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March 1, 2022

Chair Michael Dupree and Members of the Planning Board
Town of Hyde Park
4383 Albany Post Road
Hyde Park, NY 12538

Re: Small - Minor Subdivision proposal
148 Cream Street
Subject Parcel Tax ID: 6264-01-210630 (±41.39 acres)

Sent via Email and Hand Delivery

Dear Chair Dupree and Members of the Planning Board:

Hudson Land Design (HLD) has been retained to provide engineering services for a proposed minor residential subdivision of the subject parcel into a total of five (5) residential lots, one (1) of which will contain the existing house, and the other four (4) will provide for new building lots. A shared driveway is now proposed to serve four (4) of the proposed parcels, and the lot with the existing house will continue to obtain access via its existing individual driveway, all from Cream Street. Sewage disposal system testing and preliminary design has been completed.

HLD is in receipt of review letters from the Town's planning consultant, and those as a result of circulating the plans for lead agency. The following is a point-by-point response to each of the comments in the review letters.

Roosevelt Fire District letter dated December 29, 2021:

The request was to include an additional vehicle turnout on the shared driveway, one at each individual driveway location. There are three turnouts provided along the shared driveway.

Hyde Park Conservation Advisory Council letter dated January 12, 2022:

EAF:

B.h: The waterbody that runs south of the site is a tributary to the Fall Kill Creek, which is a 303(d) impaired waterbody. Page 40 of the SPDES General Permit 0-20-001 defines *directly discharges*: means that runoff flows from a *construction site* by

overland flow and the first point of discharge is the specific surface waterbody, or runoff flows from a *construction site* to a separate storm sewer system and the first point of discharge from the separate storm sewer system is the specific surface waterbody. This site splits drainage flow in two directions, westerly toward an on-site wetland, and easterly where it is trapped by the County Road in a field (of which there is not a defined channel or culvert pipe system outlet). Since the site runoff will be directed to these two areas, and not directly to the tributary, the need for stormwater control is not warranted.

- B.i: This response is automatically generated by the EAF mapper and cannot be changed.
- C.4.d: A note has been added that the site is located approximately 2,600 feet to Greenfield Park. The reference to the sewage treatment is not applicable to C.4.d.
- D.2.e.iii: As noted above, stormwater generated by the site does not directly discharge to the streams; therefore, stormwater quality and quantity control is not required.
- D.2.n.i: This is a residential development. Typical entry lights are anticipated to be used. None of the buildings are designed to know the lighting. However, the houses are not situated in any location that would allow for spillage of light as noted in the comment. However, we have added a note to the plan regarding light color temperature and restricting spillage off-site in excess of 0.5 foot-candles.
- D.2.m.ii: The majority of the site development work will be located in previously cleared areas. In our pre-application meeting, we discussed the potential for waiver for locating trees 18" and greater. The waiver request was submitted with the application. The majority of the site that is wooded to the rear of the development will remain as such in preserved open space land.
- E.2.h: This section is auto-filled by the EAF mapper, and it does note restrictions to the Fall kill and its tributaries.
- E.2.l: This response is also automatically completed by the State EAF mapper. We assume that there is permeable material above, as we conducted a number of percolation tests for septic system design purposes that demonstrate permeability in the overburden.
- E.2.m-p: Indiana Bat protection notes are standardized at this point and have been added to the plans. Planning board members are trained in Blanding's turtle habitat and are willing to perform a site visit when the weather permits. If any additional Blanding's Turtle protection is required, it will be incorporated into the plans.
- E.3.c-i: Included with this submittal is a Phase 1A literature Search and Sensitivity Assessment prepared by Hudson Cultural Services. The recommended next step is a phase 1B archaeological field reconnaissance survey, which will be provided as weather permits.
- Sketch Map: The Sketch Map was approved by the Planning board at its December 1, 2021 meeting. The submitted plan set is more detailed than the sketch map. In our application documents, we submitted a waiver request for location of trees greater than 18" and location of rock outcrops. It is noted that the test

pits show that there are relatively deep soils associated with this site. No rock outcrops were observed in the area of development.

Nelson Pope Voorhis letter dated April 4, 2021:

A. Procedure/General Comments:

1. Joseph Small is the owner and applicant.
2. We believe that this note simply references that the acreage being conveyed at that time allows for that acreage to be developed.
3. The surveyor did not find any easements or covenants.

B. Subdivision Plan:

Sketch Plan:

1. The limits of soil disturbance are 2.6 acres based on the latest plan which has much more detail than the sketch. A basic SWPPP is included with this submittal. For reasons noted earlier to the CAC, the site requires erosion and sediment control as part of the SWPPP.
2. There is no 100-foot buffer associated with the wetlands (Federally regulated). This was an extra line to show that we were meeting the required separation from the septic systems to the wetland. It has been removed.
3. The tributary has been labelled.
4. The design of the septic system on lot 5 is the exact same as previously approved by the Health Department January 26, 2021. Separations are met.
5. The waiver requests are appropriate based on the conversation at the pre-application meeting, and the fact that the proposed disturbance is predominantly located in previously cleared areas of the site.
6. We are showing the setbacks per Code, and are not asking for anything different.
7. The property is capable of much more density, even after excluding Federal wetlands.
8. The Sketch Plan was approved at the December 1, 2021 meeting.
9. We are showing the setbacks per Code, and are not requesting lesser as is allowable.
10. For the record, the soils shown are DwB, DwC, Nwc, and NwD. DwB is classified as prime farmland. DwC is classified as farmland of statewide importance. NwC and NwD are not classified as farmland. These classifications are shown in the description of the soils within the Basic SWPPP appendix.

Context Map:

1. The subdivision plans note the wetlands on-site and show that they are Federally-regulated (refer to existing conditions plan).
2. As noted in the CAC response, a Phase 1A is provided in this submittal, with a Phase 1B recommended once weather permits.
3. The State recently updated the orthophoto. The recent orthophoto is included in the background of the site location map on the cover sheet. The tree line in the plans reflects the 2021 orthophoto.
4. Per correspondence with Ecological solutions dated February 23, 2022, "all wetlands were delineated". If it would appease the Board, we can add the NWI wetland; however, it is relatively moot as that area is in open space conservation, and the density calculation will be mostly unaffected.

C. SEQRA:

1. Per Town Code, this is a Type I action as discussed at the December 1, 2021 planning board meeting. A full EAF has been since submitted.

2. These comments are relative to the short EAF reviewed; however:
 - a. The disturbance is 2.6 acres. A Basic SWPPP is provided, although we are proposing minor individual practices regardless.
 - b. A Phase 1A is provided. After the Phase 1B is completed, it will be submitted to SHPO.
 - c. As noted in the response to the CAC, as weather permits, the planning board will assess the habitat suitability for the Blanding's Turtle.
 - d. So noted. We are proposing drywells to infiltrate, inasmuch as possible, the rooftop runoff. Further, we are proposing an infiltration trench along the shared driveway to promote infiltration into the ground associated with shared driveway runoff.

In support of the proposal, attached please find the following:

- Eleven (11) copies of the Subdivision Plan Set (8 sheets per set)
- Eleven (11) copies of the updated full Environmental Assessment Form
- Three (3) copies of the Phase 1A Literature Search and Sensitivity Assessment
- Three (3) copies of the Basic Stormwater Pollution Prevention Plan

All of the above documents have been transmitted electronically (in pdf format) to the Planning Department via email: planningsec@hydeparkny.us.

We look forward to discussing the design details of the project with the Planning Board at its next available meeting, which is a scheduled public hearing on the project. Please feel free to call me on my direct line at 845-765-8955 if you have any questions or require additional information.

Sincerely,



Daniel G. Koehler, P.E.
Principal

cc: Joseph Small, Owner and Applicant (via email)
Brendan Johnson, L.S., Project Surveyor (via email)
Michael A. Bodendorf, P.E. (HLD file)