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TO: Town of Philipstown Planning Board DATE: September 12, 2022

FROM: Ronald J. Gainer, PE SUBJ: Kingsley Commercial Site Plan; Old Albany Post Road

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Project Scope: "Mixed Use" Commercial Business

Zoning District: "OC" (Office/Commercial/Industry Mixed Use) District

The following information was reviewed, which was recently received on the above project:

Prepared by Badey & Watson Surveying & Engineering, PC (last revised September 1, 2022)

- "Site Improvement Layout Plan"
- "Site Grading, Drainage & Erosion & Sediment Control Plan"
- "Construction Details and Erosion & Sediment Control Notes"
- "Commercial SSTS Plan" bearing PCDOH August 29, 2022 approval stamp

Prepared by Donald L. Zeller Architect, PLLC (dated September 1, 2022)

- "SK-1 Ground Floor Plan & Elevations"
- "SK-2 Second Floor Plan & Elevations"
- "Front Elevations – Option A & Option B"
- Full EAF – Part 1; revised September 1, 2022

The application involves a 3,200 sf "mixed use" 2-story building proposed on a 4.71 acre parcel located on the east side of Old Albany Post Road. The applicants are proposing to relocate their tree/landscaping/horticulture businesses to the site. The matter has been before the Board since this past May. Because the matter involves a "mixed use", both "Special Use Permit" and "Site Plan" approvals are required.

The matter is on the upcoming agenda for the conduct of a Public Hearing. Previously, the Board inspected the site and made necessary referrals to outside agencies. The design drawings were revised to address prior Board comments. Further, Putnam County Department of Health approval of the SSTS has also now been obtained.

**SEQRA** – The Application represents an "Unlisted" action pursuant to SEQRA. On the Board's behalf, my office had previously prepared an EAF-Part 2 that was transmitted for your review and consideration at the July meeting. It does not appear that the project presents any significant concerns. Consequently, if you find the responses contained therein acceptable you should formally adopt this Part 2 for the record. This will allow you to then consider making a SEQRA Declaration of Significance.

#### **Procedural/Technical Comments** –

- At the July meeting the Board expressed concern over the building elevations presented at that time and, as a result, the latest Architectural plans now show an alternative ("Option B") which presents a gable-style roof line to soften its appearance from the street. The Board should evaluate both alternatives (applicant prefers "Option A"), considering the residentially developed properties across the street, and advise which the Board finds acceptable. Further, the architectural plans should denote the colors/materials of all exterior finishes, for the Board's review and evaluation. The Board could seek product samples for review, if felt necessary.

**RE: Kingsley Commercial Site Plan; Old Albany Post Road**

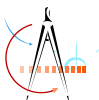
- Minor remaining technical comments for the design engineer's attention are offered on the enclosure.
- Finally, and as the Board is aware, in order to approve a project site plan, once the Planning Board is ready to consider action on the application they must find that the proposal is generally consistent with the criteria in **§175-65D** and will not adversely affect neighboring properties.

At your upcoming meeting, the Board may consider taking the following actions:

- Depending upon the extent of public comment offered, you may choose to close the Public Hearing.
- Evaluate the latest exterior architectural options and determine the Board's preference. Any comments should be directed to the applicant's Architect to resolve.
- Review/adopt the EAF-Part 2 form previously distributed.
- Consider authorizing the preparation of approval resolutions for the Board's October meeting.

We trust that these comments are adequate for the Board and applicant's consultant. Should you have any questions, please don't hesitate to contact us.

c: Adam Hotaling, Highway Superintendent  
Greg Wunner, Code Enforcement Officer  
Max Garfinkle, NRRO  
Stephen Gaba, Esq.  
Applicant (Badey & Watson, PC)



RE: Kingsley Commercial Site Plan; Old Albany Post Road

## **TECHNICAL COMMENTS**

### **Plans**

1. As previously requested, calculations must be provided to establish the extent of runoff from the proposed building, access drive and parking areas to confirm the sizing of the stormwater treatment facilities (dry well) proposed to attenuate run-off from the impervious surfaces to be created, for the Town's review and acceptance. The field testing performed to confirm the ability of the on-site soils to infiltrate these volumes should be provided, as well. We will work with the design engineer to assure that such stormwater practices are properly sized and that all necessary maintenance measures appropriate for the E&SC controls proposed are identified.
2. As noted previously, 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) for such species should be identified by plan notation.
3. As noted above, the building elevations should indicate materials and exterior colors to be utilized for the structure for the Board's review.
4. Construction Detail issues –
  - Parking lot striping details (color/widths) should be specified.
  - The notes included in the redi-rock retaining wall detail should specify that its formal design by a NYS-licensed Professional Engineer will be submitted for the Town's review and acceptance at the time a building permit application is filed.
5. Black vinyl-coated galvanized fencing is proposed around the waste disposal container for the site. Given the residentially developed areas near the property, consideration should be given to providing slats of an aesthetically pleasing color/material within all visible sides of the fencing material for screening purposes.
6. Given the design engineer's previous representations to the Board, notations should be added to the plans to denote that there will be no project signage on the property, nor any outside overnight commercial vehicle or equipment parking.
7. In the "Construction Sequence", subsequent to the pre-construction conference, construction fencing should initially be extended along the "limits of disturbance line" denoted on the site plan to protect all areas/vegetation beyond the delineated construction limits.

