

Karen Staulters  
2140 Cook Rd.  
Ballston Lake, NY 12019

February 2, 2024

RE: Heflin Project, Cook Rd.

Planning Board  
Chairman Rick Potts  
Charlton Town Hall  
758 Charlton Rd.  
Charlton, NY 12019

Dear Mr. Potts:

I am writing to you to remind you in writing of some of the major points that were presented at the last Planning Board Meeting on 1/15/24. My property is adjacent to the first 3 properties Mr. Heflin had had approved last year. His original plan he submitted in 2019 had all 7 properties listed and there was major opposition to all 7 properties, so he changed his plan to only 3 houses. Now he is applying for the other 4 properties. My family has lived here since 1971 and that was even before Heflin built his house there.

I am glad Connie brought up the issue of the orchard and pesticides. The way the land sits, the pesticides would continue to run downhill, as the orchard is on a hill. The pesticides probably have been doing this for a very long time. The orchard has always been there according to my memory. How do we know that these wetlands haven't been already contaminated/polluted. In reviewing most of the Storm Water Pollution Prevention Plan, I did not see this addressed. Maybe this is something that the Hydrology study can determine if there is already pollution there??? As you heard, almost every resident that spoke is highly concerned with the water and that is why I asked Mr. Santos if a hydrology study had ever been done. His answer was no. I feel that this should be done to assure that Heflin's proposed houses will not impact the local water quality or water supply to the current residents, let alone any new residents. If the planning board should eventually approve this application, I feel strongly that Heflin should remove house #4 closest to the orchard from his plan all together, for the safety of the possible family that may reside there. Safety from pesticide usage and safety from cars hitting their house when cars crash at this corner.

**Hydrogeologic Investigation: *The Planning Board should not make any determination on the subdivision application until a thorough Hydrogeologic Investigation is completed. The following elements be included as part of a complete and comprehensive study:***

- **Aquifer Characteristics:** To understand the geological formations and properties of the aquifer, such as permeability and porosity, to gauge water storage and flow capabilities.
- **Groundwater Levels:** To monitor existing groundwater levels to assess variations and potential impacts on neighboring wells.
- **Water Quality Analysis:** Test water samples for various parameters like contaminants, minerals, and pollutants to evaluate potential changes in water quality. Given the proximity to orchards and old farming fields I suggest legacy contaminants such as

herbicides and pesticides. More recent data also suggest emerging contaminants such as PFOA and PFOS should also be included in such studies.

- Pumping Tests: Conduct tests to simulate well pumping conditions and observe effects on nearby wells, helping understand potential interference.
- Flow Modeling: Use hydrogeological models to simulate groundwater flow patterns, helping predict the movement of water and potential impacts.
- Well Interference Assessment: Evaluate the potential for interference between new and existing wells, considering factors like proximity and pumping rates.
- Water Demand Projections: To estimate the water demand from the new construction to assess its impact on the aquifer and existing wells.
- Regulatory Compliance: To ensure compliance with local regulations and water use policies during the construction process.

As this subdivision will disturb the rural character of Cook Rd. and the orchard, I believe that this does not comply with Charlton's Comprehensive Plan. The Planning Board should describe in writing how it plans to allow this in regard to the Comprehensive Plan. The other factor with where these houses that are proposed is that they are not "staggered" in placement as required from the last 3 houses that were approved adjacent to my property. Question 5b on the Short Environmental Assessment Form asked about the approved Comprehensive Plan and the applicant answered "Yes" that it was consistent with the Plan. This does not appear to be so.

**The Planning Board should classify the subdivision as a "Type I" action under the State Environmental Quality Review Act (SEQR):** The Planning Board should make a determination of significance under SEQR and classify the subdivision as a Type I action, thereby requiring the applicant to complete a full Environmental Impact Statement (EIS), not just the Environmental Assessment Forms (EAF) already submitted which only assists the "Lead Agency" (the Planning Board) in making a determination.

In reading both the short and long forms of the Environmental Assessment Form, I found that some of the questions were possibly not answered correctly. These were all on the Long Form.

Question D1c. that the applicant answered that this project was not an expansion of an existing project, but it clearly is, as he this application is for part 2 of his original plan.

Question D2c. asks about how much water will be used per day. The answer given was 1320 Gallons per day. Is that per house???

Question D2e. asks if stormwater will runoff to adjacent properties, the answer was "no". But what about water running downhill from the orchard on this property??

Question E1. Asks if the project site is over a primary, principal or sole aquifer? The answer was "no". If looking at the Stormwater Pollution Protection Plan there is a map included in this report that shows a large aquifer. Maybe this should be clarified??

With the above example shown, I believe it would be in the best interest of the Planning Board to have the applicant resubmit both the long Environmental Assessment Form in order for the Board to make an informed and accurate SEQR Determination. I believe strongly that the Full Environmental Impact Statement should be done!! I find it hard to believe that in the process of building 3 more houses that some of these wetlands won't be disturbed in the process, despite the fact that the applicant states that they won't be.

As far as the Traffic Study is concerned, I believe that the additional 14 cars per day with both of Heflin's subdivisions, could impact the intersection of Cook Rd. and RT 67, as new occupants of these houses would probably tend to use the RT 67 exit off Cook Rd. as they are very close to it. For their safety, I agree that a Traffic study should be done, especially taking into consideration the number of accidents that have already occurred at this intersection and the lack of visibility of Cook Rd. when travelling on RT 67, going east. It sounds like DOT needs to come out here for an on-site evaluation.

In summary, I would like to suggest having the applicant:

1. Do a Hydrology Study
2. Re-submit both the Long Forms of the Environmental Assessment Form
3. Complete a Full Environmental Impact Study Report

I would also like to see if DOT could do a traffic study to evaluate the dangers of this corner and with suggestions of possible interventions to make it safer.

Thank you for your time and careful consideration of this plan!!

Sincerely,

Karen Staulters