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December 26, 2008

Stephen Feeney, Chairman
Town of Guilderland Planning Board
Guilderland Town Hall
P.O. Box 339
Guilderland, NY 12084

Re: Dutchman Acres Development
CR 201 (Depot Road)
Town of Guilderland

Dear Mr. Feeney;

On December 18, 2008, we met with Chris Meyer to discuss the Stormwater Management System Engineering Report dated October, 2008, and the updated traffic impact evaluation dated June 27, 2008. Although we have a number of concerns, none threaten to derail the project, and we feel that all can be addressed as the design and review process progresses. We see no reason not to advance the proposed plan.

Our biggest concern is whether the proposed stormwater system can be built according to the plans. If not, the design or the size of proposed development may need to be revised. This may happen due to inadequate bedrock depth, interaction between the detention ponds and the adjacent wetlands, or the high water table. These conditions may mean that the required storage volumes may not be available during storms.

The cumulative impact of this project, Mat Farms, the Northeast Industrial Park expansion, and other potential development in this area will require improvements to the intersection of County Routes 201 and 202. We should note this location is not currently on the County's five year capital project plan.

The Capital District Transportation Committee has the expertise to determine whether developers should contribute to intersection improvements as part of their project mitigation, and if so, how much should be apportioned to each development. For legal reasons, the Town should levy any mitigation fees. Albany County will contact CDTC to determine the feasibility of looking at the full build-out of the area and its impact on the CR 201/202 intersection. Albany County will coordinate the effort with CDTC if deemed appropriate.

The developer should address these comments on the materials reviewed:

- 1) We will not give final approval until we can review the SWPPP. It must be prepared following *New York Standards and Specifications for Erosion and Sediment Control* and in conjunction with the stormwater analysis

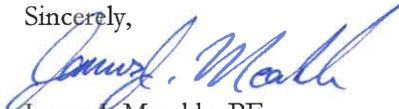
as per the *New York State Stormwater Management Design Manual* required by the New York State Department of Environmental Conservation SPDES General Permit for Stormwater Discharges from Construction Activity Permit (GP-0-08-001).

- 2) When developing the SWPPP for Dutchman Acres, the developer must follow the Environmental Protection Agency Guidelines from *Developing Your Stormwater Pollution Prevention Plan, A Guide for Construction Sites* (EPA 833 R 060 04 May 2007). All municipalities (including the Town of Guilderland) in the Albany County Coalition have adopted this format for consistent review of construction plans.
- 3) What year are the flood maps that were used for the Engineering Report?
- 4) All stormwater BMPs and stormwater practices during construction need to be stated on the proposed plans before final approval of the project can be made. If a change needs to be made to the SWPPP, the developer will be required to submit the change to NYSDEC for approval and then the SWPPP can be altered to reflect the approved changes.
- 5) List every entity responsible for maintenance of the proposed stormwater structures (i.e. Ponds, swales, drainage pipes and culverts, etc.) in the SWPPP and N.O.T.
- 6) An Erosion and Sediment Control Plan with phasing will be needed before the proposed development plans can be approved.
- 7) Construction and post-construction maintenance schedules must be included in SWPPP.
- 8) Additional borings are required in the pond areas (at least one boring per pond) to determine feasibility of the proposed pond layout.
- 9) How will the proposed ponds at 315 feet elevation interact with the adjacent wetlands at 320 feet? Will the ponds lower the water table and adversely affect the wetlands? Will the wetlands inundate the ponds and reduce available capacity?
- 10) Stormwater and treatment structures must be installed before any other construction occurs, both to treat construction runoff, and to make sure they can be built to handle the expected post-construction runoff.
- 11) Provide dugout design for pond and forebay with elevations shown (aquatic shelf, permanent pool, WQ_v , Q_p , Q_f , etc.).
- 12) Show the access road with a turnaround and easements to maintain the ponds and forebays, culverts and swales.
- 13) Access easement language must be included in the SWPPP with reference to be included on all future deeds before approval of proposed development is made.
- 14) The drywell/catch basin in subcatchment #1 should be assessed for a percolation rate; it was checked in a dry weather period and still retained water. Show details and outlet for the proposed overflow pipe in this area as an alternative.
- 15) On the proposed plans, please locate the CR201 cross culvert with an inlet and outlet elevation and normal high water elevation. This culvert currently contributes flow to subcatchment 2 during seasonal high water table conditions.
- 16) Subcatchment #4 proposes possible re-routing the County road ditch on CR 201; this would require a legal easement or be part of the facility maintenance plan to be able to maintain a functional outlet.
- 17) Show inlet and outlet elevations of all existing and proposed culverts and swales.
- 18) We have these questions about the proposed walkway along CR201 (Depot Road):
 - a) How will the County road ditch be affected? The walkway must not raise the high water elevation of the roadway ditch causing flooding or backup on existing properties or roadway along CR 201. Cross culverts under the sidewalk may be needed to prevent higher water elevations.

- b) Will there be access over the County road ditch to the road shoulder?
 - c) What entity will maintain the walkway?
- 19) We concur that vehicular access to CR 202 (School Road) is not desirable. It would invite cut-through traffic avoiding the CR 201/CR 202 intersection. Mountable curb and a stabilized connection from the curb to the cul-de-sac could be used to provide an alternate entrance for emergency vehicles and pedestrians. A provision should be included in the maintenance plan to ensure it is passable during winter weather.
- 20) A marked crosswalk will be needed. Otherwise, vehicle drivers would not need to yield to pedestrians (see Vehicle and Traffic Law sections 110 and 1152). The crosswalk, curb ramps and related signs should be shown on the plans.

If you have any questions or comments, please call me at (518) 765-2786, or email me at jmearkle@albanycounty.com.

Sincerely,



James J. Mearkle, PE

Traffic Engineer

CC: Michael V. Franchini, Commissioner, Albany County DPW
Mr. Chris Meyer, O. J. Meyers & Son, 4 Vly Rd Albany NY 12205