

APPENDIX 2 J.
FIRE DISTRICT CORRESPONDENCE

FIRE DEPARTMENT, CORNWALL, N. Y.
ESTABLISHED 1929 AS

The Canterbury Fire District

P. O. Box 106
Cornwall, NY 12518

2 August 2007

Town of Cornwall Planning Board
183 Main Street
Cornwall, New York 12518

**ATTENTION: NEIL NOVESKY, CHAIRMAN
PLANNING BOARD MEMBERS**

**SUBJECT: TOWN OF CORNWALL
CORNWALL COMMONS - WATERMAIN PLAN REVIEW**

Dear Chairman Novesky and Planning Board Members,

Thank you for requesting this department's review of the watermain plans for the subject plans. We would request that this department be informed of any of the individual site plans for commercial uses within the subdivision prior to your agency approving them. We would gladly provide comments regarding access and fire protection.

Based on our review of a plan sheet, Sheet 1 of 1, prepared by Lanc and Tully Engineering and Surveying dated 19 June 2007, we offer the following comments:

1. It is noted that these comments are only valid for that portion of the project located within the Canterbury Fire District. This parcel of property previously crossed the Town of Cornwall/Town of New Windsor lines and by Town Board action, the Town line and many of the associated special districts were modified in the vicinity of the project. During this process, the Fire District was assured by representatives of the Town and the Applicant (See Public Hearing minutes) that petitions would be filed to modify the Fire District boundary to coincide with the Town line to eliminate problems associated with the Fire District boundary crossing the project site.

Based on a review of the plans to date, many structures proposed on the site are located within both Fire Districts. This must be addressed either by revisions to the plans, moving structures outside of the Fire District boundaries, or completing the modification to the Fire District boundaries as was previously identified.

I have provided a marked up copy of the map provided identifying the current Fire District boundaries. I believe that plans are required to show all special district boundaries within projects. A review of the marked up plan identifies the numerous structures which currently cross Fire District boundaries. This situation can result in incorrect dispatching of emergency

services resulting in public safety, liability issues and problems associated with assessments should the Planning Board continue to allow structures to be placed across Fire District boundaries.

We would request that all plans submitted show the appropriate special district boundary for both this department and your offices' use. In addition, we would suggest the Planning Board submit plans to the Vails Gate Fire District for their review and approval as approximately twenty-five (25%) percent of the project currently lies within their jurisdictional boundaries.

2. All commercial and multi-family units should be equipped with a Knox-box lock system to provide access for Fire Department personnel.
3. Details of the emergency access drive gate an access control system should be provided for the gate in the area of Frost Lane.
4. Relocate proposed hydrants as close to intersections as feasible on Route 9W to allow hydrant access to the site and to the Route 9W corridor which currently does not have fire protection water.
5. Water flow and pressure analysis should be provided documenting adequate fire flow for all structures proposed, while providing adequate pressure and potable water to the remaining portion of the project site.
6. The road widths appear to be narrow throughout the project site, however, this is difficult to evaluate at the 200 scale maps. Projects of this scale must have adequate width for access and emergency vehicles. Vehicles parked on roadways will hamper emergency response vehicles. Roundabouts utilized within the project site must be analyzed to assure fire apparatus can access the project site based on the design turn radi.
7. It is difficult to determine where watermain sizes change on the site as all watermains depicted on the map provided with a blue colorization.
8. Eight (8") inch diameter watermain provided in front of the two hundred (200) by sixty-eight (68') foot eighty (80) to hundred and four (104) room four (4) story building and pad site located within the Canterbury Fire District at the northerly Route 9W access drive should be evaluated for adequate water supply. This main is designed as a "dead end". Individual site plans will be required for review of the access and on-site hydrant locations.
9. Plans on a much smaller scale than the one in Sheet 200, would be helpful for review of access issues within the multi-family portions of the project.

Please feel free to contact the undersigned should you have any questions or comments regarding this matter.

Very truly yours,



Patrick J. Hines
Chief of Department

Cc: Board of Fire Commissioners

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July 14, 2005

The Canterbury Fire District
P. O. Box 106
Cornwall, NY 12518

Vails Gate Fire District
872 Blooming Grove Turnpike
New Windsor, NY 12553

Re: Alteration of Fire District Boundaries
Our File 203-143

Dear Fire District Commissioners:

This office represents Cornwall Commons, LLC, which owns vacant property located in the Town of New Windsor and the Vails Gate Fire District and adjacent vacant property in the Town of Cornwall and the Canterbury Fire District. The property is located on the northwest side of State Route 9W. The property in the Vails Gate Fire District is designated as Town of New Windsor Tax Map No. 37-1-45.1 and contains 53.8 acres of land. The adjacent property in the Canterbury Fire District is identified as Town of Cornwall Tax Map No. 9-1-25.2 and contains 143.68 acres of land.

Cornwall Commons, LLC, submitted a petition to the Town of New Windsor and Town of Cornwall Town Boards to annex the New Windsor property into the Town of Cornwall. A public hearing on the annexation was held on July 12, 2005. A map of the property is enclosed.

The boundary line between the two Fire Districts coincides with the boundary line between New Windsor and Cornwall. If Cornwall Commons' New Windsor property is annexed into the Town of Cornwall, it seems logical to alter the boundaries of the two Fire Districts such that the Fire District boundaries would continue to coincide with the new municipal boundary.

Accordingly, we respectfully request that you consider altering your Fire District boundaries to coincide with the new municipal boundary if the annexation is approved. State Town Law §172-a provides the procedure for the alteration of fire district boundaries. In brief, if the two Boards of Fire Commissioners determine that the alteration at fire district boundaries is acceptable, each Board must prepare and sign a memorandum of proposed boundary change and then hold a joint public hearing on the proposed boundary change. After the hearing, the Boards may adopt a joint resolution approving

the boundary line change and file that resolution with the Town Clerks of New Windsor and Cornwall for approval by each of the Town Boards. A copy of Town Law §172-a is enclosed for your review.

If you have any questions or comments, please feel free to contact me.

Very truly yours,



Michele L. Babcock

MLB/sac
Enclosures

cc: Cornwall Commons, LLC
Hon. Supervisor and Town Board of Town of Cornwall
Hon. Supervisor and Town Board of Town of New Windsor
James R. Loeb, Esq.
Philip A. Crotty, Esq.
Frank Simeone, Esq.

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IRA J. COHEN*

* Of Counsel

October 4, 2007

Vails Gate Fire District
872 Blooming Grove Turnpike
New Windsor, NY 12553

Re: Alteration of Fire District Boundaries
Our File 203-123

Dear Fire District Commissioners:

This office represents Cornwall Commons, LLC, which owns vacant property located in the Vails Gate Fire District and the Canterbury Fire District identified as Town of Cornwall Tax Map No. 9-1-25.22. The property is located on the northwest side of State Route 9W. The property in the Vails Gate Fire District contains 53.8 acres of land. The adjacent property in the Canterbury Fire District contains 143.68 acres of land.

The portion of this property in the Vails Gate Fire District was originally located in the Town of New Windsor. Cornwall Commons, LLC, submitted a petition to the Town of New Windsor and Town of Cornwall Town Boards to annex the New Windsor property into the Town of Cornwall. The annexation was approved by both Towns in October 2005. The boundary line between the two Fire Districts coincides with the Town boundary line between New Windsor and Cornwall.

It would seem logical to alter the boundaries of the two Fire Districts such that the Fire District boundaries would continue to coincide with the new municipal boundary. We recognize there are matters that need to be discussed. Accordingly, I respectfully request the opportunity to discuss this matter at your next meeting. Could someone give a call to Bridget here for a convenient time. Thank you.

Very truly yours,



Gerald N. Jacobowitz

cc: Cornwall Commons, LLC

**DRAKE LOEB HELLER
KENNEDY GOGERTY
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October 18, 2007

Planning Board
Town of Cornwall
183 Main Street
Cornwall, NY 12518

Dear Board Members:

Re: Our File No. 254 - 53632
PB Project #04-01

I am writing to you in connection with a letter to you from The Canterbury Fire District in which the Chief of the Department raised an issue concerning the boundary between the Canterbury Fire District and the Vails Gate Fire District. In his letter Chief Hines states that during the annexation process in which a portion of the Cornwall Commons previously located in the Town of New Windsor was annexed to the Town of Cornwall, the Fire District was assured the Fire District boundary would be modified to coincide with the Town line. The Chief stated that his review of the plans indicated that a number of structures are located within both Fire Districts. He suggests that either the plans need to be revised so that no structure is in more than one fire district or the district boundaries must be modified.

The Chief is correct. It was anticipated by the Cornwall Town Board, and I believe by the New Windsor Town Board as well, that the fire district boundaries would be modified. The procedure to modify the boundary of adjoining fire districts is set forth in Section 172-a of the Town Law. The action to modify the boundary must be taken by the fire districts which must agree to the proposed change to alter the boundaries in a written memorandum. Once the memorandum has been executed, the fire districts hold a public hearing on the proposal make the statutory findings and the proposed change must be approved by the Town Board.

I do not know whether the applicant has petitioned Canterbury Fire District and Vails Gate Fire District with the request to initiate the alteration of boundaries pursuant to Section 172-a. The Town Board does not play a role in the process until and unless the Fire Districts enter into a written memorandum of the proposed changes, hold the public hearing, make the statutory findings required by Section 172-a and adopt a resolution jointly approving the boundary

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line changes. It is at that point that the Town Board would be asked to approve the proposed change.

Very truly yours,

JAMES R. LOEB

JRL/ef/34883

cc: Hon. Richard Randazzo
Chief Patrick J. Hines
Michele L. Babcock, Esq.
Dominic R. Cordisco, Esq.
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John J. Lenc, P.E., L.S., P.P.
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John J. O'Rourke, P.E.
John D. Russo, P.E.

May 12, 2008

Board of Fire Commissioners
Canterbury Fire District
P.O. Box 106
Cornwall, NY 12518

RE: Cornwall Commons
Town of Cornwall
Response Letter

Dear Board Members:

A letter dated August 2, 2007 was issued by Fire Chief Patrick Hines, to the Town of Cornwall Planning Board, with regards to the Cornwall Commons project proposed in the Town of Cornwall. Since that time the plans have been revised to address the comments raised in this letter. The following are the responses to the comments raised by Chief Hines.

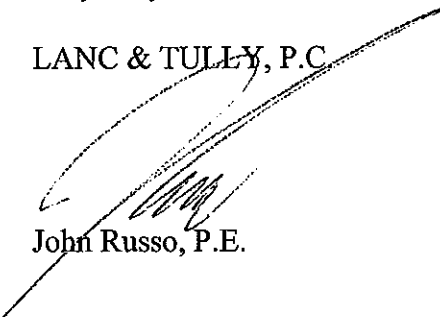
1. Plans dated April 28, 2008, have recently been forwarded to the Vails Gate Fire District, as well as your district. The plans contain three (3) sheets which show the overall project with the location of the fire district line, the width of all roads, the location of all proposed fire hydrants, and the turning movements for a Pierce 100 foot tower truck throughout the project roads. The Vails Gate Fire District has said it will cooperate with the Canterbury Fire District to agree on specific areas of responsibility with respect to both streets and improvements that are within both districts.
2. The commercial and multi-family units will be equipped with a Knox-box lock system. This information will be provided on the architectural drawings, when they are developed, for review by the Town's Building Inspector.
3. Gate details for the Emergency/Pedestrian Access from Frost Lane will be provided on the plan set.
4. Hydrants have been relocated closer to the intersections as requested, and additional hydrants will be added near the entrance roads from Route 9W.
5. The project is currently looking at three (3) alternatives for the supply of water to the project. Enclosed please find a copy of a report prepared by Stantec for the Village of Cornwall-on-Hudson, dated August 2, 2007, which analyzes the 3 alternative water supply routes, and also provides the available water pressures and fire flows available with each of the routes for the project site.

6. As previously noted in Comment No. 1 above, newly developed plans have been submitted to each of the fire districts noting the sizes of the roads, the location of fire hydrants, and showing the turning movements for an aerial rescue truck throughout the project site.
7. Information related to the size of the water mains can be found within the enclosed Stantec report, based upon the various alternatives. Currently, the project proposes to enter the site with a 12" line to supply sufficient fire flows to the project site for each of the water supply alternatives.
8. The water main along the near the northerly entrance to Route 9W has been upsized to a 12" line. Upon further development of the subdivision plans and site plans, a set will be forwarded to the fire district for review.
9. The plan recently submitted to the fire district, as noted in Comment No. 1, show the width the access aisles through the parking lot, and also show the movements of aerial fire truck throughout the site and multi-family area.

If you have any questions, or require any additional information, please do not hesitate in contacting our office.

Very truly,

LANC & TULLY, P.C.



John Russo, P.E.

Enc.

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May 2, 2008

Canterbury Fire District
P.O. Box 106
Cornwall, New York 12518

Re: Cornwall Commons- Site Plan Review
Our File No. 203-123

Dear Fire District Commissioner:

This office represents Cornwall Commons, LLC, which owns vacant property located in the Vails Gate Fire District and the Canterbury Fire District, identified as Town of Cornwall Tax Map No. 9-1-25.22. The property is located on the northwest side of State Route 9W. The property in the Vails Gate Fire District contains 53.8 acres of land. The property in the adjacent Canterbury Fire District contains 143.68 acres of land.

The applicant has submitted an application to the Town of Cornwall Planning Board for site plan approval for the residential component of the Planned Adult Community on Lot No. 10. Enclosed please find the following plans for your review and comment:

- (1) Fire District Plan 1. This plan depicts the overall project and shows the boundary between the fire districts.
- (2) Fire District Plan 2. This plan depicts Lot No. 10 and provides the width of each roadway and the location of the proposed hydrants. Note that there is no on-street parking allowed.
- (3) Fire District Plan 3. This plan depicts the movement of a fire truck throughout the project site.

Please provide any comments or suggestions. The project engineers believe the plans provide adequate access for emergency vehicles.

We would like the opportunity to review these plans with your Board and to specifically discuss any matters as to proposed access for emergency vehicles. Please direct your response to me. We have been told that these plans are not to be directed to Mr. Patrick Hines. Thank you.

Very truly yours,

Michele L. Babcock

Enclosures

cc: Cornwall Commons, LLC
Town of Cornwall Planning Board
John Russo, P.E.