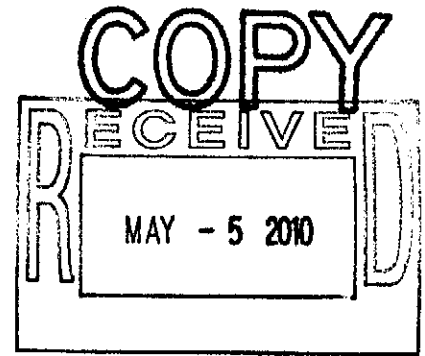


# SPECTRA

ENVIRONMENTAL GROUP, INC.  
ENGINEERING, ARCHITECTURE AND SURVEYING, PC



May 3, 2010

Hon. David Wylock, Co-Chair  
Hon. Valerie LaRobardier, Co-Chair  
Members of the Town of Dover Planning Board  
126 East Duncan Hill Road  
Dover Plains, New York 12522

Re: Rasco Materials LLC  
Response to Joseph P. Berger Letter to the  
Town of Dover Planning Board Dated 4/16/2010

Dear Co-Chairs Wylock and LaRobardier and Board Members:

This is in response to the April 16, 2010 letter from Joseph P. Berger, P.E., L.S. (Town of Dover Engineer) to the Town of Dover Planning Board. The letter listed all the items submitted by RASCO to date, acknowledged receipt of more recent submittals, and requested additional information be provided. The letter's comments are listed in italics the order they were presented and our response is provided below:

- 1. Topography is referenced to a map prepared by another surveyor. The map should be included in the package with a seal or the surveyor should seal figure 3.*

Response: This comment and subsequent correction was addressed in my letter-response to the Board dated January 13, 2010 (attached). The notes on the site plan were revised, and resubmitted, to reflect that the plan was not a survey but scanned from a map by J. Zarecki. The updated plan showing the correction is attached.

- 2. Provisions for sewage and water should be provided.  
The applicant is proposing a well and a storage tank for the sanitary waste. This will need to be shown on the plan and approved by the DCHD.*

Response: The location of the Trailer/Scale house containing lavatory facilities is identified on the site plan submitted with this transmittal. The approximate location of the well and septic tank will be in the immediate vicinity behind the new multi-use trailer. The final location will be identified once the Site Approval is received and RASCO can begin on-site preparations. The final location will be documented in the Final Engineering Report.

As agreed to by the DCHD engineer, Mr. Jim Napoli, a request for approval may be submitted to the Dutchess County Health Department upon conditional site plan approval by the Town of Dover Planning Board.

ONE CIVIC CENTER PLAZA, SUITE 401  
POUGHKEEPSIE, NY 12601  
(845) 454-9440  
FAX (845) 454-9206

19 BRITISH AMERICAN BOULEVARD  
LATHAM, NY 12110  
(518) 782-0882  
FAX (518) 782-0973

307 SOUTH TOWNSEND STREET  
SYRACUSE, NY 13202  
(315) 471-2101  
FAX (315) 471-2111

3. *The proposed use will bring truck delivery product very close to the ditch located near building A. Stormwater treatment should be provided along the road near Building A. This may include a bio retention swale or combination of grass swale and bio-retention. The discharge points for these treatments should be provided with dense vegetation so the discharge does not flow directly into the stream/ditch.*

***The proposal for a berm and bio- retention areas is acceptable. A section view is provided, however additional detail in plan view is required to show what will be constructed. A silt fence or other erosion control practice should be installed on the downhill side of berm.***

Response: A more detailed plan (including plan and cross-sectional view) will be provided upon conditional site plan approval by the Town of Dover Planning Board.

4. *Truck exiting Building A may need additional area than what is shown to make the turn out to the right. A turn around area should be provided if needed and the appropriate erosion control for construction provided as well.*

***Provided. Silt fence should be provided prior to construction at location of drive enlargement***

Response: A more detailed plan to include silt fencing will be provided upon conditional site plan approval by the Town of Dover Planning Board.

5. *The waivers requested should also have a reason for each waiver provided in narrative form. It is recommended that the following waivers not be allowed and information should be provided:*

*Table showing*

*Area of structure.....*

*Estimated number of employees*

*Number of Parking spaces.....*

*Plans for disposal of construction waste.....*

*Outdoor storage areas or a note saying no outdoor storage will be provided*

*Lighting details*

*Sign details*

*Location of Septic and water supply*

*Storm Drainage system*

*100 year flood plain or a note saying none exist onsite*

*A grading plan for truck turnaround if recommended.*

*Loading and unloading areas*

Response: These issues were addressed and explanations provided for each of the items in my January 13, 2010 letter to Chairperson Wylock (attached).

I will take this opportunity to correct item "g" (storm drainage system) in that response. There is a drainage ditch on the northeast side of the building (behind the weigh scale) which empties into a storm drain. The storm drain runs under the roadway alongside Building A and exits into a culvert which in turn discharges into the swale along the west side of the road adjacent to Building A. This system collects stormwater from the surrounding terrain southeast of Building A and is not affected by the RASCO operation.

Items such as signage, lighting, Bulk Table, etc. will be included on the final site plan.

6. *State whether any wetlands either federal or state are located on the site and if not based on what information.*

Response: Based on the U.S. Fish and Wildlife Services-National Wetlands Inventory (see attached map), there are wetlands on the Howland Lakes Partners property but none within the limits of activity of the RASCO operation. (Previously responded to in 1/13/10 letter to the Board).

7. *The condition of the building both structural and environmental are a concern. The building should be inspected to assure that it is structurally safe and the site should be reviewed to see if there are any environmental issues.*

***Structural evaluation has been provided from Spectra dated 10/10/06 and updated in 2010. The report is acceptable for structural analysis with a stipulation that all recommended improvements be done and an inspection and certification of the repairs by New York licensed structural engineer be completed and submitted to town prior to a C.O. being issued. A note stating such should be added to the plans. A concern was observed during the site walks , the area of previous and potential future deposition of the liquid emulsion under the conveyor belt for the processing machine should be cleaned up, cracks in the concrete floor repaired and sealed, and the area contained with a small berm so that any future leaks of the liquid emulsion will not travel into the underlying soil and then may migrate via subsurface to the Great Swamp, or will not mix with surface water and travel out the entrance bay to the Great Swamp.***

Response: The structural reassessment has been completed and accepted. Confirmation of all repairs being completed prior to a C.O. being issued is included in the NYSDEC permit requirements. A note will be added to the plans.

While not a structural related issue, the floor staining beneath the pug mill will be addressed by placing a "drip pan" beneath the pug mill to collect any leaks from the unit.

8. *The following is a list of comments related to the Contingency Plan dated 10/2005, rev 3/2010:*

- a. *The report lists several potential instances where adjoining neighbors may need to be contacted. A list of these properties and all current contact information should be provided. The report should indicate when the list should be updated and who is responsible for doing so.*

Response: Prior to the facility becoming operational, the Contingency Plan will be amended to include neighboring property owner contact information, updating frequency and responsibilities.

- b. *A more detailed list of safety equipment that includes the quantity and locations should be included. Who is responsible for the maintenance of all protective gear, monitoring systems, and first aid equipment and when will it occur?*

Response: As stated in the Plan, the Operations Coordinator will serve as the Emergency Coordinator and will be responsible for the maintenance of all protective gear, monitoring systems, and first aid equipment. Figure 2 of the OM&M Plan provides the Operations Organization Plan for the facility. The OM&M Plan will be submitted to the Board.

Prior to commencing operations, RASCO will provide a list of safety equipment and their location.

- c. *In addition to smoke detectors are carbon monoxide detectors going to be installed?*

Response: This issue was discussed at the public hearing on 4/19/2010. Chairman Wylock advised that, given the nature of this operation where dust may be prevalent, smoke and carbon monoxide detectors would not work effectively. RASCO will be looking into other options as recommended by the Chairman.

- d. *The plan states that the most qualified person will administer first aid prior to professional services arrival onsite. What if any employee training will be provided?*

Response: RASCO will have a basic first aid kit on site. If additional care is required, local professional medical services will be used. The OMM&M manual will be revised to more accurately reflect this protocol.

- e. *Section 3.1.4 Unacceptable or Hazardous Wastes should be expanded or a new section should be added that summarizes the process for testing the loads when they arrive on-site. What is the procedure when a load not meeting the permit allowed criteria is discovered after it is off-loaded?*

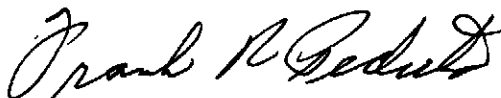
Response: The purpose of the Contingency Plan is to address emergency events such as petroleum spills, fires, etc. The Plan is not constructed to address day to day operational issues. These activities, i.e., the handling of both acceptable and unacceptable waste, are addressed in the Engineering Report and the Operations

and Maintenance Manual previously approved by the DEC. A copy of each document has been submitted to the Board.

I trust the above responds to all the issues in question. If there are any further questions please feel free to call me at 518-782-0882.

Sincerely,

SPECTRA ENGINEERING, ARCHITECTURE  
AND SURVEYING, P.C.



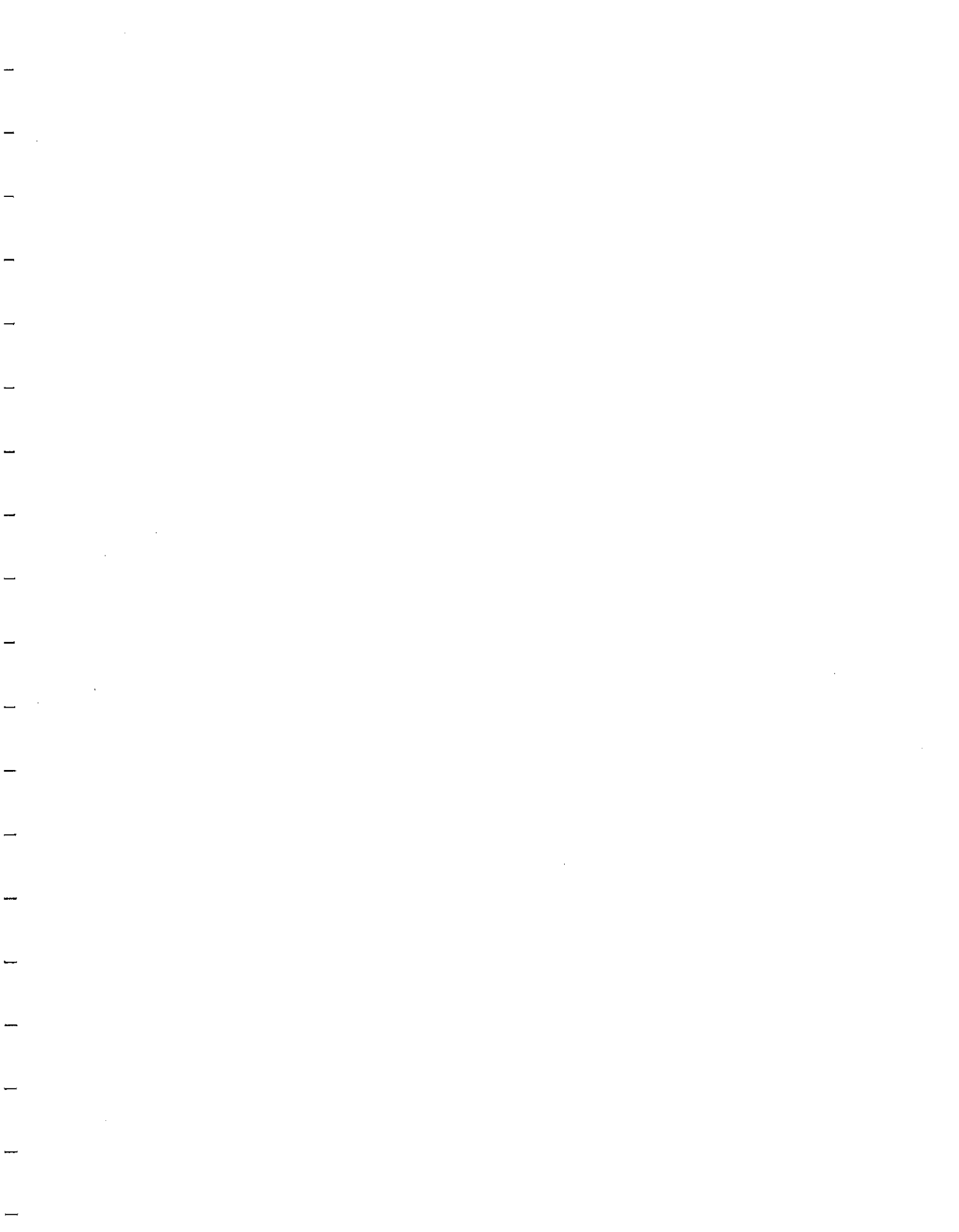
Frank R. Peduto, P.E.  
Project Manager

Attachments

Cc w/ att: Joseph P. Berger, P.E., L.S.  
John Nelson, RASCO  
Jon Adams, Esq.

FRP/em

G:\2005\05248-RASCO\Correspondence\Berger Response Letter 5\_3\_2010.doc





ENVIRONMENTAL GROUP, INC.  
ENGINEERING, ARCHITECTURE AND SURVEYING, PC

January 13, 2010

Chairperson David Wylock  
Members of the Town of Dover Planning Board  
126 East Duncan Hill Road  
Dover Plains, New York 12522

**Re: Rasco Materials LLC  
580190 & 585063  
2241 NYS RT 22 Wingdale NY 12594  
Site Plan cold asphalt processing plant using PCS**

Dear Chairperson and Members of the Board:

As requested by the Town Planning Board, the following is provided as a response to comments in a letter from Town of Dover Engineer, Joseph Berger, dated 1/2/2010, to Chairperson Wylock and members of the Town of Dover Planning Board with regard to RASCO Materials LLC's Site Plan application. The comments are in the order as presented in the request.

*Comment #1: The plans submitted show proposed canopy pad and crusher location crossed out. These should be removed from future submissions*

**Response:** The facility Site Plan has been amended to remove all references to the canopy pad and crusher. The revised plan has been submitted as requested.

*Comment #2: Topography is referenced to a map prepared by another surveyor. The map should be included in the package with a seal or the surveyor should seal figure 3.*

**Response:** The comment is correct and the Site Plan map has been corrected. The Site Plan (Figure 3) was not a surveyed document and should not have included any reference to a surveyed document. It has been signed and stamped by the professional engineer responsible for the document. The site survey map, submitted as Figure 2, Vicinity Map, was an actual survey and is signed and stamped by the licensed surveyor who performed the work.

*Comment #3: The existing SDS and well should be shown on the site and verification from DCHD that the systems are adequate for the use.*

**Response:** There are only two utilities available on the site; telephone and electricity. There is no sewage disposal system (SDS) or potable water supply. Sanitary facilities are provided in the form of two portable toilet units (aka, port-a-johns). Potable drinking water is provided in the form of a bottled water unit located in the facility's office and is available to everyone. A request for an assessment of conditions has been sent to the DCHD.

ONE CIVIC CENTER PLAZA, SUITE 401  
POUGHKEEPSIE, NY 12601  
(845) 454-9440  
FAX (845) 454-9206

19 BRITISH AMERICAN BOULEVARD  
LATHAM, NY 12110  
(518) 782-0882  
FAX (518) 782-0973

307 SOUTH TOWNSEND STREET  
SYRACUSE, NY 13202  
(315) 471-2101  
FAX (315) 471-2111

WWW.SPECTRAENV.COM

**Comment #4:** *The proposed use will bring truck delivery product very close to the ditch located near building A. Stormwater treatment should be provided along the road near Building A. This may include a bio retention swale or combination of grass swale and bio-retention. The discharge points for these treatments should be provided with dense vegetation so the discharge does not flow directly into the stream/ditch.*

**Response#4:** The area in question will be lined with silt fence. The roadway will be graded to direct stormwater away from the ditch. RASCO will assess installing a bioretention area to buffer excess stormwater before it enters the ditch.

**Comment #5:** *Truck exiting Building A may need additional area then what is shown to make the turn out to the right. A turn around area should be provided if needed and the appropriate erosion control for construction provided as well.*

**Response #5:** Trucks have been successfully routed through this area in the past. Occasionally, with large tractor trailers, the vehicle was required to make a two point turn. RASCO will review this issue and determine if a larger turn-around area can be provided.

**Comment #6:** *The waivers requested should also have a reason for each waiver provided in narrative form. It is recommended that the following waivers not be allowed and information should be provided:*

*Table showing*

*Area of structure .....*

*Estimated number of employees*

*Number of Parking spaces .....*

*Plans for disposal of construction waste .....*

*Outdoor storage areas or a note saying no outdoor storage will be provided*

*Lighting details*

*Sign details*

*Location of Septic and water supply*

*Storm Drainage system*

*100 year flood plain or a note saying none exist onsite*

*A grading plan for truck turnaround if needed*

*Loading and unloading areas*

**Response #7:** A Dimensional Table and a Waiver Request Explanation has been provided under separate cover which addresses most of these items. Items not provided are explained below:

- a) Estimated number of employees - 5
- b) Number of Parking Places – 5 (to be located adjacent to office building)
- c) The operation does not create construction waste however some solid waste debris i.e., wood, plastics, metal, may be found within the petroleum contaminated soil (PCS) deliveries. The debris will be separated and stored

- in a large covered trash dumpster to be located outside the entrance to the processing building. Dumpster contents will be disposed at a regulated facility by a contracted hauler.
- d) While all PCS and processed material will be stored inside the processing building, clean aggregate (used as part of the cold-mix process) may be stored elsewhere on the site.
  - e) Lighting and Sign Details (see Waiver Request Explanation)
  - f) Location of Septic and Water Supply (see Comment #3 above)
  - g) Storm Drainage System – there is no man-made storm drainage system on the property. Stormwater is directed by surface grading and natural and man-made ditches.
  - h) In accordance with the FEMA Flood Insurance Rate Map, the Site is outside the 100 year flood plain.
  - i) A grading plan for truck turnaround if needed. (See Response #5)
  - j) Loading and unloading areas – all loading and unloading will take place inside Buildings A or B as shown on Site Plan.

*Comment #7: State whether any wetlands either federal or state are located on the site and if not based on what information.*

**Response #7:** There are federal wetlands located within the industrial park but there are none within the RASCO operating area. Proposed fence and grading are to protect migration to wetlands in proximity to the site. A Federal Wetlands map showing identified wetlands and the RASCO site has been provided. "See also, Comment # 4 and response".

Hopefully this responds to all the issues raised by Mr. Berger. If there are any questions please feel free to call me at 518-782-0882.

Sincerely,

SPECTRA ENGINEERING, ARCHITECTURE  
AND SURVEYING, P.C.

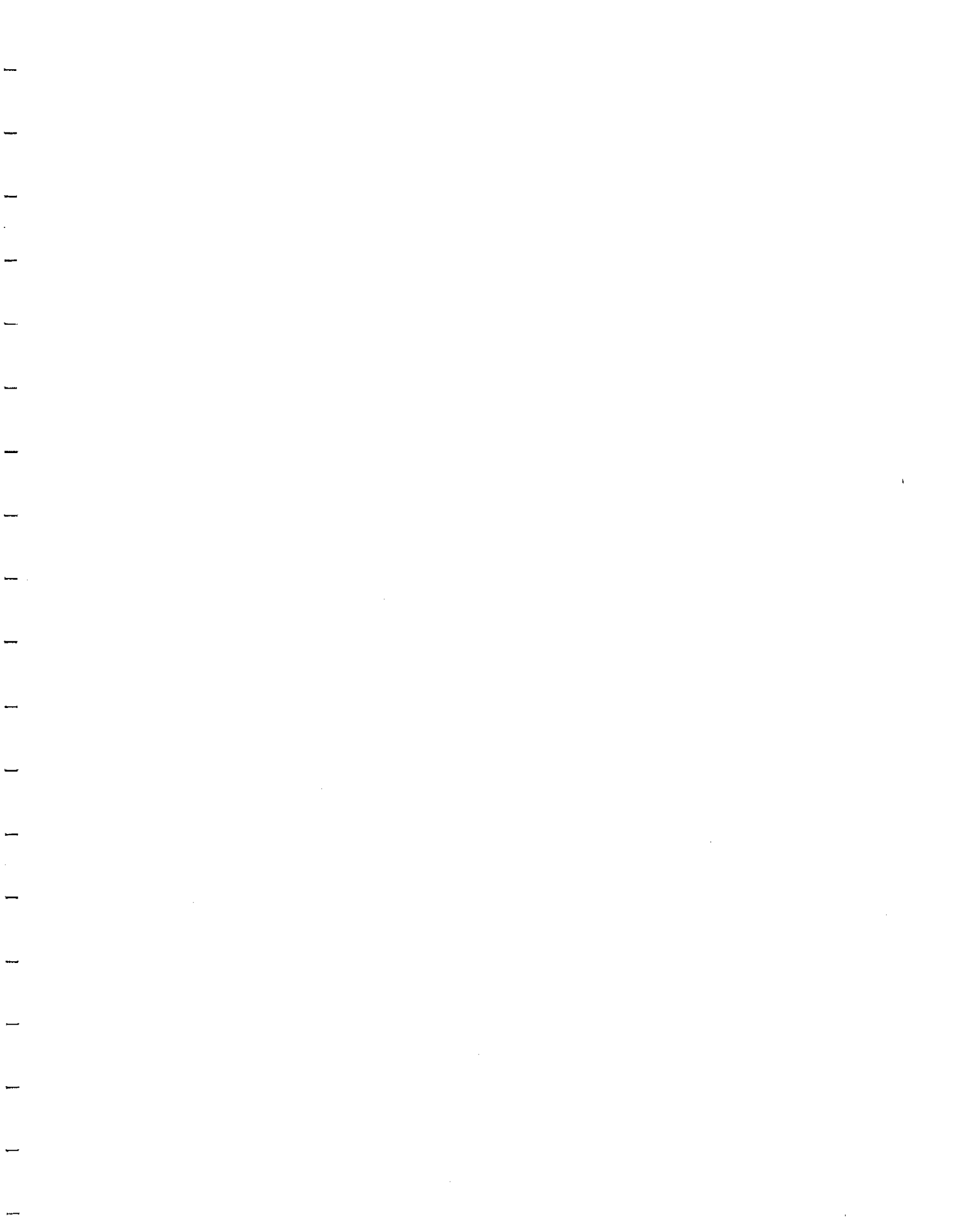


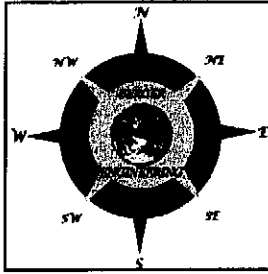
Frank R. Peduto, P.E.  
Project Manager

cc: John Nelson  
Jon Adams

FRP/em

G:\2005\05248-RASCO\Correspondence\Response to Planning Board 01\_13\_10.doc





## **BERGER ENGINEERING AND SURVEYING**

100 Fulton Avenue  
Poughkeepsie, New York 12603  
Engineering Services: (845) 471-7383  
GIS Services: (845) 392-7180  
www.BergerEngr.com

**04/16/10**

**Chairperson Wylock  
And members of the Town of Dover Planning Board  
126 East Duncan Hill Road  
Dover Plains, New York 12522**

**Re: Rasco Materials LLC  
580190 & 585063  
2241 NYS Rt 22 Wingdale NY 12594  
Site Plan cold asphalt processing plant using PCS**

*Dear Chairperson Wylock and Members of the Planning Board:*

*I have received and reviewed the following information for the above application:*

- |   |                                    |
|---|------------------------------------|
| 1. Letter of Transmittal  | <i>dated received 12/09/09</i>     |
| 2. Land Use Application   |                                    |
| 3. Special Permit/ Site Plans Discussion submission checklist   |                                    |
| 4. Letter of Agent  | <i>dated 11/10/09</i>              |
| 5. Letter of Intent   | <i>dated 12/09/09</i>              |
| 6. Agricultural Data Statement                                  | <i>dated 12/09/09</i>              |
| 7. Disclosure of Interest form                                  | <i>dated 12/09/09</i>              |
| 8. Short Form EAF   | <i>dated 12/09/09</i>              |
| 9. Stipulation of Agreement                                     | <i>not dated</i>                   |
| 10. Plans for proposal (7 sheets)                               | <i>dated last revised 8-31-06</i>  |
| 11. revised plans   | <i>dated received Jan 13, 2010</i> |
| 12. Letter from Corbally, Gartland and Rappleyea, LLP           | <i>dated 2/8/10</i>                |
| 13. Letter from Corbally, Gartland and Rappleyea, LLP           | <i>dated 2/9/10</i>                |
| 14. Contingency Plan  | <i>dated revised 3/22/2010</i>     |
| 15. Letter to DCHD from Corbally, Gartland and Rappleyea        | <i>dated 2/8/10</i>                |
| 16. Chronological summary of Correspondence                     | <i>not dated</i>                   |
| 17. Noise Analysis  | <i>dated last revised 02/2008</i>  |
| 18. Bulk Table  | <i>not dated</i>                   |
| 19. Letter from NYSDOT  | <i>dated 01/13/09</i>              |
| 20. DEC Permit and cover letter                                 | <i>dated 01/15/09</i>              |
| 21. Waiver Request explanation from RASCO Materials LLC         | <i>dated 01/12/10</i>              |
| 22. EAF Long Form Part 1 and 2                                  | <i>received 01/11/10</i>           |
| 23. Response to Comments from Spectra                           | <i>dated 03/29/10</i>              |
| 24. Sound analysis table  | <i>received 03/29/10</i>           |
| 25. Contingency Plan from Spectra Engineering                   | <i>dated 03/22/10</i>              |
| 26. Letter from Oblong Land Conservancy                         | <i>dated 03/15/10</i>              |
| 27. Letter from Housatonic Valley Association                   | <i>dated 03/15/10</i>              |
| 28. Revised plans prepared by Spectra engineering figure 3 & 3A | <i>dated last revised 01/28/10</i> |
| 29. Structural Evaluation of Site Buildings                     | <i>Dated 10/10/06</i>              |
| 30. Structural Evaluation of site Buildings                     | <i>Dated 4/12/10</i>               |

31. *Letter from Corbally, Gartland and Rappleyea*  
**Review of Plans**

*Dated 4/16/10*

1. *Topography is referenced to a map prepared by another surveyor. The map should be included in the package with a seal or the surveyor should seal figure 3.*
2. *Provisions for sewage and water should be provided.*  
***The applicant is proposing a well and a storage tank for the sanitary waste. This will need to be shown on the plan and approved by the DCHD.***
3. *The proposed use will bring truck delivery product very close to the ditch located near building A. Stormwater treatment should be provided along the road near Building A. This may include a bio retention swale or combination of grass swale and bio-retention. The discharge points for these treatments should be provided with dense vegetation so the discharge does not flow directly into the stream/ditch.*  
***The proposal for a berm and bio- retention areas is acceptable. A section view is provided , however additional detail in plan view is required to show what will be constructed.***  
***A silt fence or other erosion control practice should be installed on the downhill side of berm.***
4. *Truck exiting Building A may need additional area than what is shown to make the turn out to the right. A turn around area should be provided if needed and the appropriate erosion control for construction provided as well.*  
***Provided. Silt fence should be provided prior to construction at location of drive enlargement***
5. *The waivers requested should also have a reason for each waiver provided in narrative form.*  
***It is recommended that the following waivers not be allowed and information should be provided:***

*Table showing*

*Area of structure.....*

*Estimated number of employees*

*Number of Parking spaces.....*

*Plans for disposal of construction waste.....*

*Outdoor storage areas or a note saying no outdoor storage will be provided*

*Lighting details*

*Sign details*

*Location of Septic and water supply*

*Storm Drainage system*

*100 year flood plain or a note saying none exist onsite*

*A grading plan for truck turnaround if recommended.*

*Loading and unloading areas*

6. *State whether any wetlands either federal or state are located on the site and if not based on what information.*
7. *The condition of the building both structural and environmental are a concern. The building should be inspected to assure that it is structurally safe and the site should be reviewed to see if there are any environmental issues.*  
***Structural evaluation has been provided from Spectra dated 10/10/06 and updated in 2010. The report is acceptable for structural analysis with a stipulation that all recommended improvements be done and an inspection and certification of the repairs by New York licensed structural engineer be completed and submitted to town prior to a C.O. being issued. A note stating such should be added to the plans. A concern was observed during the site walks , the area of previous and potential future deposition of the liquid emulsion under the conveyor belt for the processing machine should be cleaned up, cracks in the concrete floor repaired and sealed, and the area contained with a small berm so that any future leaks of the liquid emulsion will not travel into the underlying soil and then may migrate via subsurface to the Great Swamp, or will not mix with surface water and travel out the entrance bay to the Great Swamp.***
8. *The following is a list of comments related to the Contingency Plan dated 10/2005, rev 3/2010*
  - a. *The report lists several potential instances where adjoining neighbors may need to be contacted. A list of these properties and all current contact information*

*should be provided. The report should indicate when the list should be updated and who is responsible for doing so.*

- b. A more detailed list of safety equipment that includes the quantity and locations should be included. Who is responsible for the maintenance of all protective gear, monitoring systems, and first aid equipment and when will it occur?*
- c. In addition to smoke detectors are carbon monoxide detectors going to be installed?*
- d. The plan states that the most qualified person will administer first aid prior to professional services arrival onsite. What if any employee training will be provided?*
- e. Section 3.1.4 Unacceptable or Hazardous Wastes should be expanded or a new section should be added that summarizes the process for testing the loads when they arrive on-site. What is the procedure when a load not meeting the permit allowed criteria is discovered after it is off-loaded?*

*If you have any questions regarding the enclosed comments please feel free to call me at (845) 471-7383*

*Sincerely,*

*Joseph P. Berger P.E., L.S.*