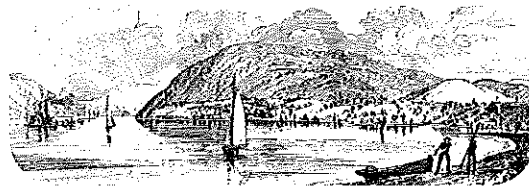


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February 13, 2024

Dear Planning Board Members,

The Town Board for the Town of Cornwall (“The Board”) writes jointly to provide our comments on the Draft Environmental Impact Statement (DEIS) submitted to you by the Treetop Development Corporation (“Treetop”) in furtherance of its proposed development of land in the Town of Cornwall (“the Town”). Within this writing, the Board does not express an opinion nor a final determination on any aspect of the proposed project. Such determinations rest with the Planning Board. To that end, this Board continues its unwavering confidence in the Planning Board, its learned members, and its expert consultants as the lead agency in determining the propriety and legality of the proposed project. Furthermore, this Board encourages the Planning Board to engage the professional services of any expert it deems necessary to formulate its full and fair determination on Treetop’s application.

The DEIS fails to address the overall community impact a project of this size and scope will have on the Town of Cornwall and the surrounding municipalities. Thus, in its present iteration, this Board is not interested in entertaining the proposed zoning and height restriction changes sought by Treetop based on, among other things, the following: insufficient or incomplete data in key areas and lack of proper mitigation strategies to address significant adverse impacts that have been identified.

The Board has reviewed the DEIS, written comments submitted, and the public hearing held thereon. Following this review, the Board expresses its concerns regarding the insufficient information provided by Treetop in the following areas: estimations of traffic impacts and the mitigation thereof, estimations of noise, light, and air pollution and the mitigation thereof, the lack of storm water planning, the lack of tree preservation planning, insufficiently described projections of sewer and water resource needs and the access thereto, insufficient financial data collection and estimations of financial benefit to the community, inaccurate estimations of impacts to police and fire resources and the need therefor, and insufficient projections of impacts to the natural habitat of existing species and wetlands within and surrounding the proposed project site.

Specifically, the DEIS entirely fails to address the Town’s requirements for a storm water protection plan and tree preservation plan; laws recently enacted by this Board. As such, the applicant should be required to complete and submit a supplemental EIS, which includes, among other things, a plan to conform to the tree preservation law in light of the projected removal of

over two thousand (2000) trees and a Storm Water Protection Plan (SWPP) for review by the Planning Board and storm water officer for the Town of Cornwall. Further, traffic impact estimations drawn on raw data collected in August 2021, a time where COVID shutdowns remained and school was not in session, paint an inaccurate view of present-day traffic patterns and any impacts hundreds of tractor trailer trucks will have on the Town of Cornwall, the City of Newburgh, the Town of New Windsor and the Village of Woodbury. Similarly, the studies relied upon to predict noise, air quality, and natural habitat impacts lack factual information and/or were performed at a time when the community was not functioning at a normal capacity due to COVID shutdowns. Moreover, this Board questions the projected financial gain in tax revenue to the Town and Cornwall Central School District estimated by Treetop as the sum fails to address future applications for tax incentives and tax forgiveness awarded by other entities not controlled by the Town (e.g., PILOT). Even were the applicant's present income projections accurate the projected income is easily consumed by additional police, fire, ambulance, highway department, and other municipal services required to address the public safety needs of a project of this size. In light of such burdens that will fall squarely on the Town, the estimated financial detriment of this project is likely inaccurate. This Board would encourage the Planning Board to engage expert financial consulting services, at the expense of the applicant, to review and substantiate any financial benefit the proposed project will afford the Town.

Respectfully submitted,



Joshua Wojehowski, Town Supervisor



Virginia A. Scott, Councilwoman



Timothy McCarty, Councilman



Karen Edelman-Reyes, Councilwoman



Rokhsha Michael-Razi, Councilwoman