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Memorandum

To:	Planning Board Town of Kent	Attn:	Russ Fleming Chairman
From:	Julie S. Mangarillo, P.E., CPESC	Subject:	March Agenda Amended Site Plan Review
Date:	March 13, 2013	Project:	Kent Materials (formerly Mountain View Realty) TM # 12.-1-44

The following material was reviewed:

- Transmittal letter from Insite Engineering, Surveying & Landscape Architecture, P.C., dated 2/21/2013
- Statement of Use, revised 2/21/2013
- Full Environmental Assessment Form (EAF) Parts 1, 2 and 3, revised 2/21/2013
- Letter to NYSDEC regarding Mined Land Reclamation Permit, dated 2/21/2013
- NYSDEC Mining Permit Application, dated 2/19/2013
- Environmental Assessment Form for Mined Land Reclamation Projects, dated 2/21/2013
- Mining Narrative Report, prepared by Insite Engineering, dated 2/21/2013
- Blast Plan, prepared by EarthTech Consulting, dated 2/20/2013
- Noise Study, prepared by Insite Engineering, dated 2/21/2013
- Letter to NYCDEP regarding amended SWPPP submittal, dated 1/22/2013
- Letter from NYCDEP regarding SWPPP, dated 11/28/2012
- Stormwater Pollution Prevention Plan (SWPPP) Addendum, prepared by Insite Engineering, dated 2/21/2013
 - With Notice of Intent (NOI) signed 2/21/2013
- Drawing "Conceptual Elevations for Sand/Salt Storage Building," revised 2/21/2013
- Drawings, prepared by Insite Engineering, revised 2/21/2013 including:
 - SP-1, "Amend Layout and Landscaping Plan"
 - SP-2, "Amended Grading and Utilities Plan"
 - SP-3, "Sediment and Erosion Control & Phasing Plan"
 - MP-1, "Mining Plan"
 - D-1, "Site Details"
 - D-2, "Site Details"
 - D-3, "Site Details"
 - SS-1, "Soils and Slopes Plan"

This project is seeking amended site plan approval for the Mountain View Realty project under a new owner.

New comments are in **bold**.

The following is offered for consideration by the Board from a memo dated 2/14/2013:

1. Refer to the drawings:
 - a. On SP-1 and SP-2 show the 25-foot top of rock cut setback line required by the NYSDEC mining permit.
 - i. **25-foot top of rock cut setback is shown on drawing MP-1 'Mining Plan.' Show the top of rock cut setback on SP-1 and SP-2. Also show the 5-foot wide safety bench at the bottom of the slope referenced in the 2/21/2013 cover letter.**
 - ii. **Indicate what surface material will be used in the 5' wide safety bench, such as grass or riprap. Adjust the hatch used to represent the riprap slope accordingly.**
 - iii. **Is the 25' top of rock cut setback and the 5-foot wide safety bench at the bottom of the slope required along the rear yard, to the east of the proposed salt/sand storage buildings?**
 - c. On D-3, Conceptual Cross Section B, correct the overlapping text.
 - i. **The 2' dimension is overlapping "NYSDOT Bedding Material Typ" label.**
 - ii. **Show the limits of disturbance line on the detail to match the location shown on SP-3 'Sediment and Erosion Control & Phasing Plan.'**
3. Refer to the SWPPP:
 - d. As noted in the SWPPP, this project requires approval by NYCDEP. Provide copies of correspondence with NYCDEP.
 - i. **Continue providing copies of correspondence.**
 - e. It is our understanding that a stormwater facility maintenance agreement with the Town was developed with the previous Owner. This agreement will have to be updated for the new Owner.
 - i. **According to the 2/21/2013 cover letter, the agreement is in the process of being updated.**
5. Continue to provide copies of correspondence with NYSDEC regarding the Mined Land Permit.

New Comments:

1. Refer to the SWPPP:
 - a. In the final SWPPP, provide swale and pipe calculations.
2. The 2/21/2013 cover letter indicates that the proposed contractor building located along Route 52 will be part of the final phase, instead of the second phase as requested by the Planning Board. "With the revised phasing plan, the large hill along Route 52 (where the proposed contractor's office/storage building is to be constructed) is purposely kept as a visual and sound buffer until the last phase of work. This berm is required in order to attenuate the sound levels to acceptable levels. Keeping the large berm until the end of the mining will also provide aesthetic benefits, effectively shielding the mining operations from NYS Route 52 and the residence directly across the street from the project site."
Construction of the proposed contractor's office/storage building will also provide some visual and sound mitigation for mining operations. Provide discussion, calculations

and/or visual aids to show why delaying removal of the berm and construction of the contractor's building until the final phase is the preferred scenario.

3. Refer to the 2/21/2013 cover letter. In response to Mr. Barber's comment B, "It is Mr. Simpson's opinion that subsurface exploration to determine soil and rock conditions are not required to support his previous statement and findings." Presumably the subsurface exploration refers to borings. In the geotechnical report, prepared by Mr. Simpson of Carlin Simpson & Associates, dated 1/16/2013, the recommendations called for "a minimum of five borings performed along the cut slope alignment."

Provide additional information from the geotechnical engineer to substantiate why the previously recommended borings are no longer required. It seems that the borings will provide additional information to confirm ahead of time that the cut slope will be stable at 1.5 Horizontal:1 Vertical slope. The borings can also provide additional confirmation that groundwater will not be intercepted.


4. Refer to the 2/21/2013 cover letter. In response to Mr. Barber's comment C, a vapor barrier has been added beneath the concrete floor slab of the salt/sand storage buildings to "...protect the underlying groundwater from salt leaching through the construction joints, expansion joints or cracks in the concrete floor."

In addition to the vapor barrier, use of a semi-permeable, siloxane-based sealant, such as Sikagard 701W, on the surface of the concrete is recommended to prevent damage to the concrete caused by salt.

5. The 12/14/2012 letter from NYSDEC indicates a Part 360 Solid Waste Management Facilities Registration or Permit may be required. Provide information indicating if this registration or permit is required by NYSDEC with the removal of permanent rock crushing operations from the project.
6. In EAF Part 2, #1, 'Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e. rock or soil) per year' should be marked as an impact and discussed in Part 3. According to the 12/14/2012 letter from NYSDEC, the threshold for a Mined Land Reclamation Permit is "removal of more than 1,000 tons or 750 cubic yards of minerals, whichever is less, from the site within 12 consecutive months." In the EAF Part 1 B.2, 285,000 +/- cubic yards is listed as natural material to be removed from the site.
7. The 12/14/2012 letter from NYSDEC and the EAF for Mined Land Reclamation Projects, dated 2/21/2013 submitted to NYSDEC indicate a NYSDEC Multi Sector General Permit for Stormwater Discharges associated with an Industrial Activity is required. This should be included in the EAF Part 3, under 'Impacts on Water,' 'Proposed action will require a discharge permit.'
8. In EAF Part 3, regarding 'Impacts on Water,' include the discussion in the 2/21/2013 cover letter regarding the new proposed location for the well and proposed initial and annual water testing to monitor for any impacts on groundwater caused by salt storage.
9. Refer to the Blast Plan, dated 2/20/2013. The last item under 'Blasting Safety' on page 6 states traffic on NYS Route 52 will be stopped for each blast. The Blast Plan indicates approximately 115 blast days for the project. Provide additional detail, such as:
 - a. Average number of times per day traffic will have to be stopped on blast days.
 - b. Maximum number of times per day traffic will have to be stopped on blast days.

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- c. Documentation of discussion with NYSDOT regarding stopping traffic for blasting.
 - d. Any additional signage or other precautions required by NYSDOT.
10. The Mining Narrative Report, dated 2/21/2013, page 5 states "topsoil stockpiled for sale for use offsite will either be seeded with annual ryegrass or covered..." Due to the anticipated length of construction of this project, ensure all temporary seeding is done with a perennial/annual mix as temporary seeding may have to extend beyond one growing season.
11. Refer to the conceptual elevations for the sand/salt storage building, revised 2/21/2013:
- a. Building height is shown as 50'-9". IOC zoning district maximum height is 40 feet. The 11/15/2012 cover letter states the maximum building height of the sand/salt storage building has been reduced to 40 feet. Revise the drawing to indicate 40' maximum height.
 - b. Does the entry to the building have a door or other covering? If so, it should be included on the final building elevations for architectural review.
 - c. Refer to the comment above regarding concrete coating.
12. The site plan drawings show an asphalt driveway entrance from Route 52, which transitions to gravel along the 'Proposed Contractor's Yard/ Outdoor Storage Area,' then transitions back to asphalt around the sand/salt storage buildings to provide additional protection of the groundwater from potential salt contamination. In our experience, having trucks drive from asphalt to a short length of gravel and back to asphalt creates a sediment tracking problem. We recommend the entire access driveway from Route 52 to the sand/salt storage buildings be paved with asphalt. This will also reduce tracking during snow events when multiple trucks will be coming in and out of the property purchasing sand/salt.
13. Show proposed piping from the building to the well and septic.


Julie S. Mangarillo, P.E., CPESC

cc: Planning Board via email
Neil Wilson via email
John Watson, PE, Insite Engineering, via email

Julie Butler via email
Bruce Barber via email
12-261-199