



Jacobson

August 3, 2012

Supervisor Tony Hay and
Town of Southeast Town Board
1360 Route 22
Brewster, NY 10509

Re: Crossroads Route 312
Draft Environmental Impact Statement
Review for Completeness
NLJ #0001-0911

Dear Mr. Hay and Members of the Board:

As requested, we have reviewed the following information received for the subject project at our office through May 17, 2012:

- Item 1: Report entitled "Crossroads/312, A Commercial Development, NYS Route 312, Southeast NY, Draft Environmental Impact Statement Volumes 1 and 2, undated, prepared by LADA, P.C., Land Planners.
- Item 2: Bound set of twenty eight (28) drawings entitled "Crossroads 312, LLC, RT 312, Town of Southeast, Putnam County, New York", scales as noted, dated December 11, 2011, prepared by LADA, P.C., Land Planners.

The comments presented herein have been generated from our initial review of the above referenced items. Our review at this time specifically addresses the completeness of the DEIS and its consistency with the Final SEQRA Scoping Document and is not intended to be a comprehensive technical review. With the exception of some general comments, we have focused our review on technical aspects of the project within our purview as Town Engineering Consultants. For example, we are aware that the Town of Southeast's Planning Consultant has reviewed the Chapter concerning traffic impacts and therefore we have not included that aspect of the project in the scope of our review:

At this time we have the following comments:

GENERAL

1. The DEIS contains numerous maps and figures reflecting various aspects of the proposed development. However, these maps are not consistent as to the basic layout of the proposed site improvements. For example, there are discrepancies in the lane configuration of the main site access road at Route 312 and the access to the front retail parking area. All maps and figures should show proposed site improvements in a consistent fashion.
2. Similarly, the full size plans submitted with the Document (Item 2 above) do not represent a full set of site drawings (this is more specifically discussed in our comments below



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concerning stormwater) and the Document references previously submitted Site Plans for certain aspects of the project. Since the previously submitted site plans and the DEIS drawing set are not consistent with respect to proposed site improvements, a complete set of full size site plans representing the current proposal should be submitted with the DEIS. Also, to eliminate confusion all drawing sheets should be dated.

3. Although our review did not specifically focus on building/architectural aspects, we did note that the Final SEQRA Scoping Document required graphic depictions of all building with façade treatments, materials, screening for HVAC and integration of green building practices. In general the architectural representations presented in the DEIS do not provide that level of detail.
4. In numerous locations throughout the report reference is made to the handling of stormwater runoff, stormwater controls and mitigation measures. For example, the Executive Summary states that "*Stormwater Pollution Prevention Plans were submitted which proposed methods to mitigate construction impacts upon stormwater flows and to address long term discharge issues of water quality and water quantity*". However, we could not locate a written Stormwater Pollution Prevention Plan within or as an attachment to the DEIS.
5. We will generally defer to the Town Planner with respect to the review of Chapter 2 - Land Use, Zoning and Public Policy. However we offer one comment with respect to the proposed HC-1A Zone. In highlighting the differences between the HC-1 and HC-1A Zone the DEIS notes that: "*The HC-1A Zone provides the Town Board flexibility to waive provisions of Section 138.12 and 138.15.1, Performance Standards and Grading and Disturbance Standards. Should the Town Board find for any reasons of economic development, it necessary to waive provisions of these standards, the Zone provides the authority*". It would seem important that the DEIS note the specific provisions of this section for which waivers are necessary for this project, and the extent to which this project deviates from those standards (i.e. maximum heights of retaining walls and lengths of slopes).
6. It is not clear why the Soils Report is included in the Cultural Resources Section.

NATURAL RESOURCES

1. The Natural Resources Chapter does not provide the level of detail contemplated in the Final Scoping Document. For example the Scoping Document required graphic figures of existing onsite slopes, soil types, vegetation, wetlands and streams and other relevant resources separately and also a single graphic detail depicting all natural resources or constrained lands



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with outline of proposed improvements shown for reference. In fact, the DEIS now only provides an existing conditions plan, a slopes plan and a soils plan.

2. As mitigation it is noted that the Stormwater Pollution Prevention Plan will require a limit to the size of any area of the site to be disturbed to five acres. Since a Stormwater Pollution Prevention Plan detailing the proposed phasing has not yet been provided, we cannot evaluate if this is realistic.

GEOLOGY

1. As noted above, to support the development of the site as proposed, waivers to the requirements of Section 138.12 and 138.15 for height of retaining walls and length and grade of manufactured slopes are required. In this regard, there are inconsistencies in the narrative portion of this Chapter and in the subsequent Geotechnical Report with respect to the extent and height of cut and fill slopes. In fact, in some areas the manufactured slope / wall combination support an overall change in grade up to 90 feet. Internal retaining walls adjacent to site driveways are up to 30 feet in height. It is important that DEIS provide enough information as to the nature of the constructed slopes and walls to evaluate this aspect of the project.
2. The design of retaining walls is generic at this point, and while the Geotechnical Report does not specifically address retaining walls, the narrative in that Chapter indicates walls may be of blasted rock, reinforced concrete or other man made product. The narrative, Geotechnical Report and plans should be consistent and specific as to the type of retaining walls proposed.
3. The Geotechnical Report indicates there will be rock cuts of up to 69 feet; however the potential impacts and mitigation are only minimally discussed in the narrative (i.e. controls required and specific procedures to document and control activities).
4. The Geotechnical Report recommends maximum rock cut slopes of 1:2. The DEIS narrative indicates vertical rock cut slope up to 1:6 will be allowed.
5. The Geotechnical Report cites the need for a rock fall ditch 8 feet wide below rock slopes. This does not seem to be reflected on the site plans.
6. Given the extent of rock slopes, manufactured slopes and proposed retaining walls, the DEIS should specifically indicate that the Geotechnical Engineer will be onsite to monitor



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construction of all manufactured slopes and certify to acceptability of construction upon completion.

7. The Construction Phasing Plan divides the site into numerous phases limiting the disturbance at one time to no less than 5 acres. Given the extreme slopes and extent of regarding, we would question if this is feasible from a constructability standpoint.

WATER RESOURCES AND WETLANDS

1. We will generally defer to the Town of Southeast Wetland Consultant for review of this Chapter. Our only comment is with respect to the Mitigation Measures Proposed which again references a Stormwater Pollution Prevention Plan. A written Stormwater Pollution Prevention Plan was not included in the DEIS

SANITARY SEWAGE AND STROMWATER MANAGEMENT

1. The potential impacts with respect sanitary sewerage indicate the projected flows that will be added to the Terravest system. The DEIS indicates these flows are based on similar facilities. More specific information is needed to support these projected flows. In particular, the flows projected for the hotel use seem low at 5,000 gallons per day (GPD). For a 200 room hotel this equates to 25 GPD per room. Accepted standards for a hotel with conference room are more in the range of 100 to 125 gallons per day.
2. The DEIS notes that the existing Terravest plant has a capacity for 51,800 GPD and is presently using a few thousands GPD. There is no discussion of what the ultimate usage will be with the projected build out of Terravest and if there is adequate capacity to support the combined flows from the proposed project and the Terravest build out.
3. With respect to Stormwater Management, the Final Scoping Document is quite specific in requiring existing and proposed flow volumes and peaks runoff rates using specific accepted methodologies; and further indicates that calculations must be provided to show compliance with NYCDEP and NYSDEC stormwater requirements. This information is not provided in the DEIS, and in fact the Document indicates this level of detail is not proposed to be provided until development of the FEIS. This level of analysis is important to substantiate the sizing of the stormwater basins and support the site design with respect to the location and extent of area required for stormwater control measures.



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4. As noted above, the full scale drawings submitted with the DEIS are not complete and only include by reference certain drawings from the initial site plan submission. Since the drawings omitted include the drainage, utility and erosion control plans this hampers a reviewers ability to evaluate the stormwater management plan.

INFRASTRUCTURE AND ENERGY

1. There is limited discussion concerning the actual capacity of the existing water supply system and the ability of the existing infrastructure to support the proposed development. If proposed sanitary flows are modified as noted above, the water demand should be adjusted accordingly.

ALTERNATIVES

1. The alternatives proposed do not seem to fully explore the maximum level of development allowed under the current zoning regulations. Although specifically constrained by the requirements of Section 138.12 and 138.15.1 (Performance Standards and Grading and Disturbance Standards), this section nonetheless does allow for three 10 foot high retaining walls at 10 foot horizontal spacing and a 30 foot length slope at 2:1 grade in both cut and fill.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

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THF:thf

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