

STATE ENVIRONMENTAL QUALITY REVIEW ACT
FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT (FGEIS)
For the Town of Pawling Comprehensive Plan Update (CPU)
And Zoning Amendments

Dated: April 3, 2012; Addendum May 9, 2012

Appendix 3

SEQRA Documents



**Environmental
Protection**

Caswell F. Holloway
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
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August 11, 2011

Mr. Dave Kelly, Supervisor
Town of Pawling
160 Charles Colman Blvd.
Pawling, NY 12564

**Re: Lead Agency Notification
Pawling Draft Comprehensive Plan Update (CPU)
Town of Pawling, Dutchess County
DEP Log #:1994-EB-0087-SQ.1**

Dear Mr. Kelly and Members of the Town Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Pawling Town Board's (Board) Lead Agency Notification, Positive Declaration and Draft Comprehensive Plan Update for the above-referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

Based upon the review of the submitted documents, DEP respectfully submits the following comments for the Board's consideration:

1. Section 5.8 Municipal Services, Facilities and Infrastructure on page 64, includes a discussion recommending the Town conduct a feasibility study on the need to develop a central municipal sewerage system to serve remote areas. The study must go hand in hand with a review of the Town's land use goals and zoning regulations. Adding municipal sewerage systems to remote areas may have an adverse effect on the existing use of land in areas that would otherwise be low density or undevelopable.
2. Appendix C, page 4, B.4 references "*approval...of sewage disposal shall be obtained from the Dutchess County Department of Health*". This statement should be revised to include review and approval authority from DEP pursuant to the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations), if the parcel is located within the NYC Watershed.
3. The proposed zoning changes, as shown in *215 Attachment 2* of Appendix C, would reduce certain bulk requirements in the Highway Business (HB) and Mixed Business Industry (MBI) districts (e.g. frontage, minimum yard dimensions). This might result in additional

development as parcels that would not have met minimum zoning regulations could now be developed as-of-right without the need for a variance. The CPU should quantify potential impacts associated with these changes (e.g. number of parcels affected, comparison of build-out with/without the bulk requirement revisions, etc).

4. Appendix D, Section 6 Sanitary Waste on page 20 should also include approval from DEP for "new buildings" located in the NYC Watershed. Additionally, Section 7 on Stormwater Management should incorporate references to the Watershed Regulations with regard to Stormwater Regulations within the NYC Watershed.
5. As per SEQRA regulations, the CPU should include an analysis of the impacts of the proposed action when compared to the no action and other alternatives. The analysis should be at a level of detail to allow meaningful comparison between alternatives.

Thank you for the opportunity to provide comments. You may reach me at cgarciadep@dep.nyc.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia
SEQRA Coordination Section

xc: M. Duke, NYSDEC
D. Keeler, P.E., Dutchess County Department of Health

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Appendix 4
Part 1

Public Comments from July 26, 2011 to October 27, 2011
(Including List Revised May 9, 2012)

**LIST OF PUBLIC COMMENTS ON THE
TOWN OF PAWLING COMPREHENSIVE PLAN UPDATE (CPU), ZONING AMENDMENTS
AND DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)
ANNOTATED TO SHOW FGEIS RESPONSES *(Revised May 9, 2012 to add NYCDEP Letter of 10/25/11)***

JULY THROUGH OCTOBER 2011 – November 2, 2011

Date of Comments	Commenter or source	REFER TO FGEIS RESPONSES (Subsections noted below):
<u>July 2011 Comments</u>		
July 26, 2011	Email from Donna Pagliaro	A.1; A.2
July 27, 2011	Minutes of Town Board (TB) Public Hearing on Comprehensive Plan Update (CPU)	A.1-A.3; A.5; A.7; A.8; B.1; D.1; F.1; G.1
July 27, 2011	Letter from Thomas Casson	A.10;
July 28, 2011	Email from Tracy Durkin	A.1
<u>August 2011 Comments</u>		
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August 16, 2011	Email from Nikolas Colvin	A.7; A.12;
August 25, 2011	Letter from Ross Daniels	A.3; A.5; A.6; F.1;
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August 28, 2011	Email from Margaret Chace	A.3; A.4;
August 29, 2011	Email from Jerry and Caroline Milbank	A.3; A.4;
August 31, 2011	Letter from Executive Board Members, Chamber of Commerce, Pawling	A.1; A.7;
<u>September 2011 Comments</u>		
September 1, 2011	Email from Robyn Bellamy	A.3; A.4; D.1; E.1;
September 2, 2011	Letter from C. Ross Daniels	B.1;
September 2, 2011	Email from Henry and Liz Baker	A.3; A.4; C.2;
September 2, 2011	Email from Tracy Durkin	A.2;
September 3, 2011	Letter from Henry & Elizabeth Baker	A.3;
September 5, 2011	Memorandum from Tom Llanes, Building Inspector, Town of Pawling	A.9;
September 6, 2011	Email from Keith Sherman	C.2; D.1; E.1;
September 6, 2011	Letter from Sibyll Gilbert	A.4; A.5; A.9; C.2; G.1;
September 6, 2011	Email from Brandt Dayton	A.1; A.3;
September 7, 2011	Minutes and Transcript of TB Public Hearing on CPU, Proposed Zoning Amendments and Draft Generic Environmental Impact Statement (DGEIS)	A.1; A.2; A.4; A.5; A.7; A.12; B.3; B.4; C.2; C.3; D.1; F.1; F.2;
September 7, 2011	Letter from Elizabeth P. Allen	A.1-A.5; C.1; E.1;
September 7, 2011	Letter from Charles Daniels	B.2;
September 7, 2011	Letter from Joseph Famularo	A.1; A.3-A.5;
September 7, 2011	Letter from Bernand Klner	A.1; A.3-A.5;

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September 7, 2011	Letter from Sheila S. Laus	A.1; A.3-A.5;
September 7, 2011	Letter from Edward and Jane Lynn	A.1; A.2; A.4; A.5;
September 9, 2011	Letter from Sally J. Raphael	A.1-A.5; C.1; E.1;
September 9, 2011	Letter from Stewart's	A.11;
September 16, 2011	Letter from Christopher L. J. Wood	A.1; A.2; A.4; A.5; A.7; A.9; B.5; C.3; F.2; G.2;
September 19, 2011	Email from Henry Wallis Walters	A.5; B.4; D.1;
September 21, 2011	Letter from Town of Pawling Planning Board	A.3; A.4; A.5; A.9; A.11; B.3; B.9; D.1; E.1;
September 26, 2011	Letter from Mark Chipkin, President, Hurd's Corner Civic Association	D.1;
<u>October 2011 Comments</u>		
October 11, 2011	Email from Henry Wallis and Nancy Adella Walters	B.4;
October 12, 2011	Minutes and Transcript of TB Public Hearing on CPU, Proposed Zoning Amendments and Draft Generic Environmental Impact Statement (DGEIS)	A.1-A.5; A.7; A.12; A.13; B.4; B.5; C.1; C.2; C.7; D.1; E.1; F.1; G.1;
October 12, 2011	Letter from Elaine E. LaBella, Director of Land Protection; and Tonia S. Shoumatoff, Tenmile Watershed Coordinator , Housatonic Valley Association	A.3; A.5; A.12; C.4;
October 12, 2011	Email from Stancy DuHamel	F.1;
October 14, 2011	Letter from Mark King, Director of Protection Programs, Nature Conservancy	A.1; A.4; A.5; A.7; C.2; C.3; F.1;
Undated-Received October 14, 2011	Letter from Mark Chipkin, President, Hurd's Corner Civic Association	D.1;
Undated-Received October 14, 2011	Letter from Jerry Ann Woodfin	A.3; C.2;
October 24, 2011	Letter from Quaker Hill Civic Association and attached Old Quaker Hill Critical Environmental Area report (March 2008)	C.1; C.5; C.6; D.1; E.1;
October 25, 2011	Letter from New York City Department of Environmental Protection	A.5
October 26, 2011	Letter from Town of Pawling Planning Board and attached suggested zoning text; and sample supplemental regulations for accessory apartments	A.3; A.9;
October 26, 2011	Letter from C. L. J. Wood, Chair, Oblong Land Conservancy	A.5; A.12; B.4; B.5; C.1; C.5; C.6; C.7; D.1; E.1; F.1;
October 26, 2011	Email and letter from Mark Chipkin, President, Hurd's Corner Civic Association	D.1;
October 26, 2011	Email from Elizabeth P. Allen agreeing with Quaker Hill Civic Association Letter	C.1; C.5; C.6; D.1; E.1;

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October 27, 2011	Letter from Joseph A. Yankowich, West Pawling Properties	A.10;
October 27, 2011	Letter from Sibyll Gilbert	A.3; F.3;
October 27, 2011	Email from Andrew Tung	A.9;
October 27, 2011	Letter from Joseph A. Yankowich regarding Water Quality and Quantity	C.6;
October 27, 2011	Letter from Joseph A. Yankowich	A.13;
October 28, 2011	Letter from Kealy Salomon, Commissioner, Dutchess County Department of Planning & Development	A.4; A.5; A.7; A.9; A.12; B.5; F.1;
October 28, 2011	Letter from James Utter, PhD, Chairman, Friends of the Great Swamp (FROGS)	A.1; A.2; A.5; A.7; B.5; C.2; C.3; F.1; G.2;
October 28, 2011	Letter from Oblong Trail Association	C.2;
October 28, 2011	Petition to Town Board of Pawling in support of Stronger Controls to protect our historic, scenic and environmental resources	A.3; C.1; D.1; E.1;
October 28, 2011	Petition in Support of a Pawling Comprehensive Plan That Promotes Economic Development	B.2; B.4; B.5; C.2; D.1; E.1; F.1;
October 28, 2011	Letter on behalf of Ames, LLC from Richard L. O'Rourke, Principal, Keane & Beane PC	A.3; A.5; A.7; A.12; C.2; C.3;
October 28, 2011	Letter on behalf of Castagna Commerce Park from Richard L. O'Rourke, Principal, Keane & Beane PC	A.5; A.7; A.8; A.9; F.1; F.2;
October 28, 2011	Letter on behalf of Elm Street Properties, LLC from Jennifer L. Van Tuyl	A.4; A.5; A.7; A.8; A.9; B.5; C.3; D.1; F.1; F.2;
October 28, 2011	Letter from Helen Grosso	A.4;



**Environmental
Protection**

Carter H. Strickland, Jr.
Commissioner

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October 25, 2011

Mr. Dave Kelly, Supervisor
Town of Pawling
160 Charles Colman Blvd.
Pawling, NY 12564

**Re: Pawling Draft Comprehensive Plan Update & DGEIS
Town of Pawling, Dutchess County
DEP Log #:1994-EB-0087-SQ.1**

Dear Mr. Kelly and Members of the Town Board:

The New York City Department of Environmental Protection (DEP) has received the Draft Generic Environmental Impact Statement (DGEIS) for the above-referenced project.

DEP has reviewed the following documents for the above captioned project: 1) DGEIS, dated August 2, 2011, and accepted August 10, 2011 prepared by Morris Associates Engineering Consultants, PLLC.

DEP respectfully submits the following comments for the Board's consideration:

1. The document explains that the revision of setback requirements will not result in additional impervious coverage, since building coverage requirements will not change, but simply add flexibility in site layout. It is uncertain if additional parcels would now be developable as of right under the relaxed setbacks. The DGEIS should quantify potential impacts associated with these changes.

Thank you for the opportunity to provide comments. You may reach me at cgarcia@dep.nyc.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,

Cynthia Garcia
SEQRA Coordination Section

xc: M. Duke, NYSDEC
D. Keeler, P.E., Dutchess County Department of Health
L. Axelson, AICP, Morris Associated Engineering Consultants, PLLC

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