

January 22, 2019

Mr. Ray Burger, Director of Planning
Town of Dryden
93 E. Main Street
Dryden, NY 13053

**Re: Response to December 17, 2018 Full EAF Review by T.G. Miller, P.C
Townhomes at Dryden project**

Dear Mr. Burger:

We are in receipt of a review letter by Town consultants T.G. Miller, P.C. regarding the project referenced above. Since receiving the letter, we have been working to respond to each of the comments by your engineer. In interest of time, we are submitting information that has been completed to date. Please note that the SEQR form has been updated to the 2019 form since that is now required as of January 1, 2019. The items **highlighted** below are items that we still owe the Town to address those comments. Responses to the concerns are as follows:

C.2. Adopted Land Use

a. Do any municipally – adopted comprehensive land use plans(s) included the site...?

Comment: Provide visual simulations of the development from the following vantage points:

- Looking from the proposed drive entrance on NYS Rte. 366, should toward the site.
- Looking from the proposed southernmost drive entrance on Mt. Pleasant, southwest towards the site.
- Looking from the rail trail, north towards the proposed building cluster at the southeast corner of the site.
- Looking from the rail trail, north towards the proposed building cluster at the northeast corner of the site.

Architectural renderings, for these locations, have been included with this submission.

C.3. Zoning

a. Is a zoning change requested as part of the proposed action?

Comment: This should be marked “yes” and the section “i” completed for the 15’ setback variance requested.

The SEQR form has been updated to reflect this comment.

D.2. Project Operations

a. Does the proposed action include any excavation, mining or dredging during construction operations...?

Comment: Confirm with supporting earthwork calculation that all excavated materials will remain onsite.

- Identify the location of the construction entrances and describe how use of Town roads by heavy truck traffic will be minimized.

This project will require dirt to be hauled off site. Due to the complexity of the site and the extreme topography, the site does not balance in earthwork. The SEQR form has been updated to reflect the volume of dirt to be hauled off. The entrance that will be used for construction traffic has been shown on the site plan. This will be the only construction entrance proposed on the plan. This will keep the heavy vehicle from using Town roads in addition to notes being added to the final plan requesting heavy vehicle to remain on county and state roads.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment of any existing wetlands...?

Comment: Provide additional information for wetland mitigation including details, planting plan and site location. There are discrepancies of wetland areas stated throughout Part 1. Correct areas to be consistent throughout.

The final location and extent of impacts to the existing wetlands and intermittent streams is pending final layout of the stormwater management (SWM) practices. These practices will be designed once additional geotechnical data, including infiltration rates, has been collected and reviewed.

Preliminary SWM layout indicates permanent disturbance to Stream A, Wetland B and Stream C of 1,150 sf, 20,800 sf and 510 sf, respectively. Please note that it is anticipated that the stream crossing is anticipated to utilize an open bottom culvert to avoid disturbing the wetlands/stream channel in that area. These disturbances will be mitigated through use of an in-lieu fee program. Such a program is described by the Thompkins County website as follows: "...a wetlands banking program, which is a system of trading wetlands credits. Wetlands credits are accrued through creation of wetlands. Those credits may then be either used to offset wetlands losses as a result of another project by the same developer or sold on the open market to developers who need to comply with wetlands regulations." Required mitigation ratios will be established by permitting agencies and are expected to be in the range of 1.25:1.

A summary of significant project related correspondence and events with environmental regulatory agencies is as follows:

- *September 21, 2018 – Michael Uitvlugt of the US Army Corps of Engineers conducted a site walkover with TES and Hunt Engineers to review the wetland and stream boundaries.*

Wetland boundaries of Corps regulated wetlands and waters were verified. Streams A and C, and a pond with an emergent wetland were noted. All are subject to Corps jurisdiction.

- *September 27, 2018 – Teresa Phelps of the NYS Department of Environmental Conservation issues a letter of no jurisdiction for endangered species in relation to the sedge wren.*
- *October 17, 2018 – Teresa Phelps and Jean Foley of the NYS DEC reviewed the project site for a preapplication meeting and Michael Uitvlugt from the Corps attended. NYS DEC inspected the intermittent stream and followed its connection to Fall Creek.*
- *October 22, 2018 –Email from Alon Domintz, Section Chief of the NYS DEC Dam Safety provides DEC Dam ID. # 075-5430 for the farm pond and provides 1998 correspondence from agency files. Any activity in association with the pond will require a dam safety permit*
- *November 2, 2018 – Received a letter from the NYS Natural Heritage Program that they have no records of any endangered, threatened, rare, or special concern species from the project site.*
- *December 20, 2018 – Received an email from Jean Foley of the NYS DEC that confirms that the streams on the site is “not regulated for class”, but are subject to Section 401 Water Quality Certification.*
- *January 7, 2019 – Teresa Phelps email describes the NYS DEC review of the project in relation to the Stormwater Management Plan, Dam Safety Permit, and Water Quality Certificate.*

January 15, 2019- Michel Uitvlugt of the Corp provides a statement regarding mitigation that could be required for any disturbance to Corps regulated wetlands or waters. Preferred mitigation option is the use of the In-lieu fee program.

Please note that it is anticipated that the stream crossing will utilize an open bottom culvert to avoid disturbing the wetlands/stream channel in that area.

c. Will the proposed action use, or create a new demand for water?

Comment: Town Engineer to analyze the existing Varna water system to confirm if it can support the domestic and fire flow demands based upon a single, meter-metered connection servicing the entire site.

- Adjust section “i” to show a range of flow based on 76 gpd/bed to 110 gpd/bed.
- Part ii – Service area should read “Varna Water District” not Bolton Point Water.

- Part iii – Water service extension within Rte. 366 R.O.W. will require a service agreement and dedication of infrastructure to the Town. Checkbox should be marked “yes”.
- Show location of existing utilities along NYS Rte. 366 per Town record maps previously provided.
- Site Utility Plan L3.0 shows a proposed waterline parallel to Mt. Pleasant. This connection should be removed leaving one connection from NYS Rte. 366 at the northern site entrance.

Anticipated domestic water usage demands for the project have been revised to include a range as requested. Parts ii and iii have been revised also as requested. The site plan maps have been updated per the plans sent to our office. Site Utility Plan L3.0 has been revised to remove the additional connection along Mt. Pleasant. It is understood the Town’s engineer will evaluate the water model and determine if this connection is needed.

d. Will the proposed action generate liquid wastes?

Comment: The Town’s excess treatment capacity on the Ithaca Area Wastewater Treatment Facility was updated by the Special Joint Committee (SJC) on 11/1/18. The Town must confirm how to allocate the remaining capacity amongst all of the sewer districts. Hydraulic impacts to the existing collection pipe and pumping facilities in the Vanra Sewer District are currently being studied by the Town Engineer.

- Adjust section “i” to show a range of flow based on 76 gpd/bed to 110 gpd/bed.
- Part iii – Sewer service extension within Rte. 366 R.O.W. will require a service agreement and dedication of infrastructure to the Town. Checkbox should be marked “yes”.

Anticipated wastewater discharge for the site has been revised to include a range as requested. Sections iii has been revised also as requested.

e. Will the proposed action disturb more than one acre and create stormwater runoff...?

Comment: Provide additional information for the proposed stormwater outfall connections to existing drainage ways. Will outfall be connected to the NYSDOT system or the Towns roadside ditch? If so, identify location(s) on plans and provided confirmation from NYSDOT allowing the connection(s).

- The hydrologic analysis must include the full extents of the watershed area draining to the proposed permanent practices as well as the points of connection to the NYSDOT and Town Drainage system.
- Provide additional information for intended use of the two lots on the north side of NYS Rte. 366 (952 and 966 Dryden Rd.). Clarify if the SWPPP will need to be expanded to incorporate site disturbance from these lots as part of the project scope.
- Provide correspondences from USACE regarding required mitigation measures for jurisdictional wetlands.

- Show proposed pond grading and outlet control structures for proposed permanent stormwater practices.
- Obtain correspondence from NYSDEC that anticipated pond/dam modifications will ultimately be reviewed and permitted.

The proposed project will generate land disturbance in excess of 1-acre. The need for coverage under the NYSDEC SPDES program is acknowledged and a Stormwater Pollution Prevention Plan (SWPPP) will be created concurrent with final design plans. The SWPPP has not been finalized beyond the Preliminary calculations previously submitted because we are waiting on Infiltration Rates from the Geotechnical Engineer to finalize the computations. Those rates are anticipated very soon and the revised SWPPP addressing this comment will be submitted under a separate submission. The two lots on the north side of NYS Rte. 366 will have the buildings demolished and stabilized with seeds. Those lots will be included in the SWPPP; however, it will be replacing impervious area with pervious areas so not SWM facilities will need to be required but Erosion and Sediment Controls will be provided. Correspondence from USACE and NYSDEC are listed above to Comment related to D.2.b.

j. Will the proposed action result in a substantial increase in traffic above present levels...?

Comment: Checkbox should be check “yes”.

- Coordinate number of proposed parking spaces (424) within this section with the Zoning and Site Tabulation chars (428).
- Traffic Impact Study should be expanded to incorporate intersection analysis for Mt. Pleasant Road/Turkey Hill Road, Turkey Hill Road/Stevenson Road and Stevenson Road/Game Farm Road.
- What will be the impacts to retail/coffee shop parking spaces access during the AM peak hour from vehicles queuing at the NYS Rte. 366 driveway.
- Town Engineer to discuss methodologies and computations with Applicant’s traffic consultant and submit additional comments to the Town, if warranted.

The proposed parking spaces has been updated on the SEQR form. The applicant has engaged SRF Associates to complete a revised Traffic Impact Study to add the additional intersections and analysis. They are reaching out to the Town Engineer to discuss methodologies and computations. An updated study will be submitted under a separate submission.

k. Will the propose action generate new or additional demand of energy?

Comment: Checkbox should be checked “yes”.

- Provide confirmation from NYSEG for electric and/or gas supply to the site.
- Provide completed Energy Questionnaire for the Town to forward to the County for completing the 239 Review.

The engineers are currently working with NYSEG to get a Will Serve letter or other information stating they will be able to supply the site. The applicant is finalizing the Energy Questionnaire and will submit this under a separate submission.

l. Hours of operation?

Comment: Proposed hours of construction on weekends and holidays could be a significant noise impact to the surrounding neighborhood. Applicant should reconsider or suggest mitigation measures to avoid impacts.

The hours for construction and operation have been revised.

E.1 Land uses on and surrounding the project site

h. Potential contamination history?

Comment: Checkbox should be marked “yes” and remaining sections should be completed based on information provided in Appendix C.

- If a Phase I Environmental Site Assessment has been completed, it should be provided to the Town.
- Has a hazardous material survey been completed for the existing structures to be demolished?

The SEQR form has been updated to reflect the Potential contamination. The Phase I Environmental Site Assessment Report has been included in this submission.

E.2 Natural Resources On or Near Project Site

h. Surface water features.

Comment: Part “i” should be marked “yes” since there is a wetland on site. Part iv – list all streams located on the site to be consistent with those identified within the Wetland Delineation Report.

The SEQR form has been updated to reflect this comment.

o. Does the project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened...?

Comment: Add reference to the Northern Long Eared Bat.

The SEQR form has been updated to reflect this comment.

E.3 Designated Public Resources On or Near Project Site

e. Does the project site contain, or is it substantially contiguous to, a building, archeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation...?

Comment: Provide SHPO concurrence for two parcels on the north side of NYS Rte. 366.

The SHPO letter for those parcels has been received and can be found in the Appendix to this letter.

f. Is the project site, or any portion of it, located in or adjacent to an area designated a sensitive for archeological sites...?

Comment: Select either “yes” or “no”.

The SEQR form has been updated to select “no”.

Sincerely,

HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECT, DPC



Michael B. Keith, P.E.

Civil Manager - Rochester

enc.

cc: John Shields, P.E.; HUNT
Kimberly Hansen, Trinitas

APPENDIX



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

December 31, 2018

Mr. John Shields
Project Engineer
HUNT Engineers
4 Commercial Street
Rochester, NY 14614

Re: DEC
Townhomes at Dryden
Dryden Road and Mt. Pleasant Road, Dryden, NY
18PR04667

Dear Mr. Shields:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA
Director, Division for Historic Preservation