

~~NYC~~
~~2021~~
~~Date rec'd~~

December 9, 2021

Ms. Sarah Pellizzari
Shandaken Town Hall
P.O. Box 134
Shandaken, NY 12480

Re: **Notice of Intent to be Lead Agency**
Shandaken Inn Expansion
18-30 Lower Golf Course Road
Town of Shandaken; Ulster County, NY
Tax Map #: 4.20-1-21.100, 23 & 5.17-1-2
DEP Log #: 2006-AS-0299-SQ.1

Vincent Sapienza P.E.
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595

T: (845) 340-7800
F: (845) 334-7175

Dear Ms. Pellizzari and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Shandaken Planning Board's (Board) Notice of Intent to act as Lead Agency and short Environmental Assessment Form (EAF) for the above-referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed site is located in the Ashokan Reservoir drainage basin of the New York City Water Supply, and the proposed action involves merging of three (3) contiguous parcels (referenced above) to form one consolidated lot and the expansion of Shandaken Inn facility. The expansion involves the construction of four (4) single-family cabins and a 5,600 sq. ft. spa building to be served by a private on-site subsurface sewage treatment system (SSTS) and municipal water.

DEP's status as an involved agency stems from its review and approval authority for a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Section 18-39(b), and the commercial SSTS pursuant to Section 18-38 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations) and the Delegation Agreement between DEP and Ulster County Department of Health.

Based upon review of the submitted documents, DEP respectfully submits the following comments for the Board's consideration:

1. In general, the construction of an impervious surface within the limiting distance of 100 feet of a watercourse or wetland...is prohibited; however, this does not apply to creation of an impervious surface in the West of Hudson watershed within a village, hamlet or village

extension. As the proposed action is located in a designated "hamlet" and includes construction of impervious surfaces within 100-feet of a watercourse, DEP review and approval of a SWPPP is required.

2. Pursuant to Section 18-39(c)(4) of the Watershed Regulations, to the maximum extent practicable, no portion of such stormwater infiltration practice shall be located within 100 feet of any portion of the absorption field of a subsurface sewage treatment system.
3. As per Section 18-39(c)(5) of the Watershed Regulations, the stormwater pollution prevention plan shall be designed:
 - a. To minimize the alteration of the existing drainage areas and to maintain the volumes of flow at design points at pre-construction levels, except as necessary to alleviate downstream flooding problems or other adverse conditions in existence prior to construction, or to divert runoff from off-site and/or undisturbed areas away from areas proposed to be disturbed.
 - b. To minimize loss of annual recharge to groundwater by maximizing the use of stormwater infiltration practices where suitable soil conditions exist.
6. DEP must witness soil testing (i.e., deep hole test pits and percolation testing) in the proposed area of the stormwater practice(s). The applicant's representative may contact Curt Field at (845) 340-7222 to make arrangements.
7. With regard to the proposed intermediate sized sewage treatment system, as per Section 18-38(c)(7) of the Watershed Regulations, should it utilize electrically operated pumps, it will be required to have either a backup pump or a backup storage tank capable of holding two days' flow.
8. In addition, note that all proposed septic system components shall comply with the minimum separation distances identified in the New York State Design Standards for Intermediate Sized Wastewater Treatment Systems: Table B2 Minimum Horizontal Distance.
9. The site plan includes a note, "roadway to be widened as needed to establish a 15' wide traveled way, min;" however, the typical access/travel way section detail indicates the width as 20'. Please have the applicant clarify.
10. Moreover, the existing gravel roadway is proposed to be widened and paved. Therefore, improvements to the road are considered new impervious surfaces and will require stormwater runoff controls.

11. The limits of disturbance should be revised to account for construction vehicle access to and around all the proposed structures, underground utilities, overburden from excavations and material waste, borrow and storage areas.
12. The site plan should depict the stormwater treatment system(s) and any drainage improvements.
13. The 100-foot limiting distance to site watercourses should be shown on the site plan.
14. The onsite wetlands boundaries and their associated buffers are not shown on the plans and should be shown on all plans as indicated in the construction schedule on Sheet 3 of 3.
15. The plan provides no detail regarding trees and shrub types and quantities. A planting list should be provided that includes species names, quantities and sizes for review.
16. The landscaping notes calls for fertilizer. Generally, the majority of soils in the region are suitable for planting without the added use of chemical fertilizers. It is recommended that a certified soil lab that tests for fertility test the soil before any fertilizer is added.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarci@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia, Supervisor
SEQRA Coordination Section

X: A. Puccio, UCHD
J. Petronella, NYSDEC
Peak Engineering



Shandaken Building Dept. <shandakenbldg@gmail.com>

FW: 3-5150-00445 Shandaken Inn

2 messages

Nadine Carney <NCarney@peakengineeringllc.com>
To: "Shandaken Building Dept." <shandakenbldg@gmail.com>

Wed, Dec 8, 2021 at 3:20 PM

Sarah,

Email from NYSDEC regarding SEQR -

From: Grosso, Mike V (DEC) <mike.grosso@dec.ny.gov>
Sent: Tuesday, December 07, 2021 9:35 AM
To: Info <Info@peakengineer.com>
Subject: 3-5150-00445 Shandaken Inn

Good morning,

NYSDEC Permits recently received a SEQR Lead Agency Coordination Letter from Town of Shandaken regarding an expansion of use and lot consolidation at the Shandaken Inn. We don't have any comments at this time on the substance of the application as we probably would not be able to get them to you in a timely manner. However, when you are ready to submit the actual application for this facility for a SPDES MOD, please ensure to send sufficient copies for our use. We prefer digital copies, but we need three (3) hard copies if digital cannot be provided. Please cc myself and dep.r3@dec.ny.gov

Thanks and we will await your application,

Mike Grosso

Environmental Analyst, Division of Environmental Permits

New York State Department of Environmental Conservation

Ulster County Planning Board



Dennis Doyle, Director

Sam Spata
Planning Board
P.O. Box 134
Shandaken, NY 12480

RECOMMENDATION

REFERRAL NO: 2021-222

2021-223

DATE REVIEWED: 12/1/2021

Re: Shandaken Inn – Special Permit and Site Plan Review

Summary

The applicant is proposing to expand an existing inn through the construction of four (4) new cabins with accompanying parking and a new spa building. The project is located at 18-30 Lower Golf Course Road (Off Route 28) in the R-1.5 zoning district.

The following materials were received for review:

- Original application including Site Plan Checklist dated 9/8/21
- SEAF dated 9/8/21 with the addition of DEC written in on question 2
- SEAF with parcel viewer appendices
- Shandaken Planning Board referral form
- Lot Merger Survey
- Site Plan 3 sheets include proposed driveway improvements, soil erosion, and sediment control plan and details.
- Cut sheets for the proposed outdoor lighting fixtures
- Cut sheets include photometric output graph information
- Proposed building renderings and preliminary floor plans for the cottages (2 options)

Recommendations

County Right-of-Way

The plans provided indicate gravel parking within the County right-of-way. Photos of this parking area and fill were taken during walk-through by County Employees County during an assessment of the overall corridor. The applicant may also have installed signage for hotel guests in the County-right-of-way regarding a nearby swim hole. See photos below:

Required Modification

A permit from Ulster County DPW would be required for this activity on the Ulster County Right-of-Way. No evidence has been provided that the applicant has permission for filling in over the tracks or the Ulster County right-of-way. A review of County records does not turn up any approvals for a parking area or trailhead at this location. Therefore, unless the applicant can verify they have a permit for their activities, the fill, and any signage will need to be removed from the County right-of-way and the tracks uncovered as a condition of approval. The parking area will also need to be removed from the plans. We recommend following up with UC DPW to verify the fill has been removed or a permit has been granted before granting final site plan approvals.

NYC and DEP Health Department

The applicant appears to be proposing an on-site septic facility for the proposed cabins and spa. The materials provided indicate that the applicant has met with both of these agencies on November 3rd, but no indication of the outcome of that meeting or final permits have been included in the materials submitted for review.

Required Modification

The applicant will need to provide evidence they have adequate sewage capacity to handle the proposed expansion.

Final Lot-Line Consolidation Plan

Based on the materials provided it appears that a lot-line consolidation will be occurring as part of this proposal.

Required Modification

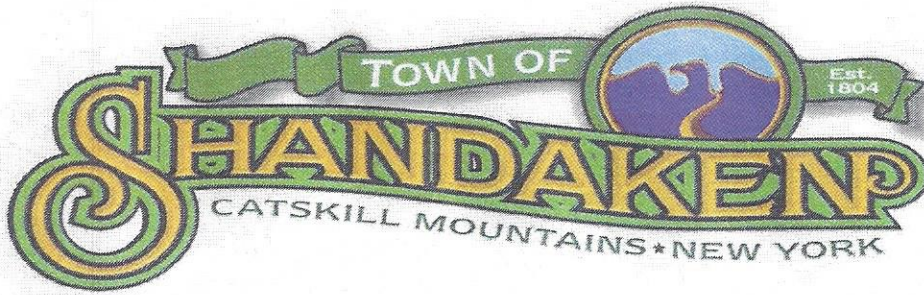
A final lot-line consolidation survey should be provided to the Town Planning Board for review.

Reviewing Officer



Robert A. Leibowitz, AICP
Principal Planner

Cc: Vivian Welton, UCPB



Supervisor: (845) 688-7165
Police: (845) 688-9902
Town Clerk: (845) 688-5004
Justice Court: (845) 688-5005
Assessor: (845) 688-5003
ZBA/ZEO/Planning: (845) 688-5008
Highway: (845) 688-9901
Fax: (845) 688-2041

"The Heart of the Park... Where the Eagle Soars"

www.shandaken.us

7209 Rte. 28, Shandaken, NY 12480

Town Planning Board:
RE: Shandaken Inn

January 6 2022

It has come to our attention that the Shandaken Inn has applied for a special use permit. The Town of Shandaken Highway department is requesting that prior to approval of said special use permit that the 3 boulders and sign encroaching on the towns right of way along "Lower Golf Course Road" be removed. Thank you in for your prompt understanding on this matter.

A handwritten signature in black ink, appearing to read 'Eric Hoffmeister', is written over a horizontal line.

Eric Hoffmeister
Town of Shandaken Highway Superintendent