



March 13, 2013

To: Planning Board

From: Bruce Barber
Environmental Consultant

Re: **Kent Materials**
NYS Route 52
Section 12 Block 1 Lot 44

I have reviewed the following pertinent documents relative to the above referenced project:

Plans entitled: "Kent Materials", prepared by Insite Engineering dated 02/21/13 (rev), 7 total sheets: SP-1, SP-2, SP-3, MP-1, D-1, D-2, D-3.

Plan entitled; "Soil and Slopes Plan" prepared by Insite Engineering dated 02/21/13 (rev.), 1 sheet: SS-1.

Comment response memo executed by John Watson. P.E of Insite Engineering dated 02/21/13, 7 pages.

Letter entitled; "Statement of Use for Kent Materials Site Plan" prepared by Insite Engineering dated 02/21/13 (rev.), 2 pages.

Long-form EAF (Parts I, II and III) prepared by Insite Engineering dated 02/21/13 (rev.).

Letter (2 pages) executed by John Watson of Insite Engineering submitted to NYSDEC in support of a Mined Land Use Permit Application dated 02/21/13 with attachment: Blast Plan prepared by EarthTech Consulting dated 02/20/13, with attachments dated 02/12/13.

Letter (2 pages) executed by John Watson of Insite Engineering submitted to NYCDEP dated 01/22/13.

Letter (2 pages) executed by Jean Marc H Roche of NYCDEP dated 01/22/13.

Stormwater Pollution Prevention Plan Addendum prepared by Insite Engineering dated 02/21/13.

Mining Narrative Report prepared by Insite Engineering dated 02/21/13.

Noise Study prepared by Insite Engineering dated 02/21/13.

Summary:

The applicant wishes revise the site plan formerly approved as Mountain View. Substantial site plan changes include changes to grade, substantial blasting and rock removal and use as a salt/sand storage facility.

Comments:

The applicant has responded to the comments in the February 14, 2013 review memo prepared by this office. I have the following comments:

Specific Comments:

Required Permits/Registrations: The applicant has not provided information regarding the status of the Air Quality Registration which was indicated as previously required. Please provide documentation that the entire project is either exempt or that a permit will be required from NYSDEC (See 6 NYCRR 201).

1) EAF:

Part I:

Page 2, Question 17: Response should indicate site is not serviced by public water and sewer utilities.

Page 4, Question 4: The indicated response of 8.3 acres does not comport with Page 3, Question 1 response (26 acres) or Plan Sheet SP-3 (Construction Sequence) and Mining Report (Section 1.0, page 1) which indicates 12.9 acres of disturbance or the Plan Sheet SP-3 Phasing which indicates a total land disturbance of 20 acres (4 phases x 5 acres of disturbance/phase).

Page 4 Question 7: Applicant indicates a three phase project whereas the Statement of Use and Plan Sheet SP-3 indicate 4 phases.

Page 4 Question 19: Response indicates that operation will produce odors. This is not expanded on in Part III. Specifically, please identify the odor(s), expected duration and mitigation.

Page 4 Question 20: The applicant should indicate “yes” and then reference Part III which details mitigation plan.

Page 4 Question 23: Please provide additional information. Will there be any impacts to the water supply of adjoining wells due to the indicated use of 2,000 gallons of water per day?

Part II:

Page 1, Question 1: As there will be 285,000 cubic yards of rock and overburden removed, please indicate why the response to “Construction of land where bedrock.....ground surface” is not “potential large impact”.

Page 2, Question 5: As there will be substantial amounts of salt and sand stored on the site, please indicate why the response to “Other impacts” is not “potential large impact”.

Page 3 Question 6: The applicant has indicated that 50,000 cubic yards of overburden is to be removed prior to blasting operations. Please indicate why response “other impacts” is not “potential large impact”.

Part III:

Pages 2-3: Impact on Water: Please indicate specifically how pollutants such as salt, oil, grease, hydraulic fluids and liquid de-icer (if applicable) will be addressed. Please indicate if liquid de-icer or other chemicals will be stored at the site. Provide maintenance

plan and protocols in this section. Please indicate how stormwater system will function in frozen, winter conditions to ensure that pollutants are not introduced to the wetlands/ground water. Please indicate if any vehicle and/or equipment washing will be conducted on the site. Please indicate measures to comply with “NYCRR for Stormwater Pollution Prevention 18-45” provisions”.

Page 5: Impact on Air: Please see comments above regarding “Permits/Registrations”. Regardless of a permit/registration requirement, the applicant should specifically provide a recognized standard for particulate air concentration thresholds that will not be exceeded during construction and operation, or, indicate that thresholds will not be exceeded due to mitigation if applicable.

Page 7: Impacts on Transportation: Please provide recognized source (e.g. AASHTO) for trip generation/traffic volume figures. It is unclear how many truck trips will be made per day, on Saturdays, and also during snow/ice events when the storage facilities are proposed to be open without restriction. Please indicate how many yards of material each truck will be able to haul from the site? As the applicant has indicated that materials will be available for residential operations has small and mid-size truck traffic been considered?

Noise Study

Page 3, First Table: The noise from blasting is not listed. As the blasting report indicates there will be approximately 115 blast days in total, please clarify why this has not been considered. Please indicate if ripping and hydraulic hammering operations are included in the 115 days and if noise from these operations has been considered.

Page 5, Section 15.5 Hours of Operation: Does the study consider the proposed continual hours of operation during snow/ice events once the salt/sand sheds are completed?

Appendix: Tables 1 and 2: Please provide information which indicates anticipated readings after construction and readings after mitigation has been installed.

Soils and Slopes Plan:

Diversion swales which are designed to intercept ground water and catch basins in the proposed areas of asphalt paving discharge in part to ES-2. It is unclear if the discharge then flows to the sediment basin or the swale running to the north. Please explain. In addition, if ground water discharge is unknown in quantity, please provide information on basin sizing.

Comment Memo:

Page 4: A: Specific Comments:

Please indicate how “the rock removal portion of the project does not involve soil disturbance, therefore the potential for soil disturbance is eliminated” when as indicated approximately 50,000 cubic yards of overburden is anticipated to be removed from the site. This office defers review of the erosion and sediment control plan to the Planning Board Engineer.

The prior air quality and noise impacts from the temporary rock crushing operations appeared to be identical to information in the prior EAF. As indicated

in my question "A" I requested information regarding traffic, noise and dust suppression "for the full project and after construction is completed".

Page 5: Section C:

The applicant proposes to install a well which will eventually serve as a potable water supply, for use as dust suppression and also for pollutant testing. Please provide PCDOH approval. In addition, please indicate pollutants that will be tested, protocols and what will occur at the site as well as adjoining residences if pollutants are detected. Does the applicant propose to provide baseline testing at adjoining wells?

Statement of Use:

Please indicate when the well and septic system will be installed. It appears that the contractors office/storage remains in the last phase and not when ½ of the projects earthwork has been completed.

Please provide details regarding enforcement of SWPPP maintenance plans, dust suppression, noise and potential salt/sand spills on Route 52.

Please note that this office defers review of the Stormwater Pollution Prevention Plan (SWPPP) to the Planning Board Engineer.

This office will continue to review this application upon receipt of responses to the above comments.

Please do not hesitate to contact me at should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to be 'R' followed by a stylized flourish.

Bruce Barber,
Town Environmental Consultant