

## **TALKING POINTS FOR THE BOARD MEETING OF MAY 4, 2021**

Regarding issues raised by the Town Council at the Town of Kent Board meeting held on the April 6, 2021, the following responses are in order:

1. **Remediation of Citations issued by the Town to Kent Materials prior to the closing of title to the property in April 2019.**

District consultants responded to the citations by overseeing Kent Materials' remedial efforts and by the time of the closing on the property all had been addressed, approximately within two weeks of the issuance of the citations.

At that time, District consultants verbally advised the Town through phone calls that all of the items in the citations had been addressed prior to the transfer of property from Kent Materials to the School District.

Prior to the Town Board meeting on April 6, 2021, we asked the consultant to do a site visit to report back on conditions, as the snows had melted by then, and the entire site was walked by them that day.

The site visit included looking to assess the site for stabilization and evidence of any site erosion or wetland buffer issues. After walking the entire perimeter of the developed area, including the stormwater basins, the consultant opined that all of the issues noted in the Town citations, that were previously addressed by Kent Materials prior to closing, are still stabilized and functioning properly. They did not observe any issues that would be considered as an erosion control or stabilization problem, or a wetland buffer violation.

2. **Invitation to Visit the Site.** At the Kent Town Board meeting we invited the Town to have its inspectors come onto the site to review the conditions and there hasn't been contact to that effect yet. If the request is made, the District's consultants should be asked to be present to answer questions and assist the Town inspectors.

3. **Concerns about Possible Contamination.** Concerns were raised at the Town Board meeting about the possibility that there might be radiological contaminants be present on the property due to the mining activities that previously occurred on the property.

The District's consultants informed us that a Mining Permit was required from the NYSDEC for the mining activities. As part of the mining process, there were regular inspections and compliance checks by the NYSDEC throughout the mining operations. During the time of the mining operations, a blasting permit was reviewed and approved by the Town of Kent for all of the blasting activities on site. At the end of the mining operations, the site was left in accordance with all of the conditions of a mining permits reclamation plan. The NYSDEC signed off of the close out of the mine and the restoration of the area being mined. That was a condition at the real estate transfer closing as well.

4. **Questions Raised About Possible Water Contamination.** As part of the permitting associated with the proposed bus garage project, a new public water supply well was drilled

and tested. Due to the classification of the well as a public water supply, our Consultants conducted extensive water quality and yield testing on the well. The testing standard was established by the Putnam County Department of Health and was rigorous: One group of the several groups of testing included radiological information.

The consultants previously issued to the **County Health Department** the radiochemistry water test results from the Part 5 Water Quality Testing Analysis. All radiological parameters that were tested were below the maximum permissible contaminant levels for each and every radiological item. There were some low-level radiological items found in the water in the testing with typical radiological reading for water samples in our area.

5. **The SEQRA Process.** It was explained at the Town Board meeting that the NYSED is no longer the lead agency for SEQRA purposes and that the School District designated itself as the lead agency. This is typical regarding all school district construction projects. The District prepared a comprehensive SEQRA process as reviewed and informed by nationally prominent Environmental Land Use Attorneys Sive, Paget & Riesel, P.C.

The SEQRA Process included utilization of a Full EAF Parts 1, 2, and 3 with attachments, and resulted in a Negative Declaration by the Board regarding the project. The School District's SEQRA Process was benefited by the environmental review of the site previously undertaken by Kent Materials with the Town of Kent serving as Lead Agency. The SEQRA approval by the Town of the Kent Materials land use for mining was helpful in scoping out the SEQRA activities for the Bus Garage Project.

6. **Traffic Analysis.** Traffic issues also were raised during the Town Board meeting by the Town Council. There was a Traffic Analysis as part of the SEQRA process. The analysis showed that the traffic would not be impacted above current levels. The main reasoning behind this determination is because the schools current bus garage is presently located approximately 1 mile north on Route 52 at the Kent Elementary School Campus. There isn't an expectation of increased traffic above the existing levels. The bus storage and repairs occur immediately adjacent to the elementary school classrooms.

In satisfaction of NYSDOT requirements for a new Driveway Permit for the bus garage, the District's consultants have provided additional studies regarding sight distance for the proposed project. This is the same concern that was brought up by the Town Council at the Town Board meeting on April 6, 2021. As part of the original Kent Materials Site Plan Approval, a NYSDOT Driveway Entrance Permit was obtained for three separate large contractors' office and storage buildings on the property. The entrance was designed to meet NYSDOT standards and was then approved by the NYSDOT as meeting all of their safety requirements for a new commercial entrance on a state road. That entrance was approved almost ten years ago. Since then, the NYSDOT revised its standards for commercial category uses (which is its designation for the Bus Garage). Accordingly, there are additional grading improvements required along the property's frontage that will have to be made in order for the school district to obtain a commercial driveway entrance permit from the NYSDOT. A copy of the latest NYSDOT Driveway Entrance submission plans have are on file at the District Office.