



TOWN OF CORTLANDT

DEPARTMENT OF TECHNICAL SERVICES

Michael Preziosi, P.E.
Director – D.O.T.S

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Cortlandt Manor, NY 10567
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Richard H. Becker
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Addendum

Request for Proposals
Professional Engineering Services
Cortlandt Quarry Park – Infrastructure Development

Date Issued 7/29/2021

Issued by: Michael Preziosi, P.E. – Director, Dept. of Technical Services

The following questions have been received by the Town of Cortlandt via email. Responses have been provided.

THE PROPOSAL MUST BE RECEIVED NO LATER THAN THURSDAY AUGUST 5, 2021 AT 4 PM E.S.T. THE PROPOSAL MAY BE SUBMITTED BY EMAIL BUT MUST BE FOLLOWED UP WITH FOUR (4) HARD COPIES.

Attach a copy of this addenda to your proposal and sign acknowledgment at the end of this response.

Question 1: Survey – will the existing survey completed by Badey and Watson be verified and suitable for design work? We understand additional survey work will be required for intersections and want to define our scope of work accordingly.

Response 1: *The survey prepared by Badey and Watson was completed in late 2017 early 2018. Wetlands were delineated and trees inventoried by environmental consultants contracted by the Town, prior to the survey work being completed. Trees were geo-located and add to the survey.*

- i. The approximate limits of the field survey are shown below. Property lines for the entire site were established including the retained parcels with horizontal and vertical controls noted on the survey.*
- ii. The right-of-way of Broadway, Highland and 11th Street along the site was also surveyed*
- iii. Additional survey work is anticipated as part of this project to complete design. The exact extent will be determined during completion of Phases I and II.*

All firms are hereby instructed to identify supplemental surveying work for design as a separate fee when submitting their proposal.



Question 2: Soil borings report – I believe it was mentioned that soil borings have been taken for some areas of the site. Will this information be provided to the chosen consultant upon award of the project?

Response 2: *Past soil borings will be provided. All firms shall be referred to Task “A” bullet point 2 on page 7 of the RFP for additional info.*

Question 3: SEQR – are you able to define the Town’s intent regarding compliance with SEQR? We understand that the Town has started the SEQR process for the Sports Pitch site. Will there be an expanded area required to be included within SEQR to incorporate more into the considered action? We did not see mention of the Sports Pitch SEQR in the RFP, but we did see it in the PER.

Response 3: *Refer to page 7 of the RFP. Part of the proposal is to complete NEPA and SEQRA. The Town of Cortlandt will acts as the Lead Agency in the process. SEQRA has only been completed to the extent necessary to obtain grant funding.*

Question 4: NEPA – similarly, is there are assumed NEPA class of action that has been adopted for the project by the Town?

Response 4: *No. Refer to page 7 of the RFP. Part of the proposal is to complete NEPA and SEQRA. The Town of Cortlandt will acts as the Lead Agency in the process. SEQRA has only been completed to the extent necessary to obtain grant funding.*

Question 5: Wetlands – from what we have found, the only wetland delineation information pertains to the Sports Pitch site. What delineation coverage has been completed to-date? And have the wetland boundaries been reviewed and jurisdictional determinations been received from the NYSDEC and/or NYSDEC?

Response 5: *Refer to Response 1. Attached please find a “Resource Screening” prepared by the NYSDEC dated 10/4/2017.*

It is anticipated that as part the NEPA / SEQRA processes, all interested and involved agencies will be provided notice. In addition, all permits by agencies having approving authority will be required to be obtained as outlined in the proposal.

Question 6: Has a Phase 1 Environmental Site Assessment been completed for the property?

Response 6: *No.*

Question 7: Is re-zoning of the property being sought and included in the action?

Response 7: *No. Not at this time.*

Question 9: Do we need to fill out the proposal form with fees on page 17 of the RFP? This does not have hourly rates noted where we wanted to confirm if we should include this form, in addition to the instructions on page 11 regarding fees.

Response 9: *The proposal form for the phases outlined in the RFP is required to be submitted. Hourly/staff rates are supplemental and shall be attached.*

Firms shall incorporate expenses to complete Task “A” and Task “B” within the Phases I – III identified in the RFP. No separate payment will be made.

Question 10: We understand that the Town is a recipient of an EDA grant and with the acceptance of that grant, the Town is bound by specific grant program requirements. Will there be an opportunity to have a discussion with the Town with regards to some specific federal flow down provisions that the Town has included as part of the RFP prior to Contract execution.

Response 10: *Federal EDA grant requirements have been included in the RFP. Kindly review and submit your proposal in accordance with.*

Question 11: Can you please confirm the hold harmless statement and proposal forms (pages 16-18) are required to be included with our submission?

Response 11: *Hold Harmless is required at time of executing a contract.*

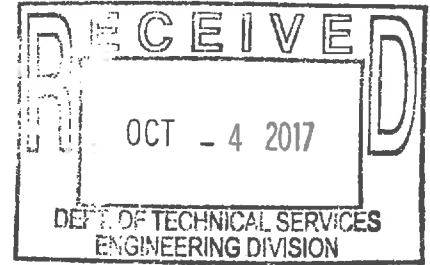
Acknowledged by: _____
(Print Name and Sign)

Date: _____

(Firm Name)

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



September 29, 2017

Michael Preziosi, Director
Town of Cortlandt - Department of Technical Services
1 Heady Street
Cortlandt Manor, New York 10567

Re: **RESOURCE SCREENING**
Cortlandt Quarry Property (Former Con Edison Property)
Hamlet of Verplanck, Town of Cortlandt, Westchester County

Mr. Preziosi:

The New York State Department of Environmental Conservation (Department or DEC) has reviewed your inquiry regarding the proposed development of the above noted 99-acre property formerly owned by Con Edison located along the Hudson River in the Hamlet of Verplanck just south of the Indian Point Nuclear Facility. Based upon our review of the information provided, we offer the following comments:

- 1. **Protection of Waters** – The following stream and waterbody are located within or adjacent to the property line:

Name	Class	DEC Water Index Number	Status
Hudson River	SB	H	navigable
Trib. of Lake Meahagh	C	H-P 160-1P 160 a	non-protected

A Protection of Waters permit is required for any excavation or filling below the mean high water line of any waterbodies and contiguous wetlands identified above as “navigable.”

A Protections of Waters permit is not required to physically disturb the bed or banks of any stream or waterbody identified above as “non-protected”.

If a permit is not required, please note, however, that the project sponsor is still responsible for ensuring that work shall not pollute any stream or waterbody. Care shall be taken to stabilize any disturbed areas promptly after construction, and all necessary precautions shall be taken to prevent contamination of the stream or waterbody by silt, sediment, fuels, solvents, lubricants, or any other pollutant associated with the project.

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2. **401 Water Quality Certification** – The project site is not within a New York State protected Freshwater Wetland. However, the United States Department of the Army, Corps of Engineers' New York District Office (ACOE) has authority under federal law to regulate wetlands in New York State. An ACOE permit may be required for this proposal. You should have the project sponsor contact the ACOE (telephone: 917/790-8511) as early as possible in the planning process to determine if the project will involve federally regulated wetlands. If federal wetlands are involved, the ACOE may require Water Quality Certification from DEC.
3. **State-Listed Species** – According to Department records, the following state-listed species have been recorded within or near the project site: Bald Eagle (NYS *Threatened*). The potential impacts of the proposed project on this species should be fully evaluated during the review of the project pursuant to SEQR. An Article 11 permit will be required from DEC if it is determined that an action will result in a "take"¹ of a NYS threatened or endangered species.

To adequately mitigate any potential impacts identified, the Department recommends incorporating the measures, described in the *National Bald Eagle Management Guidelines* (available at: <http://www.fws.gov/northeast/ecologicalservices/eaglenationalguide.html>), designed to avoid disturbance to the known foraging area (associated with the Hudson River and Lake Meahagh).

The absence of other species data does not necessarily mean that additional rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

4. **SPDES Wastewater** – In accordance with the New York State Environmental Conservation Law, a State Pollutant Discharge Elimination System (SPDES) Permit is required for a facility whose treated wastewater discharge to groundwater is greater than 1000 gallons per day, and for all discharges to surface water.

If the proposed project is to connect to an existing public wastewater facility, an engineering report must be prepared to confirm the capacity of that facility to serve

¹ An Incidental Take Permit is required for any activity that is likely to result in a "take" or taking of any species listed as endangered or threatened in 6 NYCRR Part 182. "Take" is defined in Part 182 and includes, but is not limited to, adverse modification of habitat.

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the proposed project. Approval of plans for any proposed sewer extensions or facility expansions will be required from DEC.

- 5. SPDES Stormwater (Construction)** - If project activities will disturb over 1 acre of land, the project sponsor must obtain coverage under the current SPDES General Permit (GP-0-15-002) for Stormwater Discharge from Construction Activities, and a Stormwater Pollution Prevention Plan (SWPPP) must be developed which conforms to requirements of the General Permit. As the Town of Cortlandt is an MS4 community (Municipal Separate Storm Sewer System), the Town is responsible for review and acceptance of the SWPPP. [The MS-4 Acceptance Form must be submitted to the Department.] Authorization for coverage under the SPDES General Permit is not granted until the Department issues any other necessary DEC permits.

However, if the *owner or operator* of the construction activity is *the regulated, traditional land use control MS4* (i.e. Town of Cortlandt), then the requirement that the MS4 community reviews and accepts the SWPPP prior to obtaining permit coverage does not apply. In this case, the Town would submit a Notice of Intent (NOI) and SWPPP directly to the Department for review.

- 6. Environmental Remediation** – The project site is located near the following Resource and Recovery sites listed on the NYSDEC Environmental Site Remediation database: Con Edison – Indian Point Station (Site No. 360038) and NYS Power Authority – Indian Point (Site No. 360042). Please contact NYSDEC Division of Environmental Remediation (625 Broadway, Albany, NY 12233, 518-402-9764) for any requirements that Division may have in regards to this site.
- 7. Floodplain** – It appears that portions of the property are within the mapped 100-year floodplain and floodway, according to Federal Emergency Management Agency's Maps No. 36119C0014F. The potential impacts of the proposed development on this area should be evaluated during the DEC permitting process. In order to develop within the 100-year floodplain, the project sponsor must apply for and receive a floodplain development permit from the Town, and must comply with local floodplain development requirements.
- 8. Critical Environmental Area (CEA)** – Please be aware that the proposed project is located within a Critical Environmental Area designated for the exceptional or unique character of the Hudson River. The potential impacts of the proposed project on this CEA should be fully evaluated during the review of the project pursuant to SEQR.
- 9. Cultural Resources** – We have reviewed the statewide inventory of archaeological resources maintained by the New York State Museum and the New

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York State Office of Parks, Recreation, and Historic Preservation. These records indicated that the project is located within an area considered to be sensitive with regard to archaeological resources. For more information, please visit the New York State Office of Historic Preservation website at <http://nysparks.state.ny.us/> .

10. Coastal Management Zone - The project location is within a designated Coastal Management Area.

If you have any other questions or comments in regard to this email, or your responsibilities under the New York State Environmental Conservation Law, please do not hesitate to contact me.

Sincerely,



Joseph R. Murray
Environmental Analyst
Division of Environmental Permits

cc: U.S. Army Corp Engineers – NY District
NYS DOS