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**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**PROJECT NAME:** THE RESERVE "J STREET" SUBDIVISION  
(MT. AIRY ESTATES MAJOR SUBDIVISION)  
**PROJECT LOCATION:** (EXTENSION OF McKINLEY COURT)  
SECTION 76 – BLOCK 2 – LOT 39 & 40.2  
**PROJECT NUMBER:** 04-23  
**DATE:** 23 APRIL 2008  
**DESCRIPTION:** THE APPLICATION PROPOSES THE FURTHER SUBDIVISION OF LOTS AT THE END OF McKINLEY COURT (f/k/a "J" STREET) WITHIN THE MT. AIRY MAJOR SUBDIVISION (a/k/a "THE RESERVE"). THE APPLICATION MAKES A TOTAL OF FOURTEEN (14) RESIDENTIAL LOTS FROM TWO (2) EXISTING LOTS. THE PLAN WAS PREVIOUSLY DISCUSSED AT THE 8 SEPTEMBER 2004, 13 OCTOBER 2004, 9 NOVEMBER 2005 AND 26 MARCH 2008 PLANNING BOARD MEETINGS.

1. As a reminder, the plan proposes a subdivision based on the zoning requirements of 1993, as per the conditions of the Stipulation of Settlement between the developer and the Town. It is my understanding the former Attorney for the Town has agreed (by letter dated 8-5-04) that the development of the additional lots is permitted based on the above-referenced Stipulation.
2. At the previous meeting, the Board requested the applicant to take action to improve the stormwater management efforts and make SWPPP modifications to avoid the discharge problems that have been occurring to Silver Stream Reservoir. Our comments are as follows:
  - Our office has reviewed the Stormwater Pollution Prevention Plan (SWPPP), revised 7 April 2008, with regard to the subject project. Upon our review of the aforementioned revised SWPPP, we find the plan to be in substantial compliance with the New York State Department of Environmental Conservation "SPDES" General Permit for Stormwater Discharges from Construction Activities, Permit GP-02-01. We note that the Applicant has proposed additional measures beyond what is normally required for erosion control including dual layer turbidity fence in Brown's Pond backwater, surface sand filters, and an aggressive stabilization plan. The stabilization plan includes seeding, mulch and erosion control blankets.

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- A standpipe had been added in the past to the outlet of Brown's Pond backwater. The standpipe had filter cloth over the opening as a solution to previous erosion control problems. The standpipe increased the backwater pond elevation thereby reducing the available storage on the south side of Mt Airy Road. To address issues of the Brown's Pond backwater topping the road, the Applicant has proposed incrementally lowering the backwater elevation by reducing the standpipe elevation and adding the previously mentioned turbidity curtains.
3. As noted by the former Attorney for the Town, a Stormwater Drainage District is required. We must insure that this portion of the property is also in the proposed district.
  4. The Planning Board may wish to make a determination regarding the type action this project should be classified under SEQRA, and make a determination regarding environmental significance.
  5. The applicant should be directed to submit the Public Improvement Bond Estimate to the Town for review, and subsequent approval of the Town Board.
  6. The applicant should submit the descriptions and Offers of Dedication to the Town Attorney (with copy to the Planning Board Engineer), for necessary review.
  7. As per the 911 Policy of the Town, this project will require the assignment of a street name and 911 address numbering at the Preliminary approval stage of the subdivision review.
  8. My notes indicate that a preliminary public hearing was already held. The plans are substantially the same as those considered at Preliminary. As such, I recommend that the Board waive the Final Public Hearing, as per their discretionary judgement under Section 257-14 (B)(2) of the Town Code.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.  
Planning Board Engineer