

**Memorandum:**

To: Town of Washington Planning Board  
From: Steve Marino, PWS  
Date: 9/2/22  
Subject: Wolf/Clark Wetlands Permit (590 Verbank Road)

On July 19, 2022, I received the revised plans and submissions for the proposed Wolf/Clark wetlands permit application. As the Town's retained Wetland Consultant, I have reviewed the submission of the Wetlands Permit Application for the subject property in accordance with the Town's Wetlands and Watercourse Law (Town Code Section 396, adopted 2011). I did a site walk of the property on June 24, 2022 and July 28, 2022. I reviewed the revised submission based on my previous review of July 1, 2022, as well as the Conservation Advisory Commission's report dated August 30, 2022, and have the following comments and recommendations:

1. Regarding the current condition of the existing buffer, the applicant has provided a concept for a planting/restoration plan that will eliminate large areas of mowed lawn and replace them with low maintenance meadow grasses. This will occur on both sides of the existing pond. Small areas of mowed lawn will remain for paths and pond access. This will replace the current mowing of the grass between the existing residence and the pond/watercourse right up to the water's edge.

While the plan set references Sheet C104 as the landscape plan, this sheet is labeled Grading and Drainage Plan, and still shows only a concept for this restoration. A note on the plan refers to "Proposed plantings per landscape architect, see legend and landscape plans." As of this date, I have not seen a landscape plan that provides more specifics, planting notes, size, long term maintenance, location and quantity of plantings, etc. While the restoration of the adjacent areas would be a significant factor in offsetting potential pond and stream impacts, additional details should be provided before a determination can be made that the project meets the code requirements for approval.

It is also noted that the applicant proposes to shorten the existing house, which is entirely within the buffer, by about eight feet on the pond side, thus decreasing the extent of the current encroachment.

2. Regarding drainage improvements, the current plans now provide details and means for treatment of stormwater that do not currently exist on the property. Collection of runoff from impervious surfaces and the treatment of that water before it is discharged to the stream system is critical to long term health of the system, and is a significant improvement to current conditions. The provision of a rain garden within the restored buffer will provide adequate treatment and add a

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measure of vegetative diversity to the buffer. It is also noted that runoff from the front (western) side of the house and existing driveway area will now be collected and routed to the west, too a new dry well that will capture and treat that runoff well outside of the wetland buffer.

3. The applicant is also proposing the abandonment of an existing septic system, currently located within the buffer. The age and condition of this system is not known, but surface conditions would indicate that the system is in poor condition and likely failing when under heavy use. Abandoning this system and installing a new system that meets all current Health Department standards, and well outside of the wetland buffer, would be a significant improvement to water quality in the pond/stream corridor.

4. An erosion control plan has been provided and is adequate for the proposed construction.

Conclusions and recommendations:

The Conservation Advisory Commission is correct in pointing out that under normal circumstances the existing house and landscaping would not be approved under the current Town Code. The fact that there are large, flat areas of developable land outside of the buffer would most likely result in a house and accessory structures located mostly if not entirely outside of the regulated area. An undersized septic system would never have been installed so close to the pond, and proper stormwater treatment would have been an integral part of any approval.

In the current case, however, the Board is dealing with an existing condition where none of those options exist. The house and portions of several accessory structures are already in the buffer, and the existing septic system already exists. In this particular case, the opportunity for improving the condition of wetland buffers on the site exists while allowing a homeowner to expand a residence into areas that are already disturbed and impacted. To me this is a clear example of why wetland permits must be looked at on a case-by-case basis.

It appears that there will be an increase in impervious surface in only one area that is not currently "disturbed", and that is a new patio on the maintained lawn closest to the house. Drainage improvements will collect runoff from this new patio. This will in effect be offset by the shortening of the house by eight feet.

In my view, the provision of stormwater treatment, replacement of the septic system and restoration of the buffer will offset any potential impact to the wetland/watercourse system, and be a net positive benefit to the current landscape condition of the property. As noted above, a detailed landscape plan must be provided before any final approval is considered. This should include a maintenance and monitoring plan for the new plantings and meadow restoration, with regular inspections twice a year either by Town staff or an experienced

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environmental consultant. Three years of inspections with an end of growing season report submitted to the Town should be adequate.

This concludes my review of the proposed Wolf/Clark project. I will be in attendance at the Board's meeting on September 6th if the Board has any questions.