



Town of Highland
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PLANNING BOARD RESPONSE TO FIMFO DEIS DATED 8/28/24

(Includes Keystone Associates, UDC, and NPS)

9/25/24

Throughout document change where it says Route 87 to 97.

#1. How does the addition of 194 permanently placed RV's with concrete patios, concrete parking, concrete pads at back in locations, as well as water, electric and septic hookups fit into the character of the area? This is a continuing concern from the community and it needs to be thoughtfully addressed.

Clarify/Define Tree top cabins and safari tents and how they are considered RV's. Will they be placed on gravel/concrete and have the above hookups?

#4. State aquatics center will be maintained in earth tone colors in perpetuity

#6. Statement: Planning board wants to see that the safety of those utilizing the camp ground is strongly considered with applicant taking every opportunity to save lives when possible, having NARCAN readily available and staff properly trained is one such best practice. Ensuring the appropriate number of staff are also trained in CPR and basic lifesaving measures which are available 24/7 is another example.

#10. Any incidents, accidents, etc that were determined to be at the fault of the company will be paid in full by owner- will be addressed in the conditions later in this process)

#11. How many floods have occurred and what was the response? (Emergency drills/removal of RV's in floodplain- will be addressed as a condition later in the process)

#18. Explain how aquatics center fits into the character of the area. Explain dark color palate, asking for earth tone. (*Screening tree will be addressed as a condition later in process*)

#24. State that Northgate, its successors and assigns will maintain landscape and landscaping (new and existing) in perpetuity.

NPS: #26 We understand the applicant's assertion that the new wastewater treatment systems and configuration are more modern and will be an improvement to the current aged system, however we remain concerned about groundwater impacts stemming from the increase from 6,300 gpd to 29,080 gpd capacity.

Also, part of the Planning Board's previous comment on this section was a request for documentation that the septic systems won't be impacted by floods. The response notes that backflow preventers will be installed. Please provide clarification or confirmation on whether backflow is the only impact that floods could have on septic systems.

#28. Provide data, as it relates directly to impacts on emergency services.

#29. Add "marked" to.. showing 'marked' emergency evacuation routes...

NPS: #46 "...This requirement is understood by the Applicant to require a campground to have parking in addition to the single parking spaces at each campsite..." The applicant appears to be providing more off-street parking than the 1-space per campsite zoning requirement based on their interpretation that this section requires additional off-street parking spaces. It may be helpful for the Planning Board to review this section and provide clarity if they do not intend the zoning section referenced to be interpreted as such. If the Planning Board determines the applicant does not need to provide additional off-street parking spaces beyond the 1-space/campground requirement, does the applicant still wish to provide the proposed additional parking?

#57. Clarify impact of aquatics center to character of environment

#61. Clarification needed and specific dollar amount for the community benefit package. Rather than specific sewer district fund or emergency services, just the dollar amount and time period for a community benefit package at town's discretion.

#67... (*will be addressed as a condition later in process*)

#69. (*will be addressed as a condition later in process.*)

NPS: #85 NPS continues to find this section non-responsive. As the RMP and the associated substantial conformance review process stem from the Wild and Scenic Rivers Act, which is inarguably a congressional action of environmental protection, the applicant's assertion that the substantial conformance review process is legal and not environmental is incorrect. NPS' comments as previously submitted stand.

In addition, NPS would like to remind the applicant the determination from the Secretary of the Interior, as delegated to the National Park Service Regional Director, is the only finding with standing in the RMP process. The UDC makes recommendations to NPS. The UDC's decision to provide an additional third-party opinion did not change the NPS determination.

NPS: #87 Please clarify visual impact of project in its entirety from river. In regard to the visibility of the proposed project components north of Route 97 from the river, if that portion

of the project would not be visible consider alternate language to "...areas north of NYS Route 97 will not be substantially obscured by natural vegetation as viewed from the river."

Trees have to stay by RV's between River and RV's. in perpetuity. Clarify that existing trees will be maintained, as well as general landscaping maintained.

UDC: With regards to the applicant saying that a few of the UDC comments were "not part of the Approved Final Scope," I have confirmed that's not correct. The final scope was approved at the December 20, 2023 planning board meeting. The applicant submitted their scoping document, and as noted that there were some comments from the Keystone letter and from our (the UDC's) letter that were not included in their document. Rather than having the applicant revise the scope and push the approval another month, Norm Sutherland suggested adding the two letters as attachments/addendums, and that was added to the motion. Refer to page 4 of the minutes from that meeting. Consequently, anything that was in UDC's letter dated November 22, 2023 is a part of the Approved Final Scope. This applies to the UDC comments 3, 4, and 5 on pages 43 and 44 of the LaBella response letter dated August 28, 2024. UDC would still like to see those comments addressed in the DEIS.

#3. Original scope did ask how clearing impacts temperature of stream. Beaver Brook is a naturally producing Brook Trout waterway and is also stocked with trout by the NYSDEC with public access upstream of the site.

#4. How was it determined drilling versus blasting. Compare the 2 impacts. Clarify if there is a potential for blasting.

#5. What is the plan to ensure that the portion of the project site covered by natural existing flora and/or forest stays in, or is maintained in, its existing natural condition with an emphasis on the view from the Delaware River? Clarify if they have hemlock and ash and could they be affected. Create a tree inventory.



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September 23, 2024

Mr. Jeffrey Spitz
Planning Board Chairman
Town of Highland
4 Proctor Road
Eldred, New York 12732

RE: Camp FIMFO DEIS
Response to Comments

Dear Mr. Spitz:

We have reviewed the August 28, 2024 response from LaBella to our July 22, 2024 comments regarding the DEIS and find the responses acceptable.

We have also reviewed the above LaBella responses to the Planning Board comments dated July 24, 2024 with specific focus on response Nos. 22, 25, 87 and Appendix C. Please refer to our following comments:

22. Question No. 22 requested that the Applicant include the impact of the mechanical noise for the air conditioning units of the RV's. Accordingly, the Applicant updated the noise study to include the air conditioning units which is dated August 7, 2024. As with the original study, noise modeling software was used to include all the air conditioning units for the new campsite spaces. The updated study concluded that there was an increase in noise level but it was only slightly higher than the original study and remained in the increase of 0 to 1 dBA. The model indicates the highest reading at the property line is approximately 45 dBA which complies with the Town's Chapter 190-39 Noise Standard of 60 dBA at night.

It is unlikely that at full occupancy, the project will exceed the Town's Noise Standards at the property line. However, the Town has the ability to enforce the standards through the Town Code Department.

25. This question raises the concern of pollution from the project reaching the Beaverbrook and the Delaware River. Specifically mentioned are oil, tar (or macadam sealer) and chlorine. The following features are included in the project to eliminate pollutants from reaching the water bodies from the new construction.

- a. There are no proposed permanent structures within 50 feet and 100 feet of the highwater elevation of the Beaverbrook and Delaware River, respectively.
- b. The first floor of the new structures including the water feature are 2 foot above the base flood elevation.
- c. There is no disturbance within the wetlands on site.
- d. There is no runoff from new construction directed to the water bodies without treatment practices according to the NYSDEC Stormwater Practices.

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87. Question No. 87 is regarding the visual impact of the project as viewed from the Delaware River. Appendix C, Visuals, reflects views from the river towards the project with a lift set at 36 feet to simulate the water tower feature. Photograph Nos. 5, 6, 9, 10 and the "River View Perspective Rendering Facing North" of Appendix C are intended to reflect the view from the river.

The Applicant is indicating that due to the topography, the river being at a lower elevation than the project site, the view is limited. The elevation difference from the river to the site of the water feature is approximately 22 feet which does limit the view from the river. Figure 41, Predicted Visibility, New Structures in Leaf Off Conditions, includes structures south of NYS Route 97 which the grade is approximately 8 feet above the river elevation, making these structures more visible from the river.

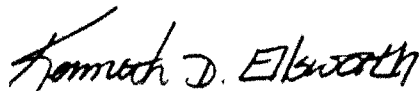
According to the Erosion & Sediment Control Plans and the Applicant there is no disturbance within the floodway. Figure 9, Anticipated Tree Removal Map also does not indicate any tree removal between the river and RV's.

Based on the above, we conclude that existing trees between the river and RV's are to remain. Clarification from the Applicant for the record is still advised.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Keystone Associates
Architects, Engineers and Surveyors, LLC



Kenneth D. Ellsworth, P.E.
Managing Member

KDE:las

cc: Helene Hoffmann