

APPENDIX 2T.  
LETTER TO PLANNING BOARD RE:  
SEIS SUBMISSION DATED APRIL 23, 2008

**Cornwall Commons, LLC  
P.O. Box 503  
Highland Mills, NY 10930**

April 23, 2008

**Hon. Chairman Novesky  
Planning Board Members  
Town of Cornwall  
Town Hall  
183 Main Street  
Cornwall NY 12518**

**RE: Cornwall Commons, LLC  
SEIS**

Dear Chairman and Board Members:

We have received the minutes of the April 7, 2008 meeting as transcribed by the public stenographer. We have reviewed the same and the specific direction with respect to what is necessary for the SEIS to be determined complete.

It appears that you want the submission to include as an alternative, 40 foot wide streets with 28 foot wide pavement. This is not required by the PAC law, nor by any of your townwide road specifications. To provide you with that information as an alternative requires a substantial expenditure of time and money with the very distinct possibility that it will be rejected as not allowed under the PAC law or under the other road specifications.

In the course of considering the facts of that alternative, we have determined that a 40 foot right of way with a 24 foot wide pavement **WITHOUT PARKING** on **EITHER SIDE** will provide an unobstructed traveled way of 24 feet. A 28 foot paved road with parking on one side will provide a traveled way of less than 24 feet. Therefore, in the interest of safety, we submit that a 40 foot road right of way with a 24 foot paved roadway, without parking on either side will be at least equally safe and will have fewer environmental impacts.

A paved roadway of 28 feet wide will have various impacts since it will increase the area of impervious surface, will increase the volume of storm water run off, will increase the on site rate of run off, will increase the extent of quality treatment maintenance, will increase the area that will be disturbed in the course of construction, and will also significantly increase the development costs.

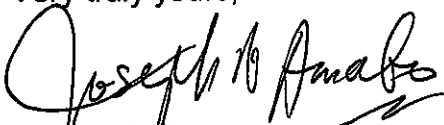
The election we made for this project to have private streets was based on and we were encouraged to do so, so as to provide significant benefits to the Town of Cornwall. Highway taxes would be paid, and there would be no demand on Town services for snow and ice control, street maintenance, street repairs, street reconstruction, curb maintenance repairs or construction, etc. In conversation prior to application with then Supervisor Randazzo, he made it very clear that he wanted private roads in the Cornwall Commons Planned Adult Community the submission made to the Town Board with reference to the benefits of a planned adult community for a special use permit, cited to private roads as a significant advantage and benefit to the Town. The focus now on public roads is disingenuous in view of the issues raised concerning the width of the paved roadway. The 24 foot wide paved roadway without parking will be unobstructed and will provide adequate access for emergency vehicles.

The balance of the 40 foot right of way will leave curbs, grass, and sidewalk, all of which provide additional width for the traveled way. Parking on the road could restrict access to that additional width.

The conditions of approval can impose no parking and with consent of the owner under the Vehicle and Traffic Law the Town can pass local laws prohibiting parking under penalty of violation of the Vehicle & Traffic Laws. The Homeowner's Association Rules and Regulations can be required to contain provisions that prohibit parking with penalty of fines to be imposed which will become liens against real property as a result of the administrative procedures that will be established by the rules and regulations. There is no reason to believe that these prohibitions will be ignored to any extent different than could be the case on numerous public streets throughout the Town that have paved roadways of 24 feet or less in width.

Requiring a study of an alternative of streets 50 feet wide with 28 foot paved widths is totally inconsistent with the spirit if not the letter of sensitivity to environmental concerns. More areas will be disturbed, less open space, there will be less attractive street designs, there will be more areas of trees and natural conditions intruded upon, and innumerable other impacts on the design of the project, the effect on natural conditions and the aesthetic qualities of the project as a community. The goals cited in your comprehensive plan and intended to be implemented through the PAC zoning provisions will be seriously undermined.

Very truly yours,

  
Joseph A. Amato

**Bridget Maniscalco**

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**From:** John Russo [jdr@lanctully.com]  
**Sent:** Wednesday, April 23, 2008 9:18 AM  
**To:** Michele Babcock; Gerald Jacobowitz  
**Cc:** kent65@frontiernet.net; jwc@lanctully.com  
**Subject:** Cornwall Commons Submittal Information

Michele & Gerry,

The following is part of the information you requested. Additional e-mails will follow with additional information for today's submittal.

Total length of 24' wide roads = 17,830 linear feet  
Total area of 24' wide roads = 17,830 x 24 = 427,900 square feet

Total length of 28' wide roads = 17,830 linear feet  
Total area of 28' wide roads = 17,830 x 28 = 499,240 square feet

Difference in pavement area = 71,320 square foot increase which equates to 16.7% increase in paved (impervious) area for roads.

The 71,320 square feet is also the area of decrease pervious grass area to allow for the increase in the road width.

Current prices for asphalt in place is approximately \$82.00 per ton. Based upon this, the additional cost to increase from 24' to 28' is approximately \$82.00 x 2642 tons (additional material to increase to 28' wide) = \$216,644.00. Additionally there is an additional cost for the increased amount of road subbase required. The additional cost for the road subbase to widen to 28' is  $71,320\text{sf}/9 = 7924.44\text{sy} \times \$18.00/\text{sy} = \$142,640.00$ . This equates to a total of additional cost of \$359,284.00.

With regards to the amphibian crossings, they will need to be increased by approximately 6 to 8 feet in length. If concrete arches or box culverts are to be used, this can be an increase in cost of \$1,050.00 to \$2,100.00

John Russo, P.E.  
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**LANC & TULLY, P.C.**

# Memo

**To:** Michele Babcock, Esq.

**From:** John Russo, P.E.

**CC:** Gerry Jacobowitz, Joe Amato

**Date:** April 23, 2008

**Re:** Cornwall Commons – Road Drainage

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Michele,

The increase (difference) in stormwater runoff from a 24' wide road to a 28' wide road is approximately 16.6%, which is comparable to the percentage increase in pavement for the roads.

John