

VILLAGE OF COLD SPRING PLANNING BOARD
85 MAIN STRET, COLD SPRING, NEW YORK 10516
Workshop meeting for Scenic Hudson
“Upper Dam”

October 28, 2008

Present: Chairman, Ransom Taggart; **Members:** - Joseph Barbaro, Joseph Immorlica & Arne Saari
Member absent: Placito Sgro

Also present: Mr. Rob Cameron, Planning Board Consultant, from Putnam Engineering.

West Point Foundry/Scenic Hudson:

Present for the applicant were:

Joe Kiernan; Scenic Hudson

Michael Fishman; Stearns and Wheler, LLC. Environmental Engineers and Scientists

Also present: Doug Logan

The applicants are requesting the removal of the top portion, about 2 ½ feet, of the upper dam on the Scenic Hudson property to prevent most of the flooding on Mr. Logan's property and removal of bricks from the lower portion of the stream. It is believed that by lowering the elevation of the impoundment the silt will move further downstream. However, it is not believed that the removal of two layers of stone will prevent all flooding for example it would not prevent flooding from 10 year storms but should prevent seasonal flooding. The Board members and the applicants reviewed the Critique from Putnam Engineering (attached).

Mr. Cameron asked to have the approximate location of Mr. Logan's septic on the drawings. Mr. Cameron also asked for one map showing all information rather than the information being on several different maps.

Mr. Logan asked if Scenic Hudson would remove the 18-24 trees on his property that fell due to the water pooling on his property. Mr. Logan stated he would allow a representative on his property to evaluate the tree damage. Mr. Fishman will look into the tree damage situation and take his evaluation back to Scenic Hudson. Mr. Logan also noted that for several years, since 1940 the stream had been cleaned out. He would like scenic Hudson to clean out stream regularly. Mr. Logan was asked by **R. Taggart** to write a letter stating the applicants can enter his property holding them harmless.

Mr. Logan noted the location of the dam was wrong on the site plan. A correction will be made to the drawings.

A. Saari noted that reference to a letter dated July 23, 2008 from Mr. Fishman reads, that the proposed alteration to the impoundment structure will not compromise its structural integrity. Mr. Fishman's letter refers to a letter by Mr. Chris Kwasniewski which reads: In general, this proposed modification to the upper stone impoundment structure should not adversely affect its stability. **A. Saari** did not feel the word should be a strong enough word and asked if they would be liable if anything went wrong with the lowering of the dam. Mr. Fishman responded they would not since they did not design the dam.

R. Taggart asked if Stearns and Wheler would write a letter to the Planning Board assuring them that there is no problem structurally with the removal of two layers of stone to the dam. Mr. Fishman will get a letter from his firm.

R. Taggart asked if the applicants considered removing the dam. Mr. Fishman responded that it would be too costly to remove the dam and all sediment would have to be tested for contamination.

Chairman **R. Taggart** requested some time for Board members to review the material submitted by the applicants another workshop will be scheduled when a response from Mr. Cameron is received.

Mr. Freeman asked if the EAF form (Environmental Assessment Form) can be filled out since it takes time because Scenic Hudson would like to have this project finished before the spring flooding occurs.

J. Barbaro moved that the Village of Cold Spring Planning Board will declare themselves as lead agency. **J. Immorlica** seconded the motion. The motion was unanimously accepted.

Stearns and Wheler will send a form letter regarding the SEQR review to Mr. Cameron which will be sent to all concerned agencies including the Department of Environmental Conservation and the Army Core of Engineers and bordering towns including Philipstown and Nelsonville.

A. Saari moved to adjourn the meeting. **J. Immorlica** seconded the motion. The meeting was adjourned at 9:00 pm.

R. Taggart, Planning Board Chairman

Date