

BRUCE H. SIMON

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April 11, 2016

Mike Calimano, Chair, New Paltz Planning Board and Board Members:

Lyle Nolan

Michael Zierler

Adele Ruger

Lagusta Yearwood

Amy Cohen

Tom Powers

Ray Lunati

Kelly O'Donnell

Julie Seyfert-Lillis

Town of New Paltz Planning Board

52 Clearwater Road

New Paltz, NY 12561

Dear Chairman Calimano and Board Members:

Before you cast your vote for a negative declaration, I suggest you check on the insurance policy maintained for you by the town, or your personal insurance policy. You may wish to make sure you are covered for signing on to a declaration that there is not even the potential for an adverse environmental impact. If someone tells you that you are protected by sovereign (or official) immunity, or by insurance, ask them if they will indemnify you if they are wrong.

Attached to this letter is a November 20, 2013 letter from the Executive Director of the Applicant Mohonk Preserve Glenn Hoagland, to Town Supervisor Zimet, stating clearly that the current situation on Route 299 at the location of the proposed new curb cut and entry into the 90-car parking lot is not safe and will not be safe ("an essential ingredient") without a reduction of the posted speed limit of 55 (understood by all to be a real world 60+ mph) to 45.

It is clear that the creation of a new curb cut and entry to parking facilities for 90 cars will exacerbate the current admittedly unsafe condition.

Mohonk Preserve's consultants report that:

(a) The Gatehouse/Route 299 Intersection has an accident rate 8.8 times greater than the statewide average rate for similar intersections. This is the intersection precisely at the proposed entrance to the Gatehouse and its parking lot.

(b) The Butterville Road/Albany Post Road/Route 299 Intersection. The accident rate is 14 times greater than the statewide average rate for similar intersections. This is the intersection right by the proposed entrance to the Hasbrouck House/Humpo marsh and its proposed parking lot.

It cannot seriously be argued that the Mohonk Preserve Development Proposal will not exacerbate the existing unacceptably dangerous conditions at those intersections. Most obviously (but not exclusively) the cars (many driven by out-of-towners unfamiliar with the area), that will enter and exit the entrance to the Gatehouse parking lot, will pose an additional clear and present danger.

Under these circumstances, if there is a serious (at these speeds potentially fatal) accident at or near the parking lot entrance, I would expect a personal injury lawyer representing a plaintiff (or a plaintiff's estate) to pursue any entity – or person – that was responsible for ignoring a clear and present danger.

In this connection, you may wish to recall that here is a legal presumption that a potential adverse environmental impact will be created – and that a positive declaration, and an Environmental Impact Study should be pursued. Your signing on to a negative declaration will put you in the position of ignoring the already documented excessive accident rate, ignoring Mr.

Hoagland's statement, ignoring the legal presumption for a positive declaration, and – quite frankly, ignoring common sense. You may, nevertheless, choose to follow the Preserve's selected and paid consultants and lawyer, and your own consultants and lawyers superficial rubber-stamping of their product. But you do so at your peril.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce H. Simon". The signature is written in a cursive style with a prominent horizontal stroke at the beginning.

Bruce H. Simon



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EXECUTIVE DIRECTOR

Glenn D. Hoagland

November 20, 2013

Susan Zimet, Supervisor
Town of New Paltz
1 Veteran's Drive
P.O. Box 550
New Paltz, NY 12561

COPY

RE: Request for Speed Reduction on Route 299 between Libertyville Road and Buttrville Road.

Dear Susan:

The Mohonk Preserve would like to request a speed reduction on the section of Route 299 between Libertyville Road and Buttrville Road. This section of road is currently posted "55MPH" yet it has numerous driveways, the intersections of Gatehouse Road and Jacobs Lane with Route 299, and some horizontal curves. The Mohonk Preserve is currently planning a proposed new ingress/egress to the Testimonial Gateway tract in order to provide a parking trailhead where the public can gain access to the Mohonk Preserve Foothills landscape.

In a September 30, 2013 meeting between the Mohonk Preserve's traffic and design consultants, Ulster County officials Dennis Doyle and Kim Dufresne, and Town of New Paltz Representatives Chris Marx, Eileen Banyra, and Stacy Delarede, the need for a speed reduction was discussed.

Furthermore, in an October 17, 2013 meeting with neighbors to the Testimonial Gateway tract, where the Preserve's plans for a proposed entrance were presented, there was strong neighbor input in favor of a speed reduction for this section of road to improve safety.

While the Preserve's new entrance will use the best siting, design, and engineering standards to optimize a safe new point of ingress/egress, we feel that an essential ingredient to ensure safety is also a speed reduction. We respectfully request that the Town of New Paltz, working together with Ulster County, lower the speed limit in this section of Route 299 to 45 MPH.

Thank you.

Sincerely,

Glenn D. Hoagland
Executive Director

Cc: Christopher Marx, Town of New Paltz Highway Superintendent
Eileen Banyra, Town of New Paltz Planning Board
Stacy Delarede, Town of New Paltz Building Inspector
Kim Dufresne, Senior Engineer, Ulster County DPW
Dennis Doyle, Director, Ulster County Planning Board
Dan Rourke, Traffic Engineer, Barton & Loguidice