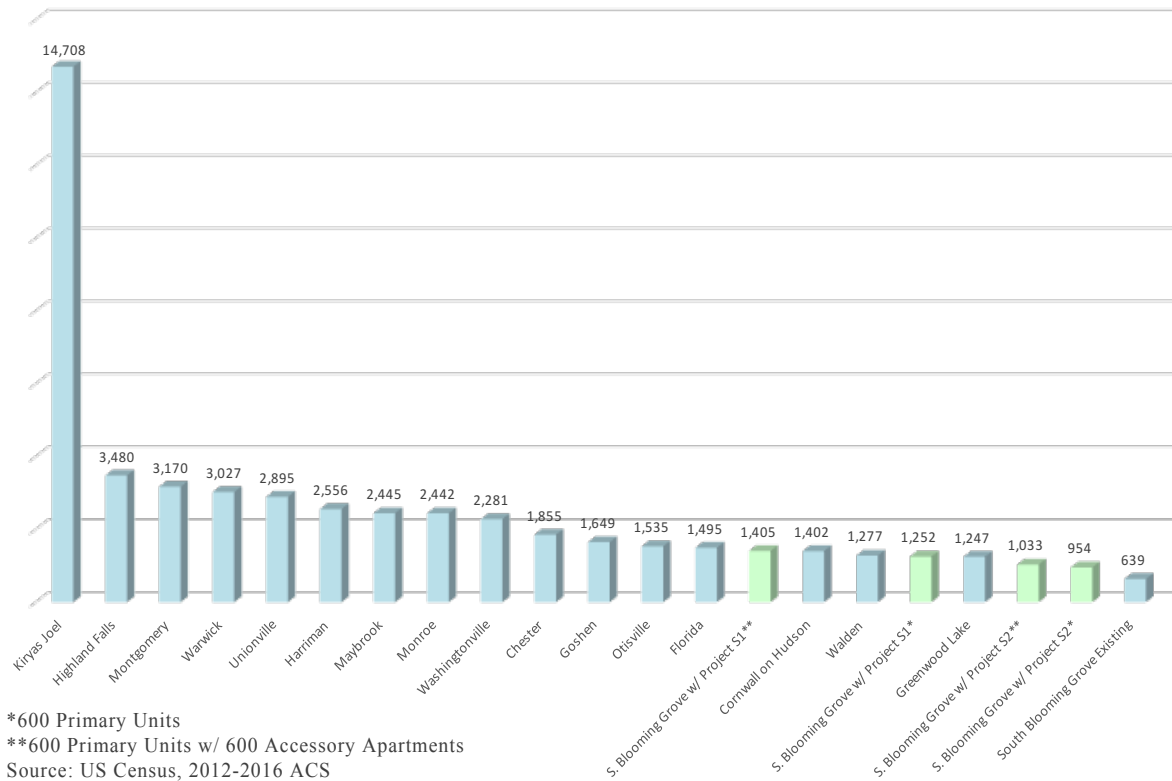
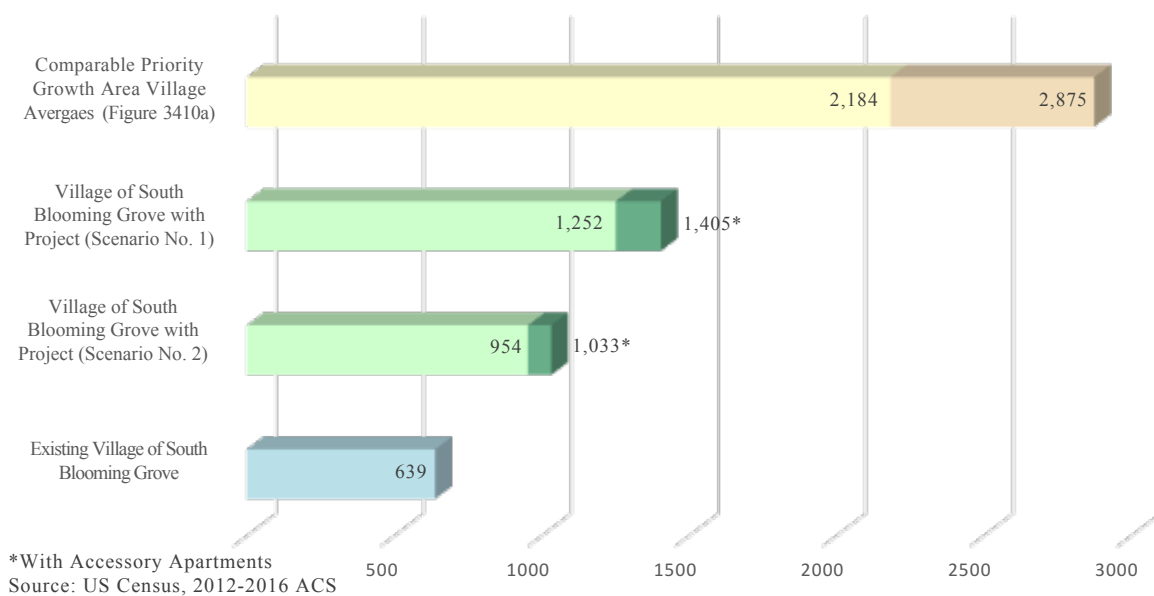


Figure 3410b: Priority Growth Area Villages' Average Population per Square Mile



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Figure 3411a: Orange County Priority Growth Area Villages - Parcels per Square Mile

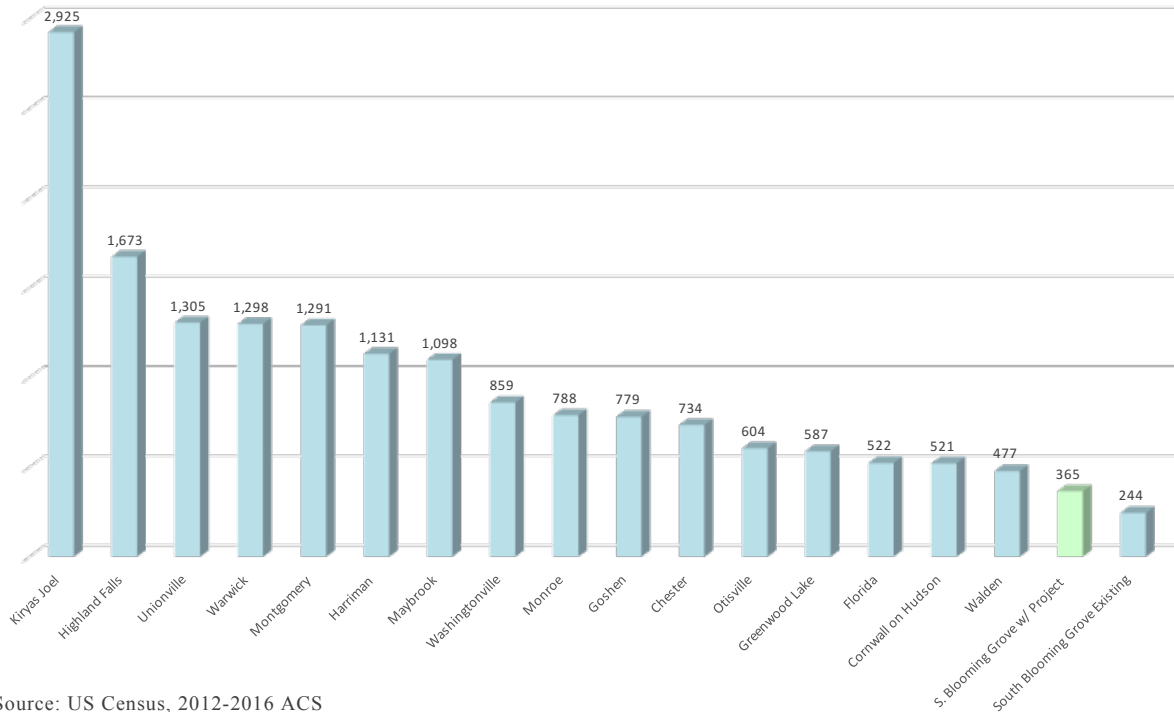
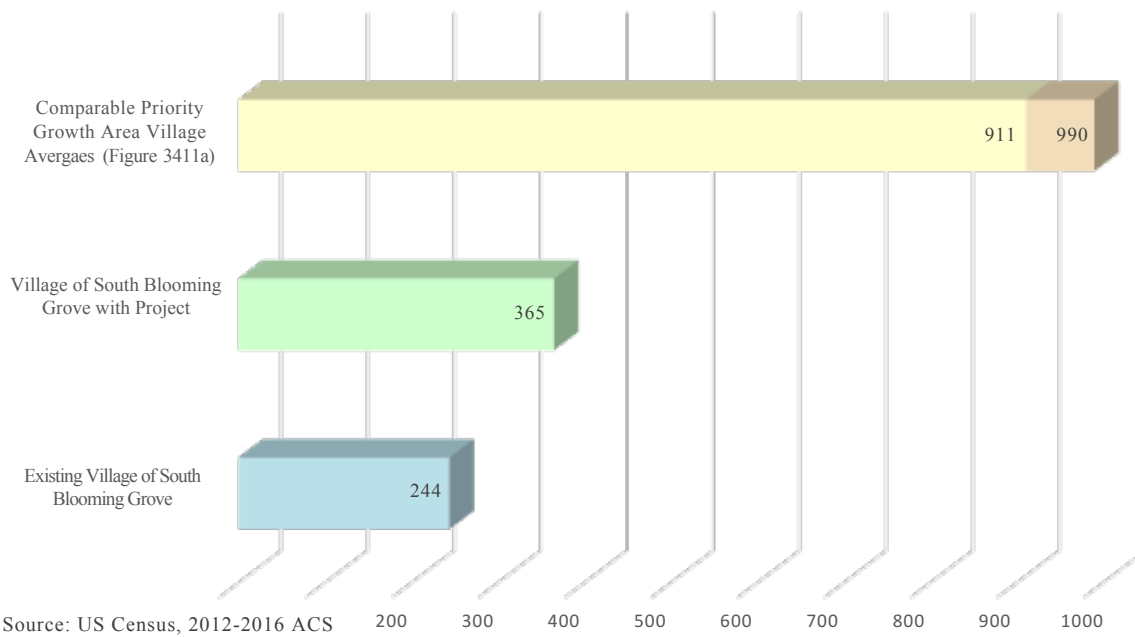


Figure 3411b: Priority Growth Area Villages' Average Parcels per Square Mile



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These Figures (3410a, 3410b, 3411a and 3411b) illustrate all relevant and comparable villages within the Priority Growth Areas in Orange County, NY. Therefore, Tuxedo Park and Woodbury have been omitted due to the unusual nature of the two: only part of Woodbury is located within a Priority Growth Area and Tuxedo Park is a gated community. The averages in Figures 3410b and 3411b for the 17 villages include all of the villages on the chart, while the 15 village average does not include the highest (Kiryas Joel) and lowest (South Blooming Grove) in order to reach an average which does not include the two extremes from the spectrum.

Moreover, according to the 2016 Orange County Tax Assessment Roll, it is apparent that out of all the comparable Orange County villages in the Priority Growth Areas, the Village represents the best opportunity for future development and growth, as it currently contains the least parcels per square mile of all of the villages as illustrated in Figure 3411a. Excluding the most populated Village of Kiryas Joel and the least populated Village of South Blooming Grove, the average density in parcels per square mile for the villages is approximately 911, versus the Village's current density of 244 parcels per square mile or 345 parcels per square mile with the Project.

Since the Village contains the fewest persons per sq. mile and the fewest parcels per sq. mile from among all of the other comparable Orange County villages in Priority Growth Areas, the Project would reverse the Village's population decline and cause the Village to be more consistent with the character of all of the other villages and their communities, while still maintaining the Village's status as having the fewest people and parcels under both scenarios and while partly addressing unmet local and regional housing needs. Therefore, the Project would not have the potential to generate any significant adverse community character impacts arising from population increase, including that from the Village of Kiryas Joel's Satmar Hasidic community population patterns.

3.4.4 Mitigation

The Project is in compliance with the Village's Zoning Code and would not generate any significant adverse impacts upon community character, including those associated with land use, visual resources, historic resources, socioeconomics, traffic and noise levels, as well as from projected population growth and the Satmar Hasidic community. The Project is consistent with the character of the Village communities and would help the Village be more consistent with the character of the communities in the other villages in the Primary and Secondary Study Areas as well as those in the Priority Growth Areas. The foregoing analysis confirms that the conclusions reached in the negative declaration when the applicable Zoning Code was enacted are still applicable and accurate: the development allowed on the Project Site under the applicable zoning, would not have the potential to generate any significant adverse impacts upon community character, and therefore, no mitigation is required.