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August 23, 2022

Chair Michael Dupree and Members of the Planning Board
Town of Hyde Park
4383 Albany Post Road
Hyde Park, NY 12538

Re: Small - Minor Subdivision Application
148 Cream Street
Subject Parcel Tax ID: 6264-01-210630 (±41.39 acres)

Sent via Email and Hand Delivery

Dear Chair Dupree and Members of the Planning Board:

Hudson Land Design (HLD) has been retained to provide engineering services for a proposed minor residential subdivision of the subject parcel into a total of five (5) residential lots, one (1) of which will contain the existing house, and the other four (4) will provide for new building lots.

Since our latest submission to the Planning Board dated March 2, 2022, revisions have been made to the project's plan set and long form EAF per comments provided by Bonnie Franson, AICP CEP, PP of Nelson Pope Voorhis on her letter dated March 15, 2022, and also based on several submittals to the Dutchess County Department of Public Works (DCDPW) and the Dutchess County Department of Behavioral and Community Health (DCDBCH). Below is a point-by-point response to each comment within the Nelson Pope Voorhis letter.

A. Procedure/General Comments

1. So noted.
2. So noted.
3. Dutchess County Planning does not review subdivision applications.
4. A habitat assessment report for the Blanding's Turtle is underway.
5. Notes regarding color temperature and foot-candles are provided in two places on the Cover Sheet (Blanding's notes and Site Specific notes).
6. We await guidance from the planning board on this issue.

B. Revisions to the Subdivision Plan

Cover Sheet (Sheet 1 of 8)

1. The text on the SPECIAL ROCK REMOVAL NOTES on the cover page (CV-1) have been amended to correctly reference the Town of Hyde Park. It is highly unlikely that rock blasting will be required on site as deep pit testing indicates that the bedrock layer is situated over 7 feet from the surface of the site. A note in the set indicates that if blasting is necessary that the individual(s) conducting the blasting shall make sure to conform to all local, state and federal guidelines pertaining to this practice and that Planning Board approval is required.
2. The INDIANA BAT PROTECTION NOTES on the cover page have been amended to include restrictions for the intensity and light temperature of any lighting to be installed. The restrictions are to prevent any lighting that could potentially harm/disorient the bats.
3. Due to the potential of the site being part of local Blanding Turtles' habitat, a habitat assessment report is being prepared. Additional wetland delineation has been conducted on the site and are shown on the plans.
4. We are proposing to relocate the stone walls 2 feet outside of the proposed sight distance easement line.
5. So noted.

Existing Conditions (Sheet 2 of 8)

1. The proposed property line previously separating the existing residence from the remainder of the lot has been removed from the Existing Conditions (XC-1) sheet.
2. The previous plans showed an assumed 0.99-acre of wetland. This area was based on an assumed southerly wetland line that generally followed the same elevations as delineated on the northern boundary. To be very conservative, we have now assumed the entire area south of the northern wetland boundary to be wetland (2.11 acres).
3. Boundaries for the soils found on site have been added to the map on the XC-1 sheet. Labels denoting the soil types have also been added to help clarify which soil types are located within each part of the site. A table has been added to the XC-1 sheet that denotes what soil each label references according to the USDA Web Soil Survey.
4. Wetlands along the site's western end (back portion) have been delineated and added to the plan.

Subdivision Plat (Sheet 3 of 8)

1. The referred lot line section along the site's north boundary was checked to confirm if its posted length (163.28 feet) was correct. Measurements confirmed that its length is indeed correctly stated as 163.28 feet long. We have determined that the surveyor showed a symbol denoting a change of direction that was erroneous. The symbol has been moved to the end of the line.
2. As noted in the response to item 2, the very conservative assumption of 2.11 acres has been used for the density calculation on Lot 1, which is still well below the allowable density.

Subdivision Plan (Sheet 4 of 8)

1. The conservation easement area (referred to as the "open space area" in the plans) has been added to the Subdivision Plan (SP-1) sheet. As it can be seen on the plan, the proposed developments do not encroach upon the area's boundary.

2. A note has been added to SP-1 indicating that the conservation easement/open space area will be demarcated in order to indicate to future homeowners on lots 2 through 4 that the area is off limits for any type of construction and/or installation, be it either permanent or temporary. We await additional guidance from the planning board on this issue, although we suggest that iron rods or monuments be placed periodically, as the placement of boulders would create a need to clear vegetation, which seems counterintuitive. In addition, the note discusses deed language be incorporated.
3. The average density for the lots on the SCHEDULE OF REGULATIONS AND LOT CONFORMANCE TABLE has been updated to consider the lot area excluding wetlands or floodplain.

Erosion and Sediment Control Plan (Sheet 5 of 8)

1. The conservation easement area (referred to as the “open space area” in the plans) has been added to the Erosion and Sediment Control Plan (ESC-1) sheet. As it can be seen on the plan, the development’s proposed limit of disturbance does not encroach upon the area’s boundary.
2. The limits of disturbance is for purposes of soil disturbance, specific to the SWPPP. For these purposes, we have conservatively shown an area that extends 50 feet from the proposed house. Of course, this is subject to some change depending on the actual house footprint during the plot plan process. In addition, it is possible that there may be some clearing in addition, for lawns depending on the future owner; however, we would not expect grading in those areas.
3. So noted.

Profiles (Sheets 6 & 7 of 8)

1. So noted.

Construction Details (Sheet 8 of 8)

1. So noted.

C. SEQRA

1. So noted.
2. FEAF comments:
 - a. Item B3: County Planning does not comment on subdivisions in Dutchess County.
 - b. Item C2b: This item has been checked “yes”
 - c. Item D1: The limits of disturbance have been expanded to show 4.1 acres disturbance
 - d. So noted.
3. A habitat assessment report is underway.
4. The Phase 1B is completed, and was forwarded to the Town on March 30, 2022. Please advise if printed copies are needed. We have included the report in the electronic submittal again for ease.
5. The additional wetlands were field delineated and surveyed, and are now shown on the latest plan set.

In addition to the above, we have made some minor driveway revisions pursuant to my site meeting with Chair Dupree on April 22, 2022.

In support of the proposal, attached please find the following:

- Nine (9) copies of the full Environmental Assessment Form
- Nine (9) copies of the Subdivision Plan Set

All of the above documents have been transmitted electronically (in pdf format) to the Planning Department via email: planningsec@hydeparkny.us.

We look forward to discussing the design details of the project with the Planning Board at its September 7, 2022 meeting (continued public hearing). Please feel free to call my direct line at 845-765-8955 if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel G. Koehler". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daniel G. Koehler, P.E.
Principal

cc: Joseph Small & Tricia O'Malley, Applicants (via email)
Brendan Johnson, L.S., Project Surveyor (via email)
Michael A. Bodendorf, P.E. (HLD file)