



October 5, 2023

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Town of Glen
7 Erie Street
Fultonville, NY 12072

Attn: Ms. Jennifer Mete-Jeffer
Chairperson
Town of Glen Planning Board
Re: Response to TDE Comments
Carver Special Use Permit
Riverside Drive Bulk Storage Pad

Dear Ms. Mete-Jeffer:

Ingalls & Associates, LLP has received comments dated September 29, 2023 from the town-designated engineer Douglas Cole, PE, in reference to materials submitted for review for the Carver Riverside Drive Bulk Storage Pad. We offer the following responses:

FEAF:

Comment 7: As per comments at the Public Hearing, we ask the Applicant to change the Fire District to the Town of Glen in their response to question C.3.c

Response: Question C.4.c on the FEAF has been revised to state the Town of Glen Fire District.

Comment 8: As per comments at the Public Hearing, we ask the Applicant to add Snyder Park and Fonda Riverside Park in their response to question C.3.d.

Response: Question C.4.d on the FEAF has been revised to include both Snyder Park and Fonda Riverside Park.

Comment 9: As per comments at the Public Hearing, the issue of the parcel being in the Montgomery County Agricultural District No. 3 was brought up. The response to E.3. correctly states that the parcel to be developed is located in the Montgomery County Agricultural District No. 3. The applicant is required to prepare and submit an Agricultural Data Statement form pursuant to Section 305-a of the Agriculture and Markets Law. Please provide a copy to the Town as well.

Response: An Agricultural Data Statement has been prepared and is enclosed with this submission.

Certificate of Compliance for Development in a Special Flood Hazard Area

Remaining Comment 1: The Certificate is missing the permit number, date, and indication if the certificate is for a new building, existing building, fill, or other; and it appears to have been issued prematurely as the work has not been completed. See comment #2 below.

Remaining Comment 2: The Applicant has provided the Flood Plain Development Permit Application dated 6/12/2023 and accompanying letter for the Town Code Enforcement Officer stating that the Floodplain Evaluation was completed and accepted by NYSDEC. The remainder of the application (Section 3 through 5) needs to be completed by the Code Enforcement Officer. When the project is complete, the applicant will need to provide the information in Section 6. Finally, the Code Enforcement Officer will complete Sections 7 & 8 Certificate of Compliance.



Response: Comment noted.

Comment 3: As per comments at the Public Hearing, it was discussed that not enough information had been provided on the material stockpiles that are proposed to be placed on the site. NYSDEC was contacted about this as the Floodway Technical Note prepared by Ramboll did not take into account any materials placed on the proposed laydown pad. NYSDEC responded that "If they encroached into the floodway, then they would have to do the analysis again or redo the analysis that they already did and include the materials in the floodway analysis." The applicant needs to provide a revised Site Plan showing where material storage piles will be placed on site and the maximum height the piles will be. Unless additional floodway analysis is performed, no material should be shown closer to the river than the red line that delineates the Floodway boundary on the site plan.

Response: Supplemental floodway analysis has been performed by Ramboll to include placement of stockpiles within the floodway boundary. Stockpiles will generally be 25 feet tall and be comprised of aggregates and other construction material. A note has been added to the Grading Plan to provide these details.

NYSDEC Lead Agency Letter & Ingalls Response

Comment 1: FEAF Brief Description of Proposed Action. NYSDEC stated that "There is also no mention of what will be stored on the bulk storage pad" and "Additionally, the site plan associated with this action should be updated to include these details." Neither of these items were addressed in the response letter.

Response: The FEAF and Grading Plan has been revised to include additional details on the Bulk Storage Pad.

Comment 2: SPDES General Permit. NYSDEC raises several concerns regarding the water quality treatment structures being located "on or near the banks of the Mohawk River." The response letter does not fully address the comments. As part of a revised response, please also include a dimension on the plans from the edge of the treatment structures and laydown pad to the edge of the river bank.

Response: As stated previously, no treatment structures are proposed within the banks of the Mohawk River. The Grading Plan has been revised to show the dimensions from the edge of the treatment structure to the river bank. The edge of the infiltration basins are approximately 30' from the top of bank.

Thank you for your review of the above and enclosed. If you have any questions, please feel free to contact me at 518-393-7725 ext. 125.

Sincerely,

Peter J. Yetto
Ingalls & Associates, LLP

Encl: Grading Plan revised 10/04/2023
FEAF revised 10/04/2023
Ag. Data Statement dated 10/04/2023
Floodplain Technical Note revised 10/05/2023

Cc: Douglas Cole, P.E.
Nick Laraway, Carver Companies
Tim Reilly, Supervisor, Town of Glen
James Malcolm, PE, NYSDEC R4
Patrick Connally, NYSDEC R4