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|  | Village of Nyack Village Planner |

Memo

To: Chair and Members of the Nyack Planning Board

Cc: Village Attorney, Building Inspector

From: Bob Galvin, AICP – Village Planner

Date: 7/27/20

Re: Nyack Hospital Parking Garage – Review of Public Comments re: LEAF Part 1

**As part of the Planning Board’s SEQRA review, I have reviewed and provided the Planning Board with the Part 2 of the EAF. This identifies the relevant environmental areas that may be impacted by the proposed activity. *Based on public comments at the Board’s July 6, 2020, the Part 2 had been slightly modified to include a review by the Applicant of possible water issues at the Ballfields site.***

**I have reviewed the Applicant’s Part 1 of the long form EAF based on public comments at the Planning Board’s July meeting. I have listed the specific questions in the EAF Part 2 that were commented on by one or more members of the public. My response for each item is listed under response. The Applicant has re-submitted a revised LEAF Part 1 in response to this review.**

**Brief Description of the Proposed Action -**

**Public Comment: *Describes a 4 ½ story parking garage. The parking garage as indicated on the plans is proposed to be six levels including the ground level and the roof.***

**Village Planner Response: *The description has been verified by the Building Inspector – the apparent discrepancy is related to how the Village Code defines stories and the establishment of the grade plane from which the calculation of stories is made by the Building Inspector.***

**D.1.g - Height**

**Public Comment: *The applicant listed a height of 55.05 ft. The height on the plan is 65.0 ft*.**

**Village Planner Response: *Based on the Building Inspector’s review of the plans and based on the Code, the Building Inspector has calculated that the building is 5 stories at 55.97 feet high*. The comment on a height of 65’ on the plans may have been measured to the top of the stair bulkhead which is not counted in height calculation according to the Code.**

***Note that the garage is proposed to be setback 46 feet 11 inches from property line at Sickles Avenue and 62 feet from property line at North Midland Avenue.***

**D.2.e – Stormwater runoff**

**Public Comment: *The applicant has stated “No” that there will be no stormwater runoff on the 2+ acre site during construction of post construction. How do we know this?***

**Village Planner Response: *This should be marked as “Yes”.***

***The question is dealt with in EAF Pt 2 - Category # 5 – Impact on Flooding which has been marked as having a potential impact on flooding. Other impacts are marked under this category – noting that public comments discussed current conditions regarding underground water under the proposed structure and ballfields site & potential water damage. The Applicant has developed a Stormwater Pollution Prevention Plan (SWPPP) for the Hospital site together with stormwater management plans and Erosion and Control (E&C) plans and is in the process of developing a separate SWPPP with stormwater management and E&C practices appropriate for the ballfields site. These will be reviewed and evaluated by Eve Mancuso of Brooker Engineering, the Village Engineer. A Stormwater Maintenance and Inspection Agreement will be submitted for each site and filed with Rockland County before any building permit can be issued.***

***Question D.2.e is not listed under the EAF Pt 2 categories related to impacts on surface water (#3) or impacts on groundwater (#4).***

**D.2.m – Noise Levels**

**Public Comment: *Regarding the applicant stating that ambient noise levels will not be exceeded during construction, operation, or both. How do we know that?***

**Village Planner Response: *This section on the EAF Pt 2 Impacts on Noise, Odor and Lights has been marked “Yes”. Other impacts have been noted as follows “New lighting proposed on Hospital site and lighting at temporary parking lot at ballfields site” .***

***Also noted that construction hours are proposed to extend from 8 am - 4 pm on Mondays through Fridays with no weekend construction.***

**D.2.o – Odors**

**Public Comment: *The applicant stated “No” on the potential to produce odors for more than one hour a day. Again, how do we know this? How do we know that there will not be an increase in pollution from carcinogens, VOCs, and CO2 emissions?***

**Village Planner Response: *The questions in #16 – Impacts on Human Health have been reviewed . These deal with use of pesticides during construction or operation, use as a solid waste disposal site, hazardous waste management or past history of contamination. None of the questions in this category reach the threshold for further review***.

**E.1: Land Uses on and surrounding the project site**

**Public Comment: *All uses that occur on, adjoining and near the project are not checked off.***

**Village Planner Response: This comment is correct. The applicant should check off Residential (suburban) and in Other add BOCES school and Ballfield.**

**E.1.c – Property used by the members of the community for public recreation**

**Public Comment: *The project sites include the ball field at McCallum Field.***

**Village Planner Response: The Planning Board is well aware of this issue since it is an integral part of the project. This is governed by the Nyack School District and is recognized as a temporary use.**

**E.1.d. – Facilities serving children, the elderly, and people with disabilities within 1,500 feet of the project site.**

**Public Comment: *The applicant does not list all of the facilities within the neighborhood. There are two licensed daycares and a group home.***

**Village Planner Response: Applicant can add *Children of America Nyack, Nursery School of the Nyacks and Camp Venture Engle House*. A list does not need to be fully comprehensive. This question relates to the issue of blasting on the site or impacts on human health. The Project will not use blasting but use standard excavation methods. The questions in Category # 16 – Impacts on Human Health such the property’s use as a solid waste disposal site, hazardous waste management or past history of contamination have been reviewed. None of these questions reach the threshold for further review.**

**E.2.h – Surface water features**.

**Public Comment: *This section is incompletely filled out.***

**Village Planner Response: Commentator has not read the question correctly. It is filled out according to the instructions on the form. The instructions state that if Yes to either i or ii continue; If No, skip to E.2.i. This is what the applicant did in filling out the question properly.**