

March 13, 2015

Barnard M. Molloy
Planning Board Chairman
Village of Cold Springs
85 Main Street
Cold Spring, New York 10516

Re: Fourth Preliminary Site Plan Review
Butterfield Redevelopment Site
NYS Route 9D, Cold Spring, NY

File: 1593.001.001

Dear Chairman Molloy:

Barton & Loguidice, D.P.C. (B&L) has completed a fourth technical review of the following reports and information for the Butterfield Redevelopment Site located at 1756 NYS Route 9D as prepared by Site Design Consultants. We have prepared the following site plan review comments based on the following information provided to date:

The following items were received on February 11, 2015:

1. "Site/Subdivision Plan Prepared for Butterfield Redevelopment Project" prepared by Site Design Consultants dated February 10, 2015.
2. "Stormwater Management Plan prepared for Butterfield Redevelopment Project" prepared by Site Design Consultants dated October 2014, revised February 2015.
3. "Engineer's Report Butterfield Redevelopment Project NYS Route 9D and Paulding Avenue" prepared by Site Design Consultants dated February 10, 2015.
4. "Stormwater Management Plan Summary" prepared by Site Design Consultants dated February 2015.
5. Review comments provided by Village of Cold Spring Superintendent of Water & Sewer Mr. Greg Phillips, dated March 10, 2015. (Copy attached)
6. Response to Public Hearing Comment letter provided by Mr. Matt Moran of Butterfield Realty, LLC., dated March 10, 2015. (Copy attached)

A phone conference occurred between the TDE and Eric Lister of Site Design Consultants on March 4, 2015 to discuss aspects of the Stormwater Pollution Prevention Plan and the Stormwater Management Plan.

Based on our review of the above referenced documents, we offer the following comments:

General Comments:

1. Additional ADA signage was provided; however, the directional arrows shown on the plans do not stand out well and in some cases are confusing. Please provide a separate sign schedule with





the three different arrow types, locate and label on the plan. Please provide additional signage at the NW corner of building 2 showing the ADA route is not down Butterfield Road along the building but rather north towards Lahey Pavilion. It appears the arrow on the sign immediately west of the Lahey Pavilion will be pointing at the building. Please clarify. A stop sign (R1-1) is shown between building 3 and building 1 in the proposed sidewalk- an ADA identified route – please relocate outside of sidewalk. An ADA ramp is shown on the southern entrance to building 3 with what appears to be the curbing symbol in front of it. How will wheelchairs access this ramp in the event cars are parked in these spaces? Please provide an ADA ramp on the northeastern entrance of building 2.

2. Please provide hatching for all proposed sidewalks. Some appear not to be hatched.
3. Please provide utility easement maps with metes and bounds and descriptions for water and sewer easements from the surveyor when available.
4. Sheet C-302 (Utility Profiles) appears to be missing from the submission set and was therefore not reviewed.

Technical Submission Comments:

Plans

1. Sheet C-102 (Existing conditions and Demolition Plan):
 - a. Include notes with the existing water service to be abandoned that indicate the need to coordinate with Village Water Department. Comment not yet addressed.
 - b. Please label all contours on this sheet.
2. Sheet C-103 (Erosion & Sediment Control Plan):
 - a. Sizing calculations for the proposed temporary sediment traps have some issues; are these traps sized for 3,600 CF per tributary drainage area and computed as defined in the NYSDEC Blue Book for Standard Specifications For Sediment Trap? For example, the provided computations indicate $29,050 \text{ sf} = 0.667 \text{ CY}$. How was this concluded? The first computation indicates a contributing surface area of 29,050 sf; applying the 3,600 CF / tributary drainage acre would result in a required storage of 89 CY. Please clarify. This comment was discussed with the design engineer during the phone conference held on March 4, 2015. Engineer to follow up.
3. Sheets C-104, C-105 and C-106 (Grading Plan, Utility Plan and Utility & Grading Plan):
 - a. There are slight discrepancies in the inverts listed on the provided structure table between the calculated values and the listed values. Some inconsistencies exist between table and profiles as well. It is recommended not to list an “invert in” if there are not pipes contributing flow to the structure, only outlets. Similarly, please provide consistency in labeling columns on the provided tables. RD and FD table uses opposite labeling scheme for inverts in versus inverts out. Please provide a consistent number of significant figures on the provided tables and profiles. Some values



include hundredths while some are to the tenth and some are to the nearest whole number. Please label all pipe sizes on the provided profiles. Examples of invert inconsistency include:

- i. “RD from Res. Lot” and invert in for DI-1 differ.
 - ii. Infiltration system 3 and DMH 6 – the plans label that the overflow from the infiltration system will be a 4-inch dia. 35-ft @ 8% while the table lists the pipe as 15-inch dia. 43-ft @ 11.2%. Please clarify information provided. This comment was discussed with the design engineer during the phone conference held on March 4, 2015.
 - iii. Invert information for the rain water harvesting (RWH) roof drain inverts seems backwards on the provided table. Building 3 drains to RWH #2 per labeling on the plans and the table – the tables shows RWH #2 at an invert of 133.0 while the RD/FD show 131.20 (RWH #1 shows 133.50). Please clarify.
 - iv. Inverts for infiltration system 2 could not be located in the provided table. Plans show an invert of 121.30 while the calculated invert from 2A of 123.10 and invert 2B of 122.83. Please clarify how pipes into these infiltration systems will be interconnected when the inverts are 1+/- foot different. Indicate means of overflow and associated pipe information.
 - v. Invert into existing CB2 is calculated as 112.33 not the listed 112.98 in the table. Please confirm intent.
 - vi. DI-4 Table lists an invert in but there are no connecting pipes. The invert out shown does not match that listed on the profile.
 - vii. The profile for RWH-1 to ex. CB3 on sheet C-303 shows a 35 foot HDPE pipe between DMH 5 and ex. CB 3 @ 0.83% while the structure table lists this pipe is at a slope of 3.34%. Please clarify. The calculated, table listed and profile listed inverts into DMH 5 all differ. Please clarify. Please list existing inverts for existing structures on the profiles.
 - viii. Two footing drains are shown leading from building 2 on the plans. One is listed on the RD and FD inverts table while the other, discharging to Crystal Stream 1 is not. Is this mislabeled on the plan as there are two RD's listed on the structure table?
 - ix. Building 2 contributes flows to RWH# 1 not 2. Please switch table labeling as previously requested.
 - x. The listed invert out of DMH #6 is higher than the 4 inch invert into the structure from infiltration system 3. Please review.
- b. The proposed swale for DA7 makes a 90 degree bend. What is the proposed method of armoring? Details for the trench drain indicate a vertical clear opening of 12-



inches. The stated invert is 136.5 while the sidewalk elevation at the point of crossing is 137.25. This would result in the grate 3 inches above the walk. How will sidewalk icing be prevented? Where does the 137 contour terminate by the bioretention area? It appears it crosses the sidewalk and ends. Please clarify.

- c. The inset B shown on sheet C-104 shows a RD discharging to the swale and ultimately to the bioretention area (C-106 shows RD and DI-3 discharge to swale) while the structure table only lists DI-3 to daylight and the RD from building to DI-3. Please clarify. The outlet invert for the DI-3 discharge needs to be reevaluated. The outlet invert is currently listed as 143.08. This would result in a discharge to daylight at elevation 139.51. The outlet pipe is shown discharging between the 137 and 138 contours. Please clarify.
- d. Existing CB1 invert A is shown as 112.1, receiving flow from along Route 9D, while invert B, the discharge invert, is shown as 112.2. Please clarify. Is the western invert actually lower?
- e. Please include details of the proposed Nyloplast vertical maintenance structures. None could be located on the plans.

4. Sheet C-301 (Profiles):

- a. The existing and proposed elevations along Alignments B, C and building 6 do not appear to be reflective of the design – both numbers listed are approximately the same. Please clarify.

5. Sheet L-410 (Landscape Plan):

- a. Please update landscaping plans to incorporate the latest site plan and feature changes.

6. Sheet C-504 (Storm-Sanitary Details):

- a. Please include additional dimensioning for the dog house manhole detail – S-2. What is the dimension of the bottom slab lip?

7. Sheet C-505 (Crystal Stream Technologies Details):

- a. The Crystal Stream inverts shown on this sheet are inconsistent with the drainage rim and inverts listed on sheets C-104 through C-106.

Sewer

1. Please indicate location of the sanitary sewer service for the Lahey Pavilion. The service could not be located on the latest submission. Sewer profile was missing from plan set – sheet C-302 – and therefore was not reviewed for utility conflicts.
2. Please show clean-out locations on the plans for the residential sanitary sewer laterals.



Storm Water

1. Please update all references to the General Permit to reflect the newest permit (GP-0-15-002); some of the documents indicate the newest permit while others still reference the older permit. This comment was discussed with the design engineer during the phone conference held on March 4, 2015. Engineer indicated the DEC will accept the older permit as the project was started prior to the latest permit revisions. Please provide correspondence with DEC indicating what was discussed.
2. The discussion in section 5.1 of the stormwater management plan indicates that the hydrologic analysis was broken into three drainage areas for the predevelopment analysis. Please clarify as only one area is shown on the plans.
3. It appears the NOI needs to be updated with the current site information and stormwater practices. The green infrastructure worksheets reflect a required WQv (#28) of 0.51 acre-feet. The impervious area contributing to each practice (#29) does not reflect the same information presented in the green infrastructure worksheets and the post development mapping provided. Responses to #30, 31, 32, 33a and 37 do not reflect the information presented in the green infrastructure worksheets. Please provide responses to questions 34 and 35. This comment was discussed during the phone conference held with the design engineer on March 4, 2015.
4. WQv and Green Infrastructure Worksheet Comments:
 - a. Information presented in green infrastructure (GI) worksheets, located in Appendix H, does not reflect treatment of the entire WQv of the site. The project site is considered a redevelopment site with new impervious area, however, the redevelopment portions of the site are the only areas which can be treated as redevelopment per the New York State Department of Environmental Conservation Stormwater Management Design Manual chapter 9. A Redevelopment WQv Sizing: Chapter 9 NYS DEC SWDM formula sheet is included at the beginning of Appendix H. The sheet indicates the use of a P of 3.1 inches instead of the 1.4 inches used throughout the rest of the WQv sizing calculations. Please clarify why a P of 3.1 inches was used. Please provide sizing calculations consistent with this sheet. When calculating the WQv for areas of redevelopment please clearly identify the redeveloped portion of the area. For example, the bioretention sizing calculation sheet provided shows a reduction of the WQv to be treated, however, the catchment area contributing to this practice is mainly new development with only a very small portion of this catchment being redeveloped. Calculations should clearly delineate areas which are redeveloped versus new development. WQv reduction can only be taken for redevelopment areas. Practices will still need to be sized for the full volumes they will be receiving. This was discussed during the phone conference held on March 4, 2015 with the design engineer.
 - b. Infiltration basin areas and pretreatment volumes provided on the GI worksheets are less than the required sizes. Please clarify why smaller areas were used.
 - c. The bioretention worksheet and bioretention sizing calculations show the use of a hydraulic conductivity of 2.75 ft/day while the standard bioretention soil mix has a



hydraulic conductivity of 0.5 ft/day (this is listed on the top of the GI worksheet).
Use of a lower hydraulic conductivity will increase the required filter area.

- d. Catchment area 4 (a result of the summation of area 4.1 and 4.2) should reflect an impervious area of 0.84 acres per the provided plans instead of the listed 0.87 acres. Please clarify.
5. Please update the 11 x 17 inch pre and post development maps to reflect the changes to the plans and documents. Larger maps provided showed the updated information while the smaller did not.
6. Figure 5.5 Post-Developed Routing Map, located in Appendix F, requires some revisions. DA 4.1 discharges to Bypass 2B and DA 4.2 discharges to Bypass 2A not 2B. Please update routing/ line work and associated modeling. Please include a revision date on the updated figure. This comment was discussed with the design engineer during the phone conference held on March 4, 2015.
7. Stormwater Retention/ Detention Pipe System Sizing Worksheets and Stormtech infiltrator worksheets provided in Appendix H do not reflect the sizes, volumes, and areas shown on the plans, modeled and used in the calculations. Please clarify. This item was discussed with the design engineer during the phone conference held March 4, 2015. Plans need to reflect the latest design revisions and all associated documents need to be updated.
8. Modeling for the bioretention practice indicates starting water surface and bottom of storage are located at elevation 132 while the plans and comment responses indicate the bottom of the bioretention practice is at elevation 135. Please clarify. Please include invert information for the two standpipes on the bioretention plan details. Modeling (outlet input data: bioretention outlet, page 145 of 237) includes Orifice – 1, a 0.5 inch orifice at 132.0 feet. What is this? No 0.5 inch orifice is shown on the plans. How come exfiltration is not modeled as an outlet for the bioretention practice? How are bioretention exfiltration pass through flows accurately modeled? Parts of this comment were discussed during the phone conference held with the design engineer March 4, 2015. Engineer to provide additional clarification and update modeling.
9. Modeling for most of the structures reflects elevations which differ from the plans. Some of the storage calculations for these structures include elevations beyond the rim elevation. Please clarify. This comment was discussed during the phone conference with the design engineer.
10. Modeling for each practice indicates the exact same inflow for each storm modeled although each practice inflow area differs. For example, the Interconnected Pond Routing Summaries for both the Bypass 1 (DA2) and Bioretention (DA7) for the 1 year storm reflect a Total Volume In pond inflow of 0.067 acre-feet and total volume out of 0.039 acre-feet. These two practices have contributing drainage areas of 0.90 acres and 1.85 acres, respectively. Each 1 years storm Pond Routing Summary reflects the same inflow and outflow. This is consistent through all of the rest of the storm events modeled. Please clarify. This comment was discussed with the design engineer.
11. The modeling for infiltration 1 (same comments for 2 and 3) indicates the storage information was created on 2/10/2010, check with manufacturer for latest data. Have these values been verified with the manufacturer? The detail on the plans indicates a minimum of 6 inches of cover and 6 inches of base beneath these structures while the modeling reflects no cover and 12 inches



of base. Please clarify. Infiltration system 3 shows a chamber system row spacing of 6 inches on the plans while the modeling reflects 12 inches. Please clarify. This comment was discussed with the design engineer during the phone conference. Details and modeling need to be updated.

12. Modeling for the RWH systems needs to be clarified. Lengths and widths of the system do not match the details on the plans or the provided sizing sheets within the SWPPP. Verify that the system naming is consistent between all calculations, plan sheets and tables. Information presented in the chart on sheet C-507 for RWH structures does not correspond to the information shown on the details on the same sheet. Please clarify. This was discussed during the phone conference with the design engineer. Details and modeling need to be updated.
13. Some of the structure outlet sizes modeled do not match the size of the outlet pipes shown on the plans/ tables. Please clarify.
14. The table provided in Appendix I – Hydraulic Storm Sewer Capacity Analysis – is inconsistent with the information provided on the plans. Please clarify.
15. The “post construction Crystal Stream Technologies maintenance inspection notes” section 4.3.2 references section 4.6 which was not provided. Please clarify.
16. Crystal Stream Practices are sized based on flow rates. Water Quality Design Reports provided in Appendix H for the Crystal Stream Technologies do not reflect the areas contributing flows to each of these structures. Structures appear to be designed based on a first flush rainfall of 1.15 inches while the WQv storm event of 1.4 inches is used for sizing practices. Please clarify. This comment was brought up with the design engineer during the phone conference held on March 4, 2015.

Site Access and Details:

1. All proposed new or modified existing driveway entrances and curb cuts onto NYS Route 9D will be reviewed and approved by New York State Department of Transportation (DOT) prior to final site plan approval. The applicant has contacted the DOT and provided the Regional Engineer with a full set of site plans now that building and driveway entrance locations have been established by the Planning Board. Copies of all meeting notes and correspondence with the DOT should be provided for review by B&L and the Planning Board.

Additional Technical Follow Up Required:

Water & Sewer Engineering Report:

1. PEG report concludes need for domestic water pumps for upper floors. Please confirm. That will need to be followed up with during building design and approval phase.

Water

1. Coordinate with Village of Cold Spring for the metering system to be same as their remote read system.



Sewer

1. NYSDOT indicated a requirement for directional bore rather than open cut. Please provide the Village and TDE with details when furnished to NYSDOT. Applicant indicated they have started the review process. Please provide information and details as requested.

Correspondence from Village DPW:

Mr. Greg Phillips, Village of Cold Spring Superintendent of Water & Sewer, provided his review comments to the Board, the applicant and B&L in a letter to the Board dated March 10, 2015. Copies of his letter are provided in the Planning Board's packet. However we have attached a copy of his letter to this technical review letter for reference. At the time of this writing, the applicant has already begun to work with Superintendent Phillips to address every one of his review comments.

Response to Public Hearing Comments provided by Butterfield Realty, LLC:

A copy of the applicant's responses to comments received at the March 4th, 2015 Butterfield Site Plan and Preliminary Subdivision Public Hearing were provided directly to Village Clerk Mary Saari on March 10th, 2015. A copy is attached to this letter.

Our comments are as follows:

- Parking:** We concur with the applicant's response that parking for the site is in full compliance with the B4A code and all other applicable Village code requirements. The project also meets the intent of the Village Comprehensive Plan by reducing mixed use shared parking options.
- Open Space:** We concur with the applicant's response that the site plan complies with and in fact exceeds the required amount of open space under the B4A code. In addition the site plan provides for numerous enhanced open space features.
- Stormwater:** We concur with the applicant's response that stormwater has been fully addressed for this site, and that the proposed stormwater management infrastructure designs are in compliance with standard engineering practice for this region and in compliance with the standards and practices prescribed by the New York State Department of Environmental Conservation. The plans also incorporate enhanced green infrastructure designs and practices such as use of bio-retention treatments that are not currently required by Village code.
- Traffic:** We concur with the applicant's response. Issues associated with traffic have been thoroughly studied and addressed during the SEQRA process.
- Demolition:** We concur with the applicant's response. Issues associated with demolition have been thoroughly studied and addressed during the SEQRA process. A well-defined demolition plan and protocol is in place and has been approved by the Village Building Department and the Village Historic District Review Board.
- Bio-retention:** See our comment on stormwater management.



Senior & Sidewalks: We concur with the applicant's response. Issues associated with senior access and pedestrian access have been thoroughly studied and addressed during the SEQRA process. The site plans incorporate adequate pedestrian amenities, corridors and linkages with off-site areas, as well as enhanced ADA compliance features to accommodate the senior residents and all pedestrians who may use the site.

SPEDES: We concur with the applicant's response. The Notice of Intent (NOI) cannot be signed by the Village Stormwater Management Officer until the site plan has been approved by the Planning Board. At that point the NOI will be signed and filed with NYS DEC as is standard protocol.

Agency Coordination: We concur with the applicant's response.

DOT Review: We concur with the applicant's response.

Susan Kenny: We concur with the applicant's response.

Mr. Petrocelli: We concur with the applicant's response.

If you have any questions, please feel free to contact our office.

Very truly yours,

BARTON & LOGUIDICE, D.P.C.

A handwritten signature in black ink that reads 'Charles A. Voss'.

Charles A. Voss, AICP
Sr. Land Use Planner

KLK/ojf

Enclosures:
G. Phillips Review Comments 3/10/2015
Butterfield Realty Public Hearing Comments



Village of Cold Spring

85 Main Street

Cold Spring, NY 10516

Tel: (845) 265-3611 Fax: (845) 265-1002

Web: www.coldspringny.gov

J. RALPH FALLOON, MAYOR

mayor@coldspringny.gov

BRUCE CAMPBELL, TRUSTEE

trustee.campbell@coldspringny.gov

MICHAEL BOWMAN, TRUSTEE

trustee.bowman@coldspringny.gov

STEPHANIE HAWKINS, TRUSTEE

Hawkins.ColdSpring@gmail.com

CATHRYN FADDE, TRUSTEE

trustee.fadde@coldspringny.gov

MARY SAARI, CLERK/TREASURER

vcclerk@bestweb.net

ELLEN MAGEEAN, ACCOUNTANT

WILLIAM FLORENCE, ATTORNEY

WILLIAM BUJARSKI, BUILDING INSPECTOR

building@coldspringny.gov

CODE ENFORCEMENT TEL: (845) 265-3964

GREGORY R. PHILLIPS, SUPT. OF WATER & SEWER

vcswater@bestweb.net

March 10, 2015

Village of Cold Spring, Planning Board

Barney Molloy, Chair

85 Main Street

Cold Spring, NY 10516

RE: Butterfield Redevelopment Project - Water & Sanitary Sewer Utility Drawings and Engineer's Report

Mr. Molloy:

I offer the following comments regarding my initial review of the drawings and Engineer's Report for the project cited above. While I would like to think my review is complete, I reserve the right to provide additional comments in response to changes to the plan and additional information that may be submitted.

Potable Water:

Engineer's Report, Page 2 of 6, Paragraph 2, Sentence 7: "The existing water service to the Butterfield Hospital building which connects to Paulding Avenue will be abandoned cut and capped." - I did not see a call-out for this work on C-102: Existing Conditions and Demolition Plan. There was however, citation of the current 2" copper service to the Lahey Pavilion. I would like to see the existing Paulding Avenue connection, shown in reference to the 6"x 6" tapping Tee will be installed for the new 8" D.I.P. service (see Figure 1).

Sentence 9 in the same paragraph indicates an existing 6" D.I.P. on Paulding Ave. - for clarification, it is C.I.P.

Page 3 of 6, Paragraph 3, Sentence 11: "All of the meters will be located within the buildings and will be of the remote reading type." - Badger will be the manufacturer, in keeping with the rest of the distribution system; All meters - except the 3 residential meters, will be compound meters for better accuracy in low flow measurement; Lastly, remote reading units are not

manufactured or supported by Badger Meter anymore. The Water Department will require automatic reading units with cellular based communication, as this is the technology that the rest of the system will migrate to eventually.

Page 4 of 6, 4th line from the top: Permitting Capacity: 1.5 MGD - Clarification – 1.5 MGD is the maximum output of the facility by design. We are permitted by NYSDOH @ 280 gpm, per unit (x3), which could yield 1.209 MGD, maximum production rate. The total volume produced is reduced by treatment efficiencies that vary depending on raw water quality, as well as quantity.

Same Page, next sentence: "Given the Water Treatment Plant's ability to process an additional 0.8 MGD, the estimated 0.015 MGD additional flow for the Butterfield project will not impact the WWTP's capacity to receive the additional flow" – Clarification – 'WTP's capacity to produce the additional flow'? Or, if it does reference the WWTP, the permitted MGD is 0.5.

Fire Flow:

Page 3 of 6, Paragraph 3, Sentence 5: "In addition to the main, there will be two new hydrants installed and connected to the new main..." – While one of the hydrants' location was indicated with a side note, the other was not. I did eventually find it and my only concern is that the hydrant appears to be very close to the 8" main - there must be enough room for an 8"x6" reducer or hydrant Tee and isolation gate valve for the installation to be acceptable (Figure 2).

Sanitary Sewers:

Engineer's Report, Page 2 of 6, Paragraph 2, Sentence 11: "Similarly, the existing sewer connections for the two existing buildings will be abandoned and removed." – This is not specified on C-102: Existing Conditions and Demolition Plan, but is listed on C-105: Utility Plan, where the note states "Existing sanitary sewer line to be removed and capped at the Easement R.O.W." - It will not be acceptable to cap the existing line at that point. The line is to be abandoned at its connection to the sanitary sewer collection main on Chestnut St. It will need to be located, excavated and capped so that the potential for Inflow and Infiltration of storm and/or groundwater into the existing line is removed.

C-105 Utility Plan – I could not find where the Lahey Pavilion SS line is connected; Building 3 is shown to have 2 separate SS connections – is this due to elevation issues?

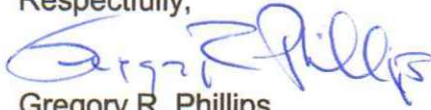
My final comments regard ownership:

The current plans indicate that the sanitary sewer and water mains will be dedicated to the Village in an easement. The majority of the utility mains are in high traffic parking and travel areas on private property. I do not see where it would be in the Village's best interests to accept responsibility for their ownership and maintenance.

The Village's available manpower and equipment does not seem conducive to taking on this addition to its responsibilities. It is one thing to flush two extra hydrants twice per year; quite another to consider excavation, making a repair and repaving on private property – easement or not. We do not own water and sewer mains in either Forge Gate or Springbrook condominium complexes, onsite at Foodtown or Yannitelli Plazas, nor do we own mains on the Haldane Campus. In my opinion the Village Board should consider this matter as it seems to be a policy issue.

I hope that my remarks aid in the process of your thorough review of the proposed project. Feel free to contact me with any questions you may have.

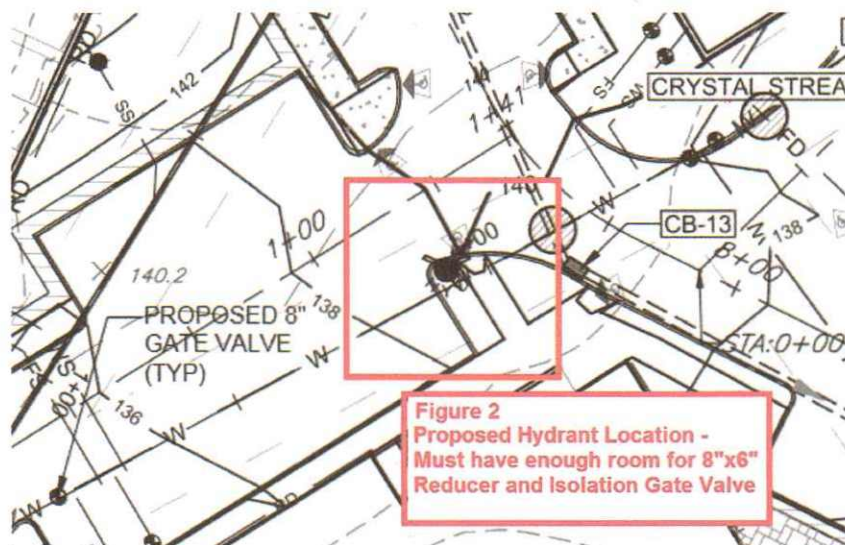
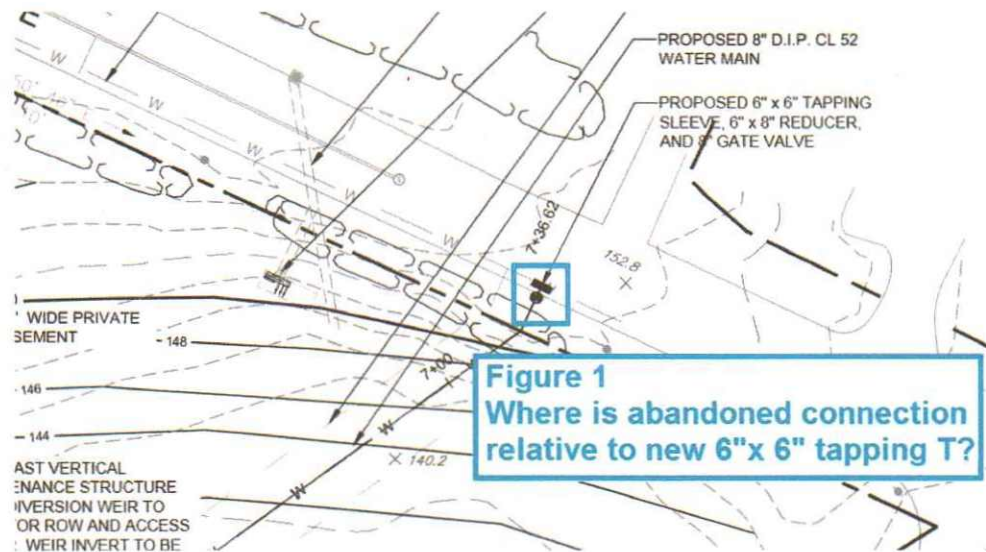
Respectfully,



Gregory R. Phillips
Supt. of Water & Sewer

c.c. (by email only):

cvoss@bartonandloguidice.com
ageorgiou@mccarthyfingar.com
bgrant@bartonandloguidice.com
mayor@coldspringny.gov
vcsclerk@bestweb.net



Butterfield Realty, LLC

3102 Rt 9
Cold Spring, NY 10516
845-809-5969

3/10/15

Barney M. Molloy, Planning Board Chairman
Members of the Planning Board
Village of Cold Springs
85 Main Street
Cold Spring, New York 10516

Re: Response to comments made at 3/4/15 Public Hearing
Butterfield Redevelopment Site
NYS Route 9D, Cold Spring, NY

Dear Chairman Molloy and Members of the Planning Board,

The following are the applicant's responses to comments made during the Public Hearing on 3/4/15. Together with our consultants you will find below our responses to the verbal and written comments received.

Dave Marion voiced concerns regarding Parking, Open Space, Storm-water, Traffic, and Demolition. These are our responses:

Parking: The number and location of parking spaces provided is in full compliance with the B4A zoning and consistent with the number and location of parking spaces shown in the Expanded Long Environmental Assessment Form ("EAF"). The B4A zoning requires 233 spaces and authorizes the Planning Board to reduce the number of spaces by up to 20%. The applicant is providing 207 spaces which meet the full dimensional requirements of the Village Code, plus an additional 21 spaces with slightly smaller dimensions which are suitable for compact car parking. The total number of spaces being provided is 228. Even eliminating the 21 compact car spaces from the parking calculus, the project will provide the required parking with a waiver of 11.2%. That waiver is well within the range the Planning Board is authorized to approve. The Village Board has set the applicable parking requirements and was well aware of the potential uses for the site when it did so. The comment is really directed at the parking standards themselves and not the applicant's adherence with those standards and, as such, is beyond the scope of what is considered by the Planning Board in site plan review.

Open Space: The code requires a minimum of 15% open space. Under the proposal over 40% is provided.

Storm-Water: Storm-Water is not a concern and has been fully addressed. A storm-water management plan including a Storm-water Pollution Plan has been provided in accordance with the NYS DEC regulations. Currently all storm-water runs off the site untreated and un-attenuated. The design as proposed reduces pollutants to acceptable levels and controls storm-water runoff reducing peak run-off volumes by 65-80%. The water is retained and detained on site via subsurface storage systems. The proposed paving for the site is significantly less than existing paving and impervious surfaces. The Village's engineering review and its Public Works Department have confirmed no issue

with existing Village infrastructure.

Traffic: The comments are directed to the sufficiency of the traffic counts prepared in conjunction with the EAF. Those counts, and the timing and methodology for taking them, were approved by the Village's consultants. No critical comments were received from NYS DOT, which was an involved agency in the review. The foregoing comments should have been raised during the Planning Board's environmental review of the project or before the Village Board prior to its adoption of the B4A zoning. A negative declaration was adopted long ago and these comments are submitted long after the environmental review process was completed. No new or changed circumstances were identified in the comments justifying any re-opening of the environmental review process. Thus, the comments are not germane and no further response is required.

Demolition: The demolition process was evaluated and discussed in the EAF during the SEQRA review process and the applicant committed to certain protocols. The Site plans reference the same protocols. In addition, the Building Department's Demolition Permit sets forth additional conditions and requires adherence to all applicable codes. Lastly, the work will be performed by licensed demolition and abatement contractors that will be bound by Village, County, and State regulations.

Additional comments were made by Dave Marion regarding the Bio-retention Basin, Seniors/Sidewalks, SPEDES, Agency Coordination, and DOT Review. Our further responses are:

Bio-retention: The project does not require the use of the Bio-retention basin. All water quality treatment is provided elsewhere. This has been provided as an additional feature to add more "Green Infrastructure Practices" to the project. In addition for the provision of aesthetic considerations. The Bio-retention basin will provide some treatment. Filtered storm-water that passes through the Bio-retention system flows into a subsurface storm water infiltration and treatment system. A majority of the storm-water is then infiltrated into the soil below therefore reducing offsite impacts. Peak surface runoff volumes have been reduced by 65 to 80% over existing rates of discharge. It should be noted that the project site is 5.7 acres, but not the entire site is tributary to the Bio-retention system. The system will only receive surface runoff from Gateway Park and the roof of buildings 4, 5, and 6 which is approximately 1 acre. Therefore it does not exceed the maximum prescribed drainage area of 5 acres. Further, since it is collecting runoff from a building roof and open vegetated area it is not likely to receive road salt or sand. Pretreatment requirements have been met through the vegetative cover of Gateway Park and a vegetated swale. Also this practice which is prescribed by the NYS DEC in the Storm-water Management Design Manual as both a Green Infrastructure and Standard Practice acceptable all over New York State has guidance for use in Cold Climate Design Considerations.

Senior & Sidewalks: The traffic study also confirms that seniors impact traffic less than the general population. While the existing sidewalks along 9D cross existing curb cuts, there is no reason to believe this is or will be an issue. Furthermore, there are many ways for residents to access 9D and to the drugstore without crossing these driveways.

SPEDES: At this time a SPEDES permit has not been issued for this project. Once the Village has completed review of and approved the Storm-water Management Plan, the Signed Notice of Intent will be filed with the NYS DEC.

Agency Coordination: During the SEQRA and Village and Planning review process, referral of all documents were made to all involved and interested agencies. The Village, Engineer, legal, and applicant were all involved to insure distribution of documents via hardcopy and digital documents.

The Referral to the County Planning Department was also made prior to the Planning Board Public Hearing

DOT Review: The DOT was included as an involved agency during the SEQRA review process in 2013. This included distribution of the project documents including the TIS. A site meeting was held with the DOT in October of 2014 which included the Village Building Inspector, B&L Engineering, Site Design Consultants, and Butterfield Realty. A submission was made to Albert DeNigro (NYS DOT Holmes, NY) and their review was initiated and comments were issued on 3/2/15. It is our understanding from Mr. DeNigro the review is being processed through all proper channels. Therefore the NYS DOT has the application, plans and details in their possession for review. The NYS DEC Region 3 office would have been contacted during the SEQRA review process. The NYS DEC would not have been contacted during this current approval stage until such time that the Village has completed the review of the Storm-water Management Plan and issued its consent to file the Notice of Intent to the NYS DEC.

Susan Kenny also expressed concern over parking and possibility of overflow on Paulding Ave. As noted by Ms. Kenny she was not there for the presentation and may have missed mention of the underground parking for all of the senior residents. The details of the amount and location of the parking were fully explained. As noted above, the project is consistent with the parking requirements for the B4A zone and the waiver authority which has been granted to the Planning Board. Note that prior to the shift of buildings 1 and 2 (undertaken at the request of Historic District Review Board), the site plan fully complied with the required parking count. The modest waiver is to allow provision of compact car spaces and reduce required parking marginally. Such a waiver is appropriate given the shared parking that will arise from the contemplated uses.

Mr. Petrocelli wanted to see more green areas amongst the paved areas. The plan aims to provide a balance of paving and green areas. In addition, the Village Fire Chief requested that several street trees and shrubs on the original landscape plan be removed from select parking area medians and along certain curbs to eliminate potential conflicts with fire apparatus moving through the site or impeding firefighting access to building facades.

Thank you for your consideration. Please contact us should you have any questions.

Best Regards,

A handwritten signature in black ink, appearing to read "Matt Moran", with a long, sweeping horizontal line extending to the right.

Matthew G. Moran
Dir. of Oper. & Eng.