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November 7, 2008

U.S. Army Garrison, Directorate of Public Works
George Markt, IMNE-MIL-PWF
Building 667A Ruger Road
West Point, NY 10996-1592

Subject: Draft Supplemental Environmental Assessment (Draft Supplemental EA)
for the Residential Communities Initiative:
Stony Lonesome I Expansion project

Dear Mr. Markt:

Scenic Hudson is writing to submit comments on the above referenced project (Project).

Scenic Hudson fully understands the U.S. Army Garrison's (USAG) responsibility to provide safe, affordable, quality housing to soldiers and their families and we appreciate having the opportunity to work with you over the past six months to help shape the scope of the Draft Supplemental EA.

Likewise, we acknowledge the incremental steps the USAG and West Point Housing LLC have taken to date to help mitigate some of the environmental impacts associated with this project:

- Most of the new housing will be provided on the existing 32-acre footprint of the Stony Lonesome Housing project;
- Most of the housing units have been changed from single-family to duplex units;
- The Community Center and Splash Park have been eliminated from the plan; and
- Buildings will be constructed of concrete/wood, with a Hardy Board exterior painted in Earth tones of gray/green, light green, light brown, or gray.

However, we remain concerned that the expansion of housing to the east beyond the footprint of the Stony Lonesome I Housing Area requires extensive disturbance, vegetation removal, and cut and fill in order to accommodate the development of 28 residential units in 14 duplex buildings in the expansion area. Compounding this concern, is the location of the expansion area (we are

not sure if this is Parcel V or Q or some overlapping combination of each) in a highly visible part of the Highlands Scenic Area of Statewide Significance, Contemporary West Point Military Academy Subunit, HH-3 (SASS) and U.S. Army Garrison National Historic Landmark District (NHLD). The NHLD, established in 1960, is the highest designation that can be given to historic properties by the Federal Government, and is reserved for national locations with historic significance that possess exceptional value or quality illustrating or interpreting the heritage of the United States. (EA, page 34).

Further, development at this visually prominent, State- and federally-designated location would introduce new and unprecedented significant adverse visual intrusions visible to hundreds of thousands of people engaged in recreation, tourism, and travel from sensitive visual receptors, including major transportation routes, State Parks, and historic sites.

Therefore, given the USAG's need for the project and its critically sensitive location, we urge West Point Housing LLC and the USAG to exercise the most extraordinary measures possible to ensure that these severe adverse visual impacts are avoided, reduced and mitigated to the maximum extent practicable, including a reexamination of Non-Preferred Alternative B.

SPECIFIC COMMENTS

- 1) The Draft EA should clearly define the expansion area to the east of the existing Stony Lonesome I housing area, including a description in the text and accompanying map showing the relationship between Stony Lonesome I and Parcels V and Q. Pre- and post-development scaled cross-sectional diagrams should be provided indicating the existing Stony Lonesome I, Parcels V and Q, building envelopes and structures, and treelines (existing and post-development). These cross-sections would help understand the prospect of existing trees, as well as newly planted mature trees, screening the new housing units from view.
- 2) The EA should include a map that illustrates the areal extent of the visibility of the project. This is a standard part of a visual analysis and would enable reviewers to understand the geographic extent of the project's visibility. The map should be labeled with SASS and NHLD boundaries on both sides of the Hudson River, as well as parks and sites listed on the National Register of Historic Places. We requested this at the scoping meeting on September 2, 2008.
- 3) The Draft Supplemental EA should state that implementation of the Preferred Alternative would result in unprecedented visual intrusions that protrude above the ridgeline when viewed from several sensitive visual receptors within the NHLD and SASS, including Fort Putnam, Kosciusko Garden, Boscobel restoration, the Village of Cold Spring, Breakneck Ridge, Garrison Metro North Amtrak Station, South Redoubt, and Garrison Golf Course. This is supported by visual simulations in Appendix E.

4) Scenic Hudson suggests that West Point Housing, LLC should hold a public meeting in Garrison so that residents and representatives of historic sites can review plans and provide comments on the EA. Scenic Hudson would be willing to help promote the meeting.

Views from Fort Putnam

5) Section 1.6.3, Views from the North and Northeast of the Project, indicates that the Project would be visible from Fort Putnam, one of USAG's most important forts, which is in close proximity just 0.6 miles away. However, the text continues, stating that "the Project site would be clearly visible from Fort Putnam (Appendix E), although trees and vegetation would provide a partial screen of the development" (page 48). Upon our review of the simulation in Appendix E, we find that the project site lies above the trees on the Fort Putnam site and, thus, vegetation would provide little, if any, visual screening. The EA should be amended to reflect this.

Views from Kosciusko Garden

6) Section 1.6.3 also states that the visual simulation from Kosciusko Garden does not show appreciable views of the project (page 48). Again our review of Appendix E indicates that the project site is clearly visible, resulting in a new row of housing breaking the previously forested ridgeline.

Views from Amtrak/Metro North Line

7) Section 1.6.3 also states that the project site can be viewed from a section of the Amtrak-Metro North Line between Garrison and Cold Spring. However, the paragraph ends with a conclusory statement opining that the site "is expected to be partially shielded by vegetation during the spring, summer, and fall months when mature trees and vegetation retain their foliage." Given the amount of vegetation clearing and grading needed on the expansion area it remains to be seen that any trees would be left to screen the project and, thus, the statement should be deleted from the EA. The visual simulation shows a large-scale project replacing the forested ridgeline with a row of buildings. The EA acknowledges that over 3 million people annually will be exposed to this new, unprecedented visual intrusion along the top of a ridgeline visible above the historic landscape of the USAG. The visual impact of views from the train is potentially damaging since the Metro North/Amtrak line is used extensively by tourists.

Views from Boscobel Restoration

8) Section 1.6.3 (page 48) states matter-of-factly that "The Project site is visible in the distance from Boscobel Restoration." However, our review of the visual simulation of the view from Boscobel (Appendix E) leads us to conclude that the project would result significant adverse visual impacts due to the replacement of the forested ridgeline with a line of new buildings. Again, we question whether enough post-construction vegetation would remain on Parcel V to shield these new duplex units.

Views from Garrison Train Station

9) Section 1.6.4 (page 49) expresses the opinion that “Views of the project site show significant screening of the structures during the growing season, however the Project outline may be more visible during the winter when tree leaves no longer obscure the project site.” Again, our review of the simulation finds the project prominently visible breaking the ridgeline. Likewise, it is not apparent to us that enough vegetation would remain on Site V to screen the new structures. As the station is located in a SASS, the distance from the station to the project site is just 1.2 miles away, the station is well known for its sweeping views of the USAG across the river (EA, page 49), the USAG is in a National Historic Landmark District, and hundreds of thousands of people annually use the train line and station, we would characterize the visual impacts as severe and adverse and recommend the EA be revised to reflect this.

Garrison Golf Club

10) Section 1.6.4 states “The visual simulation of the Project site prepared for this location (Garrison Golf Club) shows the Project as a barely discernible feature within the viewshed.” We disagree. Again the project is within close range, 1.3 miles and would break the ridgeline. Again, we are not confident that enough existing vegetation would remain after construction to buffer the duplex units from view. The Garrison Golf Club is in a SASS and its views of the western shore include both the SASS and National Historic Landmark District, into both of which the new structures would intrude.

Night Time Impacts

11) Section 1.6.5.1 indicates that the height of light poles would be limited to what is necessary for street lighting. We recommend that street lights not exceed 15 feet and be “fully shielded” as per guidance in Dutchess County Greenway Connections. We applaud the applicant’s commitment to use anodized or non-reflective poles and to direct lighting downward.

Preferred Alternative

12) Section 1.6.5.1, Preferred Alternative states that (page 50) implementation of the Preferred Alternative will result in short- and long-term *minor* adverse impacts to visual resources (emphasis added). Scenic Hudson respectfully disagrees with this characterization and urges the EA be revised to characterize the impacts as “short- and long-term *major* adverse impacts to visual resources” based on the following:

- The Project site located on a prominent, forested ridgeline within the Contemporary West Point Military Academy Subunit of the Highlands Scenic Area of Statewide Significance, and National Historic Landmark District (NHLD);
- The Project would be visible annually to three million people engaged in recreation, tourism, and travel from several public, visual receptors such as Boscobel Restoration, the Garrison Train Station, Metro North/Amtrak, Line, Cold Spring, and Breakneck Ridge;

- The Project would be substantially visible from significant historic resources within the USAG, such as Fort Putnam and Kosciusko Gardens;
- The Project's design requires substantial vegetation clearing on the ridgeline, and according to visual simulation in Appendix E, new duplex units would break the ridgeline in an unprecedented manner.

The paragraph ends, concluding that long-term impacts to visual resources would be “minor.” Again, we suggest that this be reviewed to “major.”

(Similar characterizations throughout the EA, such as the bottom of page 51 (Minor long-term impacts...) should also be revised.))

13) We respectfully disagree with the statement on page 51 that “Design of the housing units will not result in obtrusive landscape features and will be consistent with current use of the Project area.” We would concur that when viewed from within the Project area, e.g. from the new housing that will replace the existing Stony Lonesome housing to east toward the new units on Parcel V, that landscape features will not be obtrusive and these uses would be consistent. However, as previously indicated the loss of the forested ridgeline, replaced with new housing units with little opportunity for visual buffering, would result in major, short- and long-term significant adverse visual impacts. Thus, when viewed from sensitive receptors from off site, but also receptors from within the USAG such as Kosciusko Gardens and Fort Putnam, obtrusive landscape features would, in fact, result. We recommend the EA be revised to reflect this.

14) Likewise that same paragraph states that landscape designs will incorporate the use of mature trees and vegetative screens to provide a buffer between the structures and viewpoints surrounding the project site and the wooded landscape maintained throughout the development will reduce visual impact during the spring, summer and fall months. Again, we believe that the mature trees and vegetative screens will help with internal views. We are concerned that it will be difficult to establish mature trees on the steep slopes on the eastern part of the site. Every effort should be made to limit disturbance on these steep slopes, avoid the loss of existing trees and grading should occur to provide areas where the planting of mature trees will provide a meaningful buffer from points to the north, east and south of the project.

15) Section 1.6.5.1 indicates that a number of measures would be used to avoid, reduce or mitigate visual impacts. The text continues to say that these would be implemented in accordance with the Historic Landscape Management Plan for the U.S. Military Academy at West Point. One of the general recommendations of this document is to “plant evergreen trees and shrubs to block unsightly features such as parking areas, utility boxes and other features that detract from the historic character of the Academy landscape” (Historic Landscape Management Plan, page 36). While we have every reason to believe that the project will be well designed and constructed when viewed from within the project site, we urge the Applicant to make every

effort to plant a mix of deciduous and evergreen trees on the eastern portion of the site in order to screen the duplex units. The construction of these new homes would introduce discordant elements into a highly visible portion of the SASS and NHLD.

16) This section ends (page 52) with a statement opining that proposed mitigation measures will reduce adverse visual impacts to “less than significant level.” While we hope this will be the case, the EA simply does not provide enough information to demonstrate that the planting of mature trees on the steep, eastward facing slopes will survive in order to buffer the project from view from sensitive visual receptors.

Alternatives

17) The Draft Supplemental EA should provide specific explanation as to why Non-Preferred Alternative B does not meet RCI Standards. Section 0.4, Alternatives to the Proposed Action, indicates this alternative does not meet RCI standards without offering any evidence to support this statement.

18) Further, Section 1.6.5.3, states that “Implementation of the Non-Preferred Alternative B would result in short- and long-term minor adverse impact to visual resources, *similar to those expected for the Preferred Alternative* (emphasis added). Since the Supplemental Draft EA does not include visual simulations of Non Preferred Alternative B, this statement is speculative, conclusory, and unsupported by fact. If, in fact, Non Preferred Alternative B restricts new development to previously disturbed areas and Preferred Alternative expands the development footprint to include the construction of 28 new residential units on 4.3 acres of previously forested and undisturbed ridgeline and steep slopes, it is reasonable to assume that Non-Preferred Alternative B would avoid significant adverse visual impacts that would result from the Preferred Alternative.

In fact, the statement above appears to be inconsistent with a conclusion reached on page 54, which states

“...through the implementation of the proposed mitigation measures, adverse impacts to visual resources resulting from the implementation of the Non-Preferred Alternative B would be reduced to a less significant level, and constitute less of an impact than is expected from the Preferred Alternative since mature trees and vegetation associated with Parcel Q would remain intact, and no additional structures would be constructed.”

Thus, to reiterate, without substantiating the reasons why the Non-Preferred Alternative B does not meet RCI Standards, this alternative should be implemented as it would avoid and reduce visual impacts to the SASS and NHLD.

Coastal Consistency

19) Section 1.12, Coastal Zone states (page 69-70) that since the USAG is located within a state-designated coastal zone management area development projects must be evaluated for consistency with the 44 policies in New York State's Coastal Management Program (CMP).

We do not concur with the statement in Section 1.12.6.1, Determination, Preferred Alternative (page 74), that the analysis in Section 1.6 demonstrates that the Preferred Alternative will be consistent with Policy 24 of the CMP. The EA has not provided sufficient information that would enable one to conclude that the retention of existing trees and planting of new trees in the expansion area would sufficiently mitigate the significant adverse visual impacts on the NHLD and SASS. While the design measures related to architectural style, building materials and colors, recommendations in the Landscape Management Plan, and lighting mitigation are helpful, we believe that the visual simulations demonstrate that the loss of ridgeline vegetation and associated construction of the 14 duplex units requires significant vegetative screening in order to avoid the impairment of visual resources of statewide significance and, thus, would be inconsistent with Policy 24. The fact that the project site is also visible from the SASS and NHLD compounds the severity of the impacts.

Pursuant to 15 CFR Part 930.34(b), West Point Housing LLC must notify the New York State Department of State's CMP of Project consistency with State Coastal Policies at least 90 days prior to project implementation, and coordinate and consult with the NYS CMP and other agencies to ensure that the Proposed Project would be consistent with the above referenced policies and would have no undue adverse effects on New York State's coastal zone resources.

As currently proposed, we believe that the Preferred Alternative would impose undue, significant adverse impacts on these coastal resources, particularly with respect to Policy 24.

Conclusion

Scenic Hudson understands and supports the USAG's efforts to provide safe, affordable, quality housing to soldiers and their families. However, we also recognize the value and importance of the nationally significant scenic and historic landscape at the USAG. In spite of the Applicant's best efforts to design the duplex units in earth tones and provide landscape plantings, we remain deeply concerned that mature trees can be planted in the steep slopes of the expansion area in a manner that will successfully buffer the development from view from sensitive visual receptors.

The EA must clearly demonstrate reasons why the Non-Preferred Alternative B does not meet the RCI Standards. Without this information, Non-Preferred Alternative B should become the Preferred Alternative because fewer adverse impacts would result.

If it turns out that the Applicant can demonstrate that the Non-Preferred Alternative B does not meet RCI Standards and the Preferred Alternative is implemented, every effort must be made to take the necessary steps to mitigate to the maximum extent practicable the severe adverse visual

impacts. These steps should include minimizing cut and fill and disturbance of steep slopes and the planting of mature trees in such a manner that they will survive over the long term and thus serve as an effective visual buffer.

We hope that these comments are helpful to you in implementing this project in a manner that avoids significant adverse visual impacts on the NHLD and SASS. Scenic Hudson appreciates the opportunity to participate in the review of this project. Please call us at (845) 473-4440 x221 if you have any questions regarding these comments.

Sincerely,

Steve Rosenberg
Senior Vice President

cc. Andy Chmar, Hudson Highlands Land Trust
Steve Ridler,
New York State Department of State
Mr. Richard A. Wagner, Jr., Project Director
Balfour Beatty Communities
Wint Aldrich, New York State Historic Preservation Office