

BUILDING CONSENSUS FOR SUSTAINABILITY, LLC.

STONELEIGH WOODS FINAL REPORT

TO THE VILLAGE OF NEW PALTZ
PLANNING BOARD

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BACKGROUND OF THE PROJECT

The Stoneleigh Woods project was originally proposed to the Village of New Paltz in the fall of 2003. In 2006 it was presented with a corresponding DEIS, as a 300 unit subdivision to the Village Planning Board for their review.

Building Consensus for Sustainability, LLC (BCS) was retained on January 10, 2007 by the Village of New Paltz Planning Board to conduct a pre-assessment to determine whether a consensus building process might be appropriate to address the issues related to the proposed Stoneleigh Woods project. The financial cost of the effort was underwritten by the developer, Blue and Gold Homes. The initial key stakeholders were identified by Village officials.

BCS reviewed materials supplied by the Village of New Paltz and by Blue and Gold Homes, including the Traffic Impact Study conducted by Adler Consulting (April 10, 2006), the DEIS, Existing Condition Plan and Proposed Plan for the Stoneleigh Woods Project, transcript of the public hearing meeting of July 11, 2006, letters to the Planning Board, and the RSG Inc. memorandum from R. Chamberlain to George Danskin (8/10/06) regarding traffic.

Confidential interviews were scheduled for the sixteen stakeholders identified by the Village Planning Board. Interviewees included representatives from three neighborhood groups, Village and Town Municipal Officials, Blue and Gold Homes, current landowners and two environmental groups. All but one of the interviews was conducted on Friday January 19, 2007 at Deyo Hall by Fred Realbuto and Buck Moorhead. The last interview was conducted by telephone on February 7, 2007.

Additional stakeholder groups were included during the course of the meetings. BCS prepared a draft pre-assessment report which was transmitted to all the stakeholders. The stakeholders met as a group with BCS on February 22, 2007

During that meeting the group began discussions of the consensus building process design itself. Ground rules were discussed. The frequency and duration of meetings was established as once every two weeks, for two hours, commencing on March 15, 2007, for a period of approximately two months.

The group decided that the meetings would not be open to the public. The group also decided to notify the public of the process by press release, identifying how the public could communicate concerns and follow the process by contacting stakeholder representatives. The press release was drafted by BCS, approved by the group, and distributed on March 21, 2007.

The BCS Pre-assessment report, issued February 28, 2007, stated that while there were strongly held opposing opinions regarding the project, there appeared to be an opportunity for consensus building to play a positive role in the process.

BCS was retained by the Village of New Paltz Planning Board, again underwritten financially by the developer, to conduct four or five meetings to facilitate the consensus building process.

COMPOSITION OF THE STONELEIGH WOODS TASK FORCE

Members of the Task Force include the following:

George Danskin- Village of New Paltz Planning Board
Robert Havasy- Blue and Gold Homes
Callie Hershey-President, Save the Woods and Wetlands Association
Toni Hokanson- Supervisor, Town of New Paltz
Bob Hughes- Co-Chair, Town of New Paltz Planning Board
Jim Hyland – New Paltz Bicycle and Pedestrian Committee
Dorothy Jessup- Village of New Paltz Senior Citizens Advisory Committee
Jacob Lawrence- Bonticou View Residents
Steve Michalski- Land Owner
John Orcutt-Land Owner
Dave Porter- Co-Chair, AFFIRM
Mark Raphael- Land Owner
Maggie Ramirez- Chair, Sunset Ridge Community Association
Maria Rice- Superintendent, New Paltz School District
Roger Roloff- Hummel Road Residents
Fred Van Nostrand- Town of New Paltz Senior Task Force
Michael Zierler- Trustee, Village of New Paltz

ALTERNATES

Rick Linden-New Paltz School District
Lyle Nolan- (alternate for both) Hummel Road Residents and Sunset Ridge Community Association
Natalie Minewski, Village of New Paltz Senior Citizens Advisory Committee
Brian Fullerton- Blue and Gold Homes
Louise Bindman- Town of New Paltz Senior Task Force
Marion Dubois-Village of New Paltz Planning Board

Additional stakeholders who did not attend meetings but were kept informed of the proceedings by e-mail:

Dennis Doyle	Ulster County Planning Board
John Doss	Adjacent Land Owner
Peter Bienstock	Adjacent Land Owner
Jason West	Mayor, Village of New Paltz

CONSENSUS BUILDING PROCESS DESIGN

The initial meeting and a portion of the second focused on the consensus building process design. The process design included the following key components developed and agreed to, by consensus, by the stakeholders:

The product of the process would be a conceptual site plan, with some additional detail, that would be submitted as a recommendation to the Village Planning Board.

Consensus would be reached when the participants agree on a package of provisions that address the range of issues being discussed. Participants may not agree with all aspects of an agreement; but they do not disagree enough to warrant their opposition to the overall package. Each participant and/or caucus:

- (1) Has the ability to disagree with any proposal, but assumes a responsibility to offer a constructive alternative that seeks to accommodate the interests of all the other participants;
- (2) Is committed to implementing agreements that are reached; and
- (3) Will maintain their values and interests

To test whether consensus is being achieved, participants will be asked how they feel about a particular proposal according to one of the following statements:

1. Wholeheartedly Agree
2. Good Idea
3. Supportive
4. Reservations-would like to talk
5. Serious Concerns-must talk
6. Cannot Participate in the Decision-must block it

If all participants fall between 1-3, consensus is reached.

When someone falls between 4-6, that person must assume the burden of clearly articulating their concern to the larger group and the group must then assume the responsibility of addressing that concern. The group may continue with this procedure until consensus is achieved or the group decides to disagree.

If consensus was not reached, areas of agreement and disagreement were to be documented, and those not supporting the proposal would suggest revisions to the proposal that would allow them to support it, while also addressing the interests of other stakeholders.

CATEGORIES OF ISSUES

Issues and interests were identified during the interviews and discussed in the second meeting on March 29th, 2007. The stakeholders agreed, by consensus, on the following major categories of interests:

SIZE / DENSITY / USE

- Size of the project
- Comportment of proposed development with Village's Current Comprehensive Plan
- Provision of Mixed-used housing alternatives: Affordable, 55+,
- Senior, handicapped accessible, etc.
- Restrict use to intended population
- Number, type and density of residences proposed
- Accessibility to Village and services
- Growth inducement

COMMUNITY CHARACTER

- Comportment of proposed development with Village's Current Comprehensive Plan
- Maintenance of the character of the area
- Keeping New Paltz a vibrant, economically viable, Village and Town
- Preservation of viewscapes

NATURAL RESOURCES

- Erosion, runoff, water pollution
- Preservation of the natural resources of the area
- Preservation of open space
- Preservation of hiking trails
- Preservation of wetland buffer zones and other environmentally sensitive areas, flora and fauna
- Preservation of viewscapes
- Soil Toxicity and removal
- Preservation of open space

TRANSPORTATION

- Congestion relative to construction of new units on Village and Town roads, at: the intersections of Bonticou View, Sunset Ridge, Hummel, Shivertown Road, and Rte 299 with North Chestnut.
- Creation of connector roads, roundabouts, and traffic lights
- Traffic impacts on formally dead end roads, potential impediments to walking and bicycling on neighborhood streets.
- Construction traffic
- Legitimacy of traffic Studies
- Limited ingress / egress

PUBLIC IMPACTS

- Maintaining a tax base without increasing cost of services
- Diminished property values
Controlling noise, dust, blasting concussion (impacts on residents, school population, and water table)
- Protecting the areas' children from harm
- Potential flooding of basements of homes adjacent to project
- Impact on school class sizes
- Fiscal / tax impacts

LEGAL RIGHTS

- Private property rights, Developer has right to build
- Restrict use to intended purpose

COMPREHENSIVE PLAN

One of the agenda items included in the final meeting held on May 10, 2007 was the Village of New Paltz Comprehensive Plan (adopted June 7, 1994) and the relative merits and demerits of the final plan (116 mixed use units) submitted by the developer. This was a contentious area of discussion because of the diversity of interpretation. The following is a summary of that discussion, without comment.

- Project as proposed complies with many of the goals (1.3) “...*The Village has potential for growth due to the presence of a number of large tracts of vacant, undeveloped land, excellent transportation links to major employment centers, utility infrastructure, proximity to significant recreational resources, and natural beauty. Planned growth can help to maintain and enhance the economic health of the Village. An expanded tax base for local businesses would be the principal beneficiaries of such growth.*”

- [The Project should] insure network of open space while being developed- (6.2 “...*The Village should ensure that a continuous network of open space is established throughout the Erman lands when they are developed in the future.*”

The following passage of the Comprehensive Plan was provided by two stakeholders with dramatically different views on the appropriate density for the site and how these divergent site plan concepts comport with the existing comprehensive plan.

- Large-scale residential following “traditional neighborhood patterns” (P.8.3)
- Medium/low density complies with low density by Village standards (P.8.3)
“...*The Erman lands are the last major parcel of real estate available for large scale development. The natural characteristics of the area and the environmental constraints identified, however, are potentially limiting. Protection of natural resources (such as wetlands, streams and steep slopes) in this area should be the guiding principal to its future development. Large scale development should be clustered in a manner that preserves open space and that fosters a sense of community, following traditional neighborhood development patterns similar to those found in the older residential and mixed use areas of the Village.*”

The following comment was made without citing specifically from the Comprehensive Plan.

- Alternative E comports with “fitting into the environment” by pulling off the slopes -

One stakeholder quoted from what may have been a Town Comprehensive Plan, citing a clause that promoted the reduction of density away from Village center. The hamlet proposed earlier for this site was a floating zone.

POTENTIAL PACKAGE FOR CONSENSUS

At the commencement of the consensus building process, there was significant disparity among stakeholder groups regarding appropriate density for the project; this disparity, ranging from zero to two hundred units, did not noticeably change during the course of the meetings. There was, therefore, no apparent opportunity to reach consensus or overwhelming agreement for a package of provisions that included a density component.

During the course of the meetings there appeared to be an opportunity for consensus around a package of provisions addressing the range of issues, exclusive of density. This was tentatively explored during the 4/26/07 meeting. A tentative package of provisions was submitted to the stakeholders prior to the 5/10/07 meeting. This was amended during the meeting, and is as follows:

- Mixed residential use, including smaller single-family units and duplex units for first time home buyers, 55 years plus, and seniors. Some deed-restricted for both affordable and senior housing Approximate footprints for units 1000 SF. Encourage “green” building.
- Create the Millbrook Preserve
- Add at least 8 (+/-) additional acres of open space
- Create the pedestrian connection from the Duzine School to the Millbrook Preserve
- Create connectivity by bicycle / pedestrian trails to other communities

- Maintain 100’ buffers at wetlands, including at storm drainage,
- Limit approximate site disturbance to not more than 20 (+/-) acres, including buildings, roads
- Limit construction on slopes exceeding 10%
- Do environmental analysis first, as in conservation subdivision approach

- Bring sewer and water to the Duzine School property line

- Village to ask the developer to pursue potential federal and state tax credits to offset infrastructure costs and thereby reduce density

EVALUATION OF CONSENSUS

The areas of agreement and disagreement, as defined in the process design, are as follows:

Those who did not support the package of provisions expressed the following concerns: Two environmental group representatives and one municipal official expressed concerns regarding the inadequacy of existing biodiversity and wildlife studies regarding the project, stating that in some circumstances 100 foot buffers from the wetlands may not be adequate. It is, in their opinion, possible that, in some instances, a 500' buffer may be necessary.

One municipal official could support the package if: “maintain 100 ft buffers” was replaced with “conduct Habitat Assessment Studies (HAS) including upland habitat, and runoff rates to determine appropriate buffers or need for critter crossings” and if “do environmental analysis “ was changed to “do a Natural Resources Inventory and explore the cumulative impacts in relation to other construction taking place within the community. “

Two of the adjacent neighborhood representatives felt that certain provisions of the package, specifically those regarding mixed residential use and limits on site disturbance, implied a higher-than-acceptable level of density. Even though the density issue was specifically excluded from the package, this perceived implication of a high density was strong enough to make it difficult for those stakeholder representatives to support the package.

The density and size of the project was the most significant area of disagreement.

It was recognized and understood that the overall density and size of the project would strongly impact the other categories of issues, most notably natural resources and transportation.

Density-driven concerns about traffic were strong and had two points of focus: among adjacent neighborhood groups there was a specific concern about increased traffic on their respective roads. Those stakeholders, as well as several others, had larger-scale concerns that the project would increase traffic problems that already exist specifically at Route 32 and Sunset Ridge, as well as at other locations within the Village and Town.

It was stated that the Village should take steps to implement the recommendations generated by its recently completed joint Village/Town traffic study prior to adding new traffic-generating developments. It was recognized that securing a connection to Shivertown would be helpful, but would require access across a property that is not part

of this project. It was noted that Village Arms is a higher-density development, but it has access directly on to Route 32.

Traffic and egress related to the Duzine School was of concern to most stakeholders. The Task Force invited Rick Linden, the alternate representative from the New Paltz School district and Maureen Ryan, the school transportation coordinator, to the 4/12/07 meeting to discuss school traffic issues. It was noted that two-three years ago Route 32 was flooded at both Sunset Ridge and Ann Street, and school busses were unable to exit. The School District would welcome means of egress, ideally to North Putt, but minimally to Hummel and/or Bonticou View, giving it other egress options in an emergency.

Density-driven concerns about the natural resources were also strong, and included concerns about site disturbance and potential loss of habitat, erosion and drainage issues related to site disturbance, addition of impervious surfaces, construction on steep slopes, and cumulative impacts on the wetlands and existing wildlife habitat. One stakeholder suggested that a more comprehensive wildlife habitat assessment was required, specifically one conducted in the early spring in order to account for the majority of species.

With respect to both traffic and natural resources, it was felt by some that it was important to understand the cumulative impacts of this proposed development in conjunction with Woodland Ponds and potential adjacent projects, and that the density cannot be decided without wider analysis.

There was the general understanding that some potential, positive public impacts might result from a project of a larger density. However, those preferring smaller density options seemed to feel that those potential public benefits did not outweigh the anticipated negative environmental and traffic-related impacts of a larger-density development.

Stakeholder groups preferred densities ranging from zero, maintaining the entire property as a park, to two hundred units.

The developer's site plan options were never less than 116 units.

There was frustration among stakeholder groups, specifically those representing the adjacent neighborhoods, that while the project was proposed at a density consistent with existing zoning regulations, it was not consistent with the density of adjacent neighborhoods. While one adjacent neighborhood representative preferred a park, if there was to be development, a one-acre subdivision might be acceptable. Another adjacent neighborhood representative felt that the density had to be "drastically" reduced from the 116 unit plan.

There was strong support among various stakeholder groups (particularly Village and Town Senior Groups and one land owner) for inclusion of affordable housing for seniors (55+) and younger first time home buyers. There was an understanding that provision of these types of housing might require significant density, and that even 116-140 units, as proposed by the developer, may not be sufficient density to allow for construction of such housing at reasonable costs to the developer.

For some stakeholders – specifically, for representatives of the two senior citizen groups, the inclusion of affordable housing (i.e., offered in a range of affordability) for seniors was crucial to their supporting this project. There was also significant support among various stakeholders in respect to provision of affordable housing for younger people.

During the course of the meetings, there was disagreement regarding whether or not this was an appropriate site for senior housing, because of its distance from the Village.

One municipal official felt that the zoning was a “mistake”. There were diverse opinions regarding the project’s comportment with the Village Comprehensive Plan. This was highlighted by the wide range of density that the stakeholders suggested as consistent with the Comprehensive Plan. Stakeholders suggested 0, 5, 20, 15-30, 30-60, 80-100, and 100-200 units for the site.

The package of provisions was supported by several stakeholders including one municipal official, both of the senior citizen representatives, one of the adjacent neighborhood representatives, the bicycle/ pedestrian committee representative, and the landowners.

The package of provisions developed during the course of several meetings as the stakeholders reviewed the revised site plan options was submitted by the developer.

The initial site plan options included one for 200 units, a combination of townhouses and single family, senior friendly houses and an option for 116 single-family units.

At the next meeting, all stakeholder groups were given the opportunity to submit site plan options, either graphically or in narrative form. Discussion included the issues of density, building typology, mix of uses, and road configurations

During subsequent meetings, the developer proposed alternative site plans that were responsive to stakeholder group feedback regarding the mix of residential uses, the inclusion of duplex units, the provision of smaller units in terms of square footage, the reduction of site disturbance, and the reduction of construction on steeper slopes.

Other provisions of the package that had significant support during the evolution of the site plan included:

- Encourage “green” building.

- Add at least 8 (+/-) additional acres of open space
- Create the pedestrian connection from the Duzine School to the Millbrook Preserve
 - Create connectivity by bicycle / pedestrian trails to other communities

Many stakeholders, felt that the final site plan submitted during the process was an improvement upon those submitted during the beginning of the process, while still not approving of the density.

The Village Planning Board representative and the developer did not vote. The School District representative did not attend the final 5/10/07 meeting, and has not yet issued an opinion statement regarding the package of provisions or the draft final report. One municipal official left the 5/10/07 meeting before its conclusion and, also, has not yet issued an opinion statement regarding the package of provisions or the draft final report.

CONCLUSION

During this consensus building process, there was disagreement or a lack of clarity with respect to two issues: traffic and environmental impacts specifically related to wildlife. Some stakeholders did not have confidence that appropriate and accurate studies had been completed.

There are often disagreements over substance and/or interpretation that make reaching consensus difficult. An essential facet of the consensus building process is joint fact finding. When required, parties agree to have an independent professional versed in the particular area requiring fact finding to study the issue and report back to the group.

BCS recommends that all independently created documentation be reviewed and utilized to determine the comprehensive impacts of this project on the site and community, at large, specifically with respect to traffic and wildlife habitat. These should include any biodiversity studies that may have been done at the site, the recent traffic study conducted mutually by the Town and Village, and any recent demographic/ housings studies.

Although there was no consensus or overwhelming agreement reached among the stakeholders of the Stoneleigh Woods Task Force, there were positive byproducts. Several areas of common interest were identified. Divergent interests were vocalized and clarified. The discourse created during this process could not likely have been duplicated in a more formal “public meeting” forum.

The Village and Town officials, the developer, and stakeholder representatives, having had this opportunity to have a series of conversations in a neutral setting, will hopefully be able to work productively together, with greater understanding, in the public process.