



May 15, 2020

Chairman John Bartow
Town of Milton Planning Board
503 Geyser Road
Ballston Spa, NY 12020

Re: Rowland Street Subdivision (Major)
Rowland Street (County Rt 47)
Tax Map 203.00-3-11.1
MJ File: 703.20

Dear Chairman Bartow & Planning Board Members:

MJ Engineering and Land Surveying (MJ) has reviewed the submission for the above referenced application within the Town. Documents received for our review included the following:

- Plan set entitled, "Rowland Street Residential Subdivision" 19 sheets in total as prepared by Lansing Engineering, P.C. and last revised April 14, 2020;
- Full Environmental Assessment Form dated April 14, 2020;
- Stormwater Pollution Prevention Plan as prepared by Lansing Engineering, P.C. and last revised April 13, 2020;
- Water Supply Report as prepared by Lansing Engineering, P.C. and dated April 2020;
- Correspondence from Lansing Engineering to Supervisor Zlotnick dated April 20, 2020 regarding servicing the project site with public water;
- Correspondence from Lansing Engineering to Chairman Bartow dated April 15, 2020 regarding a waiver request from Section 154-19(A)(5)(b) of the Town's Subdivision Regulations; and;
- Response to comments as prepared by Lansing Engineering, P.C. and dated April 15, 2020.

Based upon our review of the above documents, we offer the following comments for consideration.

State Environmental Quality Review

1. The Town of Milton Planning Board requested Lead Agency status from interested/involved agencies on January 28, 2020. During the 30-day coordination period, no other agency contacted requested Lead Agency status. As such, the Milton Planning Board may assume Lead Agency status.
2. The applicant has submitted a revised Part 1 of the FEA. Based upon our review of the submitted Part 1 of the FEA, the following comments are offered:
 - a. Part D.1.b.b: The updated response indicates a disturbance of 18.15 acres. This does not match the area of disturbance stated on Question 4 of the NOI which indicates 17.9 acres of ground disturbance.
 - b. Part D.2.c.iv: The updated response indicates that the site will be serviced with water via an out of district user to the Village of Ballston Spa. The applicant has submitted a request to the Town of Milton confirming the Town has no desire to form a water district. The manner in which the project will be legally serviced water shall be confirmed prior to the Planning Board making a SEQRA determination.
3. Based upon the information submitted to date, Part 2 of the FEA has been reviewed with potential impacts identified for the Town Planning Board's review. The purpose of Part 2 is to generally identify areas where significant environmental impacts may occur. This allows the Planning Board to request additional information from the applicant to document the extent of the impact. The following items were identified in Part 2 and additional information should be provided responding to the items below.
 - a. Impact on Groundwater – The proposed action may have a water supply demand that exceeds the safe and sustainable capacity of the local supply (Village of Ballston Spa). The Village, by correspondence dated April 29, 2014 and as part of the SEQRA Lead Agency coordination from 2020 has indicated they have the ability to



provide potable water to the project under certain terms and conditions. It is understood that the Village continues to examine the viability of servicing the project. An updated response should be provided to the Town confirming their ability to service the project to support the Planning Board's SEQRA evaluation. There should also be a determination whether the NYSDEC will permit the Village to service an area that may be outside of their approved service area or if their service area needs to be extended to include the project site. This may be addressed as a condition of approval, should the Planning Board consider acting on the application.

- b. Impact on Plants and Animals – Part 1 of the FEAF indicates there are rare plants and/or animals within or in proximity to the project site. The applicant's response indicates that the habitat study is being completed and will be provided to the Town. Upon submission of the noted report and assuming it identifies there will be no impact or appropriate mitigation will be put in place, this matter may be resolved in terms of the Planning Board's SEQRA evaluation.
- c. Impacts on Historic and Archeological Resources –Part I of the FEAF notes the archeological resources being present on the site. A "no effect" letter or letter of concurrence on the avoidance plans will be required from SHPO. The applicant's response indicates the study is being completed and will be provided to the Town and SHPO. Upon submission of the noted report to SHPO, assuming it identifies there will be no impact or appropriate mitigation will be put in place and SHPO issues a "no effect" letter, this matter may be resolved in terms of the Planning Board's SEQRA evaluation.

Subdivision Plans

4. As noted in Comment 7 of our January 6, 2020 review, Section 154-19(A)(5)(b) of the Town's Subdivision Regulations specifies that each lot permitted to front on a county or state highway shall provide for an improved on-site turnaround so as to obviate the necessity of any vehicle from backing onto such highway. Similar provisions on Town highways shall be encouraged. The submitted plans have been adjusted where lots that have frontage on Rowland Street are provided with driveway access from the proposed Town roads. It is our opinion that the revisions comply with the Town's Subdivision Regulations.
5. As noted in Comment 8 of our January 6, 2020 review, Section 154-19(B)(3) of the Town's Subdivision Regulations specifies that subdivisions containing 20 or more lots shall have at least two connections with existing public streets. The project proposed 32 residential lots with 1 frontage lot on Rowland Street, 11 lots on Road A and 20 lots on Road B. A waiver request has been submitted by the applicant that includes justification. To strengthen this waiver request, it is recommended it provides explicate citations from the International Fire Code which may discuss the maximum number of homes allowed on a dead-end street and at what point project specific mitigation is required (i.e. automatic sprinklers). Should the Planning Board grant the relief requested, the plans shall provide notes indicating the waiver has been granted.
6. As noted in Comment 9 of our January 6, 2020 review, Section 154-19(C)(1) of the Town's Subdivision Regulations requires that the owner shall offer between 5% and 10% of the total land, to the Town for purposes of parks and public open space. Alternatively, per Section 154-19(C)(3), a payment in lieu of dedication may be acceptable as determined by the Town Planning Board. The plan submitted suggests no land will be offered as part of the project. The Planning Board will need to review the proposal for what appears to be an offer of payment in lieu of for public land to ensure it is acceptable.
7. As noted in Comment 15 of our January 6, 2020 review, it was requested to provide available sight distance at each of the new roads considering the 85th percentile travel speed along Rowland Street. The requested analysis is provided on Sheet COV-1. The posted speed limit appears to be utilized for this analysis. As previously noted, a sensitivity analysis shall be completed for the 85th percentile speed.
8. There is a note on Sheet COV-1 indicate the "contractor shall verify site distances upon completion of construction and trim any vegetation that has encroached on the site lines". The plans shall identify where such clearing may be necessary whether it is within the parcel boundaries, along the County right-of-way or on private property, north and south of the parcel. If the selective clearing is on private property, the applicant shall gain approval from the private landowners in advance of approval of the subdivision to conduct required clearing.
9. The project proposed Conservation of Natural Areas as one of the green infrastructure practices. Conservation of Natural Areas shall be located within an acceptable conservation easement instrument that ensures perpetual



protection of the proposed area. The easement must clearly specify how the natural area vegetation shall be managed and boundaries will be marked. Subsequent plans shall clearly define this area as an easement with description provided during the final stages of the project's review. Since these will be on individual lots for sale, prospective landowners shall be advised of these restrictions with deed restrictions in addition to the require easement.

Sanitary Sewer Report

10. The technical analysis contained within the Sanitary Sewer Report is subject to the review and approval by the SCSD No. 1 and NYSDEC. The Town shall be provided copies of approvals, if and when received.

Water Report

11. The technical analysis contained within the Water Report is subject to the review and approval by the Village of Ballston, NYSDOH and/or NYSDEC. The Town shall be provided copies of approvals, if and when received.

Lansing Correspondence dated April 20, 2020 regarding Water Supply

12. The applicant has requested that the Town of Milton confirm they have no interest in forming a water district for the project. This topic should be resolved prior to the Planning Board making a SEQRA determination.

Stormwater Pollution Prevention Plan

13. As noted in Comment 32 of our January 6, 2020 review, the SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.4 of GP 0-20-001 with respect to threatened and endangered species. The applicant's response indicates that the noted study is being completed and will be provided to the Town. Upon submission of the noted report and assuming it identifies there will be no impact or appropriate mitigation will be put in place, the project will be eligible for coverage pursuant to Part I.F.4 of General Permit GP 0-20-001.
14. As noted in Comment 32 of our January 6, 2020 review, the SWPPP shall include documentation that the project is eligible for permit coverage pursuant to Part I.F.8 of GP 0-15-002 with respect to historic properties. This includes archeological and cultural resources. The applicant's response indicates that the noted study is being completed and will be provided to the Town. Upon submission of the noted report and a "no effect" letter issued by SHPO, the project will be eligible for coverage pursuant to Part I.F.8 of General Permit GP 0-20-001.
15. The submitted SWPPP includes a draft NOI. The following comments are offered:
 - a. Question 4 notes 17.9 acres of disturbance. This does not match Part D.1.b.b: of the FEAF which states 18.15 acres.
 - b. Once the SWPPP has been deemed acceptable and project has received all regulatory approvals, Pg 6 shall have the signature of the design professional and Pg 14 shall have the signature of the owner/operator.

Should the Town or applicant have any questions concerning the above comments, please do not hesitate to contact me at (518) 371-0799.

Sincerely,

Joe Bianchi, P.E.
Municipal Engineering
Group Manager

cc: William Lewis, Town of Milton
Tina Blanchard, Town of Milton
Dave Forbes, Highway Superintendent
Rebecca Dreher, Town Highway Department
William Keniry, Esq Planning Board Attorney
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