

October 6, 2022

Neal Zuckerman, Chairman  
Town of Philipstown Planning Board  
2 Cedar Street  
Cold Spring, NY 10516



Re: Kingsley – Mixed-Use Building  
Major Site Plan and Special Permit Application  
Old Albany Post Road North, Cold Spring  
Tax Map No. 17.-1-72.2

Dear Chairman Zuckerman and Members of the Planning Board:

In consideration of the concerns expressed by nearby residents, and as instructed by the Board at last month's Public Hearing, careful consideration was given by the applicants to relocating the driveway entrance. More specifically, approximately 250' to the south of the 3-way intersection of Mountain Brook Drive with Old Albany Post Road. We have also considered comments from the Town of Philipstown Highway Department regarding this matter. Based on the clear and definitive response of the highway department, in addition to our own concurring observations, we continue to propose the driveway across from Mountain Brook Drive for the Board's consideration. On behalf of the applicants, we do appreciate the expression of concern by the neighbors, and the collective goal of safe roads in this community.

Also, please consider the following in response to the Town Engineer's Technical Comments in a memorandum dated September 12, 2022; which should further address any concerns with regard to the project.

**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.*  
Typical stormwater sizing, for those projects not requiring a stormwater pollution prevention plan with post-construction stormwater management, has been outlined in the *Dry Well Design* notes on Sheet 2 of 3.
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.*  
Considerations for the Northern Long-eared Bat and Timber Rattlesnake are outlined in Notes 5. And 6., respectively, within the *Environmental Considerations* notes on Sheet 3 of 3.
3. *As noted above, the building elevations should indicate materials and exterior colors to be utilized for the structure for the Board's review.*  
The architect's building elevations have been revised to address exterior building materials and colors, and have been included herewith.
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.*

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- The pavement striping specifications are called-out on the Plan view of Sheet 1 of 3.
  - The retaining wall detail has been revised to specify the required design requirements prior to issuance of a building permit.
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.*  
The *Chain-link Fence and Gate Detail* has been revised to specify brown vinyl slats in the galvanized chain-link fencing.
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.*  
Separate call-outs have been provided on the Plan view of Sheet 1 of 3, indicating that there are no proposed signs, and that there is no proposed overnight parking of commercial vehicles or equipment.
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.*  
A note regarding the installation of orange vinyl construction fence has been added to the Construction Sequence notes on Sheet 3 of 3.

Finally, question D.2.d. of the Full Environmental Assessment Form has simply been answered "Yes", where previously left blank.

Thank you in advance for your continued review and consideration of this project. We look forward to presenting this material at the October 20<sup>th</sup> Planning Board meeting.

Yours truly,  
**BADEY & WATSON,**  
*Surveying & Engineering, D.P.C.*



by,  
Jason R. Snyder, CPESC  
Project Engineer

jrs

enclosures

cc: Forrest Kingsley – Owner/Applicant  
Ian Kingsley – Owner/Applicant  
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