

Critique of Redwing Properties Inc. Archer Mine, Town of Milan, Dutchess County, NY ;Visual Study for NYS Department of Environmental Conservation
By Griggs-Lang Consulting Geologists, Inc.

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The following is a critique of the Visual Analysis used for the Archer Mine in the Town of Milan, New York. Major resources used for this review is the Visual Study (Griggs – Lang 2006a) and the DEIS (Griggs-Lang 2006b). Other resources such as USGS topographic quadrangles (Rock City 1978 and Clermont 1978) plus the Town of Milan Comprehensive Plan (2007) were utilized as well.

1.0 Introduction describes the mining operational characteristics and begins to describe the visual study. Key aspects is that the mine will be in seven phases of active mining of about 10 to 15 acres and there will be directional mining.

2.0 Methodology of visual analysis is described in this section.

2.1 Supporting documentation states that the authors used NYS DEC’s Program Policy DEP-00-2 Assessing and Mitigating Visual Impacts for guidance. This will be commented upon in section 3.3. Aesthetic Resources.

2.2 Maps and Line of Sight Cross Sections

The supposed viewshed map is not so much a viewshed map as it is a map showing the mine location, concentric rings for one-half mile, three miles and five mile radii for foreground, middleground and background. A number of cross sections are overlaid as well. If this were a true viewshed map – various zones of potential visibility would be shown indicating visibility with intersecting topography and /or vegetative screening. Also the viewshed may change for different phases of the mining operation. Finally it is stated that the cross- sections (AA’, BB’, CC”, DD’, EE’, FF’, GG’, HH’, II’, JJ’, KK’ and LL’ were drawn from nearby homes to the mine site. We are not sure if these cross sections hit all impacted residences and other significant visual resources. Furthermore it is difficult to represent all line-of-site visual impacts with cross sections as opposed to a potential viewshed map as we will see in 3.3 Aesthetic Resources.

2.3 Variables included: distance between receptor and mine, amount of intervening vegetation, difference in elevation, and proposed mitigation measures such as berms or plantings. These “variables” were described for each cross-section in part 5 of the Visual Analysis. Usually for most visual analyses visibility (distance, intervening topography and screening vegetation), then severity of impact and then mitigation measures that reduce the impact are described. This presentation lumps mitigation measures into the

visibility analysis – basically saying – there is no visual impact because we screened everything. This process contravenes the basic purpose of the visual analysis – to analyze for visual impact then mitigate these impacts once identified.

3.0 Site Description

3.3. Aesthetic Resources: The analyst used a very narrow definition of Aesthetic Resources supposedly with guidance of NYSDEC Program Policy DEP-00-2. They started that there were no aesthetic resources because there were none of “statewide significance” There are local aesthetic resources, which DEP-00-2 does not state should not be considered. The author drew a 1/2-mile radius, a 1-mile radius and a 2-mile radius and came up with some local aesthetic resources just from inspection of USGS maps.

- a.) within 1/2 radius; Warackamuc Lake and Spring Lakes
- b.) within 1 mile radius; Lakes Kill, Turkey Hill, and the old railway grade near Lakes Kill
- c.) within 2 mile radius: Jansen Kill, Snookville cemetery (historic) and Lakes Kill
- d.) just outside the two-mile radius the Town of Milan is working on a Route 199 scenic road corridor plan. If Route 199 does become a state scenic road the road corridor will become an aesthetic resource of statewide significance.

Then if we are to consider the number of potential residences that may have views of any of the seven phases of the mining operation utilizing the same distance zones we should include:

- a.) residences within 1/2 mile along Hapeman Hill Road (1-2) Hapeman Road (8), Salisbury Road (4-5) and the shore edge residences and camps along spring lakes (6).
- b.) Residences within 1 mile along Hapeman Road (5), Hapeman Hill Road (5), Snookville Road (1), Becker Hill Road (5), Salisbury Road (3-4), Mitchell Lane (2) plus more residences and camps along Spring Lakes (25), plus Cokestown Hamlet plus openings along the power line right-of-way with road crossings
- c.) Residences within 2 miles along Hapeman Road, Hapeman Hill Road, Snookville Road, Becker Hill Road, Mitchell Lane, Milan Hill Road, Turkey Hill Road, and Vistilca Road.

In all cases some basic photography is needed of the existing landscape character and any aesthetic resources of statewide or local significance. In a similar mining case in the past the author photographed every view from every residence that had any view of the mine operation.

4.0 Viewshed analysis; Because only the cross-sections were used as opposed to a complete potential viewshed map, and a very restricted set of aesthetic resources was considered and we do not know which phases of the mining operation were being considered- the whole viewshed analysis is flawed.

5.0 **Line-of-sight cross sections**; The same problems as cited above affect the validity each of the descriptive attributions for each of the 12 cross sections.

6.0 **Project design** – should include severity of visual impact and effectiveness of proposed mitigation measures. Also mining operational mitigation measures (except for screening berms) such as noise and dust reduction as well as post mining reclamation measures are not included as part of the visual analysis.

In addition to the points raised above the author has reviewed the draft **Generic Impact Statement for the 2007 Comprehensive Plan for the Town of Milan**. Particular sections of the Town of Milan Comprehensive Plan have a nexus with this project: Statement of **public need**, which includes:

- Maintain the rural character of Milan
- Remain (primarily) a residential community
- Enable small-scale and limited commercial activity
- Protect open space and natural resources
- Keep Milan affordable and accessible to current residents

Under **Aesthetic Resources** within the Comprehensive plan it is stated “Much of Milan is considered scenic due to its picturesque natural features and relative lack of development dominating the roadside views, there are several special areas and features that either have exceptional views or contain unique environmental features. The Natural Features map prepared for the Comprehensive Plan shows these places that include seven predominate hilltops ranging from over 600 feet to 900 feet...” Turkey Hill is one such point near the project area.

Under **Growth and Community Character**- it is stated that the overriding goal is to maintain its rural qualities and this is backed up by the Community Values Survey. Residents responding to the survey favored farmland and open space protection and preservation of natural and scenic resources as well as ridgeline preservation.

There should be some discussion in the visual analysis for Archer Mine in relation to the Town of Milan’s Comprehensive Plan needs and programs.

Conclusion

Although this is relatively simple sand and gravel mining operation – the visual analysis is inadequate because of:

- 1) overly restrictive consideration of relevant aesthetic resources
- 2) inadequate photographic documentation of such resources
- 3) limited visibility and visual impact analyses
- 4) mixing mitigation measures before assessment of visual impact
- 5) lack of operation and post operation aesthetic mitigation measures
- 6) no discussion of impact on community comprehensive planning measure compatibility

References

GreenPlan Inc and Town Board of the Town of Milan. 2007. Draft Generic Environmental Impact Statement: Town of Milan 2007 Comprehensive Plan. Town of Milan, 50 pages plus maps.

Griggs-Lang Consulting Geologists. 2006a. Red Wing Properties, Inc., Archer Mine, Town of Milan, Dutchess County, New York; Visual Study of NYSDEC, Griggs-Lang Consulting Geologists, Troy, NY, 11pages plus appendices.

Griggs-Lang Consulting Geologists et al. 2006b. Draft Environmental Impact Statement, Red Wing Properties Inc., Archer Mine Operation of a Sand and Gravel Mine, Griggs-Lang Consulting Geologists, Troy, NY, various sections.

NYSDEC 2000. Program Policy DEP-00-2 Assessing and Mitigating Visual Impacts, NYSDEC, Albany NY.

USGS. 1978. Clermont Quadrangle, New York 7.5-minute series, USGS

USGS. 1978. Rock City Quadrangle, New York 7.5-minute series, USGS.