

M. A. Day Engineering, PC

3 Van Wyck Lane
Suite 2
Wappingers Falls, New York 12590
Phone: 845-223-3202
Fax: 845-223-3206

August 28, 2008

Alexander Ciesluk
New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, New York 12561

Re: Summit Woods Residential Subdivision
175-unit Cluster Subdivision
Town of East Fishkill
Dutchess County, New York

Mr. Ciesluk,

Pursuant to our meeting of June 19, 2008, I am submitting a Joint Application for the NYSDEC permits that are required for the Summit Woods Subdivision application. I offer this cover letter as a description of the Action as well as a description of modifications that we have made based on input we have gathered from different agencies.

Description of Action:

The Applicant, ABD Fishkill LLC, intends to develop a property consisting of 325.22 (+/-) acres for the creation of a 175 lot single-family residential development. The project consists of five separate parcels, located on State Route 52 near the intersection of Route 52 and Primrose Lane, Southern Drive, and Stormville Road. The Applicant intends to develop 100% of the site, disturbing approximately 45% of the property and leaving the remaining land (steep slopes and wetlands) as open space. The site contains portions of two wetlands (PQ-17 and HJ-49) that are regulated by the NYSDEC.

Wetland Disturbance & Stream Crossing:

The project will involve the construction of approximately 14,000 lineal feet of roadways throughout the project site (Refer to section 10 of the attached application for subdivision plans). Construction of the entrance roadway (Summit Woods Boulevard) and utilities will impact the 100' adjacent area for two wetland areas (refer to sheet 7 of 18). We will be mitigating this impact by use of proper soil erosion control measures along the roadway corridor. This impact on the wetland buffer will require a permit from your department.

There shall be a wetland crossing over a narrow portion of PQ-17 (as shown on sheet 7 of 18) for the Stony Brook roadway. Originally there were two crossings over the wetland in order to allow Stony Brook roadway to loop back onto Summit Woods Boulevard. However based on discussions with your department the second crossing has been eliminated. The remaining crossing will be made using an arched bridge (refer to the drawings provided in Section 9 of the attached Joint Application). The arched bridge will have an opening 48' by 8' high to minimize impacts to the wetland area and to allow wildlife to cross under the bridge.

Water and Sewer Utilities:

The site shall be served by central water and central sewer facilities. The accompanying Joint Application document contains an application for a Water Supply Application (WSA) and a SPDES permit application for the proposed sanitary outfall.

An Engineering Report for the design of the water supply system has been provided in the Joint Application document along with a W-1 application and Water Conservation Program Form. The Hydrogeological Report which was prepared for the DEIS is also included in the accompanying Joint Application document. The hydrogeological report addresses the concern that was raised concerning the draining of the wetland. As part of the report, piezometers were installed in the wetland to determine if the pump tests adversely affected the wetlands. The conclusions from Leggette, Brashears and Graham report was that there was no impact on the wetlands since the wells are tapped into a confined aquifer separate from the wetlands.

With respect to the sewage treatment plant; I have offered a preliminary Engineering Report for the proposed sanitary sewage treatment plant in the accompanying Joint Application document. For the most part, this report describes the type of treatment and preliminary design calculations for the components of the system. However, this report may need to be modified based on the final effluent parameters conditioned in the SPDES permit. I wish to point out that the proposed sewage treatment plant will provide tertiary treatment to remove any phosphorous, nitrogen or other parameters that your department may require further reduction. The discussion of tertiary treatment in the Engineering Report is limited since the final parameters and treatment methods are not known at this time. Tertiary can be accomplished using rapid sand filtration, open lagoons or other measures your department deems appropriate. It is the Applicant's intention to provide a treatment plant design that offers a polished effluent.

As discussed with your department, any utility crossings that need to be made through a wetland will be done using directional boring technology to eliminate any impacts to wetlands. There shall be no cut and cover through wetland areas.

The Applicant is willing to connect or share water and sewer utilities with the Montage at East Fishkill project (a proposed 125-unit project immediately to the west of the Summit Woods project) provided it is a possibility at the time of construction.

Stormwater:

The site shall be served by a series of retention and detention basins that will be designed to reduce quantitative impacts as well as qualitative impacts to the existing wetland areas. These basins shall be designed in accordance with current EPA phase II regulations as a minimum. We have discussed an interest in utilizing a design for the proposed basins that exceed the EPA requirements by utilizing a bio-filter discharge which will consist of a 10' wide trench where the outfall from the ponds will discharge into. Refer to the 11"x17" typical pond detail located in Section 9 of the Joint Application document.

As you can see from the detail, we are trying to provide a long narrow trench immediately adjacent and downstream of the basin to provide "polishing" of the discharge prior to being discharged into the wetland. Sediment carry-over using this type of design is greatly reduced since the stormwater velocity is reduced to a point where sediments can not remain in suspension.

Endangered & Threatened Species:

I have included the reports prepared by both the Chazen Companies and Ecological Solutions in the Joint Application document for your further review.

Plan Modifications:

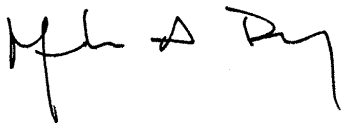
As part of comments, discussions, concerns we have had with various agencies, we have modified the subdivision plan as follows:

1. The lots have been reduced in size so that the boundary lines of the proposed lots adjacent to a wetland are limited by the limits of the 100' buffer or adjacent areas. This will help to eliminate homeowners from developing in these areas. The wetland buffer areas will remain as part of the open space or common area.
2. The second crossing of the PQ-17 wetland has been eliminated as discussed. The remaining crossing shall be made using a bridge arch having an opening of 48' wide x 8' high to minimize impacts to the wetland and the adjacent areas. This will also provide an opening large enough to allow wildlife to pass.
3. The stormwater basins have been removed from the adjacent areas. As discussed herein, the basins will be provided with a bio-filter swale to provide for further polishing of the stormwater prior to being discharged into the wetlands.
4. All utilities that shall cross under a wetland will be done using directional boring technology. This will further eliminate impacts to wetlands and adjacent areas.
5. The proposed sewage treatment plant will be designed utilizing tertiary treatment to provide polishing of the effluent prior to discharge. The final design of the tertiary treatment shall be based on the SPDES effluent limits imposed by your department.

At this point, as discussed in the June 19, 2008, meeting, we respectfully submit this information to your department for review, comment and eventual issuance of the necessary permits for this project.

Please feel free to contact me for any further information you may need as part of this application.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark A. Day". The signature is stylized with a large "M", a small "A", and a long, sweeping "D" that ends in a hook.

Mark A. Day, PE

cc: Mr. Dan Gueron – Applicant
File