

January 29, 2025

John Razzano, Chairperson
Wawayanda Planning Board
80 Ridgebury Hill Road
Slate Hill, NY 10973

RDM: Dewpoint South
Tax Lots: 4-1-50.32, 6-1-90.22, 6-1-90.24, & 6-1-107
Town of Wawayanda, Orange County, NY
Project No. 20006912E

Dear Chairperson Razzano,

Below please find our responses to comment letters received from MHE Engineering dated October 23, 2024. The comments have been repeated here for clarity:

Comment 1. The project is before the Planning Board for a continuation of the Public Hearing for the Site Plan and Special Use Permit. Warehouse, storage and distribution facilities are a Special Use in the MC-1 Zoning District. 195-76 Special Use Review Criteria apply to the project. Planning Board must review the project in the context of this code section.

Response 1: Comment noted. No response needed.

Comment 2. Orange County Department of Health approved the Plans and Specification for the potable and fire flow water. The Planning Board has received an approval letter dated 8 October 2024 from the Orange County Health Department.

Response 2: Comment noted. No response needed.

Comment 3. Potential impacts regarding changes to NYSDEC Wetland Regulations that are proposed to come into effect on 1 January 2025 may impact the project.

Response 3: Comment noted. The new DEC regulations provide for a grace period on projects which received a SEQRA negative declaration prior to January 1, 2025, which applies to this project. The SEQRA Negative Declaration was adopted by the Planning Board at the 8/14/24 meeting making this project exempt from the new DEC wetland law during the applicable grace period.

Comment 4. The project relies on the abandonment of Caskey Lane. Any approvals must be conditioned on completing the Caskey Lane abandonment through the Town Board.

Response 4: The required approvals will be conditioned on completing the Caskey Lane abandonment through the Town Board as suggested.

Comment 5. The project must enter into a Developer's Agreement with the Town of Wawayanda Town Board to address measures identified in the Finding Statement and Negative Declaration. Developer's Agreement must also address provisions for water, sewer, traffic improvements, soil erosion and sediment control.

Response 5: As previously discussed with the Planning Board, the applicant will enter into a developer's agreement with the Town that covers the items noted above. Signing a developer's agreement will be a condition of the Board's approval.

Comment 6. A Stormwater Facilities Maintenance Agreement will be required to be executed.

Response 6: Comment noted. The applicant will prepare a stormwater management easement agreement after the Town's approval of the SWPPP. Approval and execution of the agreement will be a condition of the Planning Board's approval which must be completed prior to the final site plans being signed by the Planning Board Chairman.

Comment 7. Financial security for all off-site improvements, soil erosion sediment control and stormwater management facilities will be required.

Response 7: The required bonding will be a condition of the Board's approval.

Comment 8. Final approval from NYSDOT for all improvements at the Route 17M / Dolsontown intersection as well as other improvements with 17M Corridor will be required.

Response 8: Approval for off-site improvements will be a condition of the Board's approval.

Comment 9. Technical comments regarding SWPPP are attached under cover of this memo.

Response 9: The referenced comments have been responded to herein.

Comment 10. Comments received at the Public Hearing must be addressed by the Applicant's representative.

Response 10: A separate response memo to the public hearing comments has been provided under separate cover.

Comment 11. The applicant's representative provided written responses to Public Hearing comments received on 11 September 2024. The Planning Board should review the submitted responses for adequacy.

Response 11: See response #10 above.

Comment 12. Cross Access and Maintenance Agreements with adjoining parcel must be provided for review and approval by Town Attorney.

Response 12: Acceptance of cross access and maintenance agreements will be a condition of the Board's approval.

Comment 13. Coordination of proposed water main meter pit with Towns operator should be undertaken.

Response 13: The Town’s water operator has previously reviewed and approved the plans for this project, and related correspondence has been previously provided to the Board.

Comment 14. 173 Parking spaces are proposed for passenger vehicles. The applicants are requested to address if land banking of a portion of the spaces can be undertaken.

Response 14: The plans have been revised to include 78 land banked parking spaces as suggested.

Comment 15. Tree clearing notes regarding restrictions for protection of Bat species should be added to the plans.

Response 15: The tree clearing restriction note is on sheet C-200 Demolition Note 18.

SWPPP

Comment 1. Currently the existing drainage are EW1 has a flow path to a design point that is over 1,300 ft. long. It appears that existing drainage area EW1 should be split into two separate drainage areas. Applicant’s engineer to provide further documentation why EW1 should not be split into two design points along what appears to be an existing ridge.

Response 1: The revised SWPPP has existing drainage area EW1 has been broken up into two separate drainage areas, EW1A and EW1B, as suggested.

Comment 2. It appears that drainage area PREM1 is not shown correctly, as the 260 ft. of roadway does not drain to PERM1 but to Dolsontown Road.

Response 2: Swirl chamber ‘Swirl Prem’ was added to the revised plans/SWPPP to capture and treat the referenced drainage area before reaching the design point.

Comment 3. Show that the water from the proposed swale can enter the existing 15” HDPE pipe under Dolsontown Road.

Response 3: The grading has been revised to show a low point at the entrance to the 15” CMP pipe under Dolsontown Road, which will direct the proposed swale into the pipe to mimic the existing conditions as reflected in the SWPPP.

Comment 4. All of the proposed bioretention basins must have an orifice located at a maximum of 6” above the bottom of the basin to be considered a bioretention basin. Revise the basins to be in compliance with the NYSDEC Stormwater Design Manual for bioretention basins.

- Response 4:** The current design for the ponds follows the example provided in the NYSDEC Stormwater Design Manual and claim the maximum 6 inches of ponding for an outlet set 12 inches above the bottom of the basin. The ponding depth that is claimed is a time-based average depth rather than a height-based average depth. This methodology can also be found in the forthcoming new 2025 version of the stormwater design manual therefore is consistent with the intent of both manuals and the intent of the NYSDEC for design of bioretention ponds.
- Comment 5. Label area PW2 on the proposed drainage area plan.
- Response 5:** PW2 has been labeled on the proposed drainage area plan as requested.
- Comment 6. Revise the existing areas to have grass cover in good condition not fair or provide additional justification.
- Response 6:** The existing areas in the revised SWPPP have been revised to have grass cover in good condition as requested.
- Comment 7. Revise the TC path for proposed area PW1B as it does not appear to follow the proposed contours.
- Response 7:** The TC path for PW1B has been revised and is now the minimum 6 minutes.
- Comment 8. The HydroCAD model shows 10.8 acres of impervious area. Revise the report, WQv and RRv calculations for consistency.
- Response 8:** The HydroCAD model and report have been revised for consistency.
- Comment 9. Revise the plans and HydroCAD report to have the same elevations for the spillways.
- Response 9:** The plans and HydroCAD report have been revised for consistency.
- Comment 10. The amount of RRv shown in the water quality worksheets is incorrect, as the bioretention basins have underdrains and this is not taken into account in the work sheet. Revise the worksheet to show the site is in D soils and using underdrains.
- Response 10:** The worksheet in the revised SWPPP has been corrected to show the site is in D soils and uses underdrains, and the amount of total RRV has also been corrected.

Sincerely,

Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C.

Cory D Robinson, P.E.
Project Manager

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