

March 3, 2022



Neal Zuckerman, Chairman
Philipstown Planning Board
Town Hall, 238 Main Street
Cold Spring, New York 10516

RE: Site Plan Application
Applicant: Nick Depaolas
18 East Mt. Rd. North
Tax Map 17.-1-42

Dear Chairman Zuckerman and Members of the Planning Board:

Below are our responses in **BOLD** to comment letter received from Town Engineer, Ron Gainer, PE, dated January 17, 2022.

TECHNICAL COMMENTS

General

1. Outside agency approvals required:
 - o PC Department of Health – change in use for the property
RESPONSE: Comment noted.

EAF

2. The following EAF responses provided that should either be corrected or clarified, for the Board's knowledge:
 - o Item DI(e)(i) – the expected period of construction should be identified
 - o Item Di(g)(ii) – The proposed height of the structure is not specified. Given the issue raised (see comment below) concerning the proposed building's height, this should be identified.
RESPONSE: These items have been updated and a revised EAF part I is included.

Plans

3. To comply with the requirements contained in §175-65B, the following information should be added to the Site Plan (unless waived by the Board) -
 - o The “existing conditions” map should include all existing natural features that may influence the design of the proposed use such as rock outcrops, trees ≥8” DBH, etc.
 - o Any proposed drainage facilities and piping should be added to the site plans.
RESPONSE: The rock outcrop on the site has been added to the plan set.

As the majority of the development is within the open area of the site, we request a waiver from identifying all trees >8” DBH within the area of disturbance.

Runoff on the site generally sheds from the southeast to the northwest across the property. The plans have been updated to include the capture of the roof runoff from the proposed garage within underground infiltrators that are appropriately sized for

the infiltration of the 90% storm event. As the earth is frozen, soil testing cannot be conducted at this time. Results of the soil testing will be provided when possible.

4. It is also noted that the property represents a “flag lot”, with the property having only 86.07 feet frontage along East Mountain Road North. Per §175-22, this is permitted. However, per paragraph “C” of this section, the minimum setback from all property lines must be 50 feet. Therefore, the proposed garage should be relocated slightly so as to achieve a minimum 50-foot setback from the rear property boundary.

RESPONSE: We believe this is an existing non-conforming lot and not a flag lot as defined in the present Town of Philipstown Zoning Code. This item is being reviewed by the Town Attorney and Zoning Administrator.

5. The applicant should provide calculations to establish the extent of runoff from the proposed building, access drives and parking areas, identification of all existing and proposed surface water drainage patterns, and any stormwater treatment facilities which may be required to attenuate run-off from the impervious surfaces to be created, with calculations provided for the Town’s review and acceptance. It has been Board policy to infiltrate building roof areas, wherever possible. This should be investigated, and such mitigation shown if feasible.

RESPONSE: The plans have been updated to include the capture of the roof runoff from the proposed garage within underground infiltrators that are appropriately sized for the infiltration of the 90% storm event. As the earth is frozen, soil testing cannot be conducted at this time. Results of the soil testing will be provided when possible.

6. The applicant should include an estimated maximum employee count and number of vehicle trips per day, to permit the Board to evaluate potential environmental impacts of the proposal. This would include an estimate of commercial vehicular activity into and out of the site expected, so the Board may understand issues of traffic and vehicular movements into and through the site.

RESPONSE: The am peak hour for traffic on Route 9 in this location is 7am to 8am. The pm peak hour for traffic on Route 9 in this location is 4:30 to 5:30 pm. The business anticipates 5 to 6 employees, employees will arrive to the site prior to 7am. They need to gear up their equipment and get their assignments for the day, and depart after the am peak hour on to Route 9, after 8am. This will add 12 trips in the morning on off peak hours. At the end of the day the employees will return back to work, clean up and depart from the site prior to the pm peak hour on Route 9. This will add an additional 12 trips in the afternoon for a total of 24 additional trips per day on off peak hours. It is our opinion that the addition of these trips to the existing traffic will not impact the existing condition on East Mt Road North or its intersection with Route 9.

7. All dimensional information and sizing necessary to properly lay out the improvements on the site should be specified (required building setbacks, all construction layout information, available sight distance at the driveway entrance, widths, curb radii, etc.).

RESPONSE: Layout dimensions have been added to the plan along with driveway sight distances.

8. A table should be included, specifying the following information:
- Number of “required” parking spaces for the intended uses.
 - Identify the estimated water supply and wastewater generation requirements for the intended use.

RESPONSE: A table has been added to the plan containing the above information.

9. The landscaping plans should incorporate a planting schedule to identify species, sizes, height at planting, planting details, etc. Further, since tree removals are expected, these should all be identified. Lastly, since the site lies within an area identified as habitat for the Northern Long-eared bat and timber rattlesnake, the NYS limitations, guidelines and/or mitigations (as appropriate) should be identified by plan notation.

RESPONSE: The planting schedule is located on bottom of sheet 3 of 3.

A Note limiting tree removal to minimize disturbing of potential northern long eared bats have been added to sheet 3 of 3 work. As analyzed for the Hudson Highland Reserve project, the known rattlesnake occurrence in this area is on the west side of Route 9 and route 9 creates a barrier that the snakes do not cross. To err on the side of caution, we have added a note that the work area will be monitored for rattlesnakes and if encountered a rattlesnake handler will be contacted to move the snake.

10. To comply with Site Plan requirements, the building elevations provided should indicate materials of construction and color of exterior finishes to be utilized for the Board's review.

RESPONSE: Building material and colors will be provided at the next meeting. It should be noted that the applicant intends to use the same color scheme with board and batten that CA Ricci used on the building at 3315 Route 9.

11. As areas behind the site are residentially zoned, consideration should be given to having the building's architecture also be aesthetically pleasing from both the property frontage as well as the portions facing the adjacent residentially-developed properties. Landscaping enhancements should be considered for screening for the nearby residential zoning districts.

RESPONSE: Evergreen trees are proposed between the existing single-family residence at 22 East Mt. Rd. North and the site to screen the new improvements. The other adjacent parcel that contains a residential structure is 26 East Mt Road North, the house is located approximately 150 to the northeast of the existing house and will be more than 375 feet from the proposed garage with woods between

12. The site plans currently identify that all new driveways and parking areas are to be gravel. However, any areas where construction/landscaping equipment are to be parked, as well as the handicapped parking spaces proposed, should be on a paved surface and a detail provided. Further, the areas where any outdoor overnight parking is planned should be identified.

RESPONSE: All construction/landscaping equipment will be stored indoors. No outside overnight parking is proposed.

13. The location, type, and screening details for all waste disposal containers should be shown.

RESPONSE: No proposed outdoor waste disposal container is proposed for the site. A residential waste bin will be stored in the existing garage and brought to the street each week for pick up.

14. To comply with Site Plan requirements, the building elevations should illustrate the height and all design features and indicating materials and exterior colors to be utilized for the structure, for the Board's review.

RESPONSE: The building elevation does illustrate the height of the building, it is 23'7".

15. If any signage is planned, the location, height, size, materials, design and illumination of all proposed signs should be shown, and must comply with §175-39 of the Town Code.

RESPONSE: No signage is proposed for the site.

16. If any outdoor salt storage is planned, this should be covered (with appropriate details included). Otherwise, a notation should be included to specify that no exterior salt storage will occur on site.

RESPONSE: No outdoor salt storage is planned for the site.

17. It is noted that the “Zoning Data” table provided specifies that the both the “existing” and “proposed” building heights will exceed 40 feet, which is the maximum Code limitation. Since this in all likelihood is erroneous, this should be corrected on all sheets. Otherwise, a ZBA variance will be required.

RESPONSE: The clerical error has been fixed. The proposed building height is 23’-7”.

Enclosed with this letter please find eleven (11) copies of:

1. Updated EAF, dated March 3, 2022
2. Three sheet plan set, last dated March 3, 2022.

Yours truly,

BADEY & WATSON,
Surveying & Engineering, D.P.C.



by
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