

Killearn Road Improvements Project – Town of Washington Planning Board Comments #002 with Responses

To: Aaron Werner, AICP - AKRF

Date: 07/22/25

From: Colliers Engineering & Design
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Project Name: Killearn Road Final Design and Permitting

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Municipality/State: Town of Washington, NY

Colliers Engineering & Design (CED) attended a public hearing on July 1, 2025, where various members of the public commented and asked questions regarding the Killearn Road project. Their questions and concerns were answered by Daniel Farnan PE of CED at the meeting and memorialized below for the record. In addition, comments were received on the same day from the Town's wetland consultant – Tim Miller Associates and are answered below. Last, comments were received from the CAC on July 21, 2025, and responses added to the end of this letter.

Statement on Design Change – Killearn Road's Finished Surface:

At the July 1st Planning Board meeting, the finished surface treatment for Killearn Road was discussed. CED presented two options: Chip & Seal and Stone Topping. Just prior to the meeting, the Highway Superintendent informed CED of an updated specification for Stone Topping. Although this was referred to as a "third option" during the meeting, it is in fact a revised version of the original Stone Topping option presented by CED.

Following further discussions with the Highway Superintendent in recent days, it has been confirmed that the project will not proceed with the Chip & Seal option. Instead, the road will be finished using the specified Stone Topping. This treatment preserves the visual character of a gravel road and was recently applied to Bontecou Road in the Town.

Residents interested in how Killearn Road will appear once construction is complete are encouraged to visit Bontecou Road to view the results of this surface treatment, which was completed this spring.

Map for Agriculture Data Statement:

A standalone map for the Agriculture Data Statement will be provided by July 23, 2025, under separate cover letter.

Public Comments from July 1st meeting with CED responses:

1. Is chip and seal the same as oil and stone? (yes); does board get estimates for options 1 and 2 before bidding?

CED July 1st Response (in-person): Yes, chip and seal are basically the same as oil and stone. The contractor would provide prices for each option 1 and 2 base work, allowing the town to decide before bidding.

CED July 22 Response: Please note the statement above on Design Changes. Chip & Seal will no longer be specified for this project.

2. Clear water pond/stream on his property – hopes that improvement will not make the siltation issue worse than it is now. (Colliers will look into this between meetings).

CED July 1st Response (in-person): Colliers will look into this.

CED July 22 Response: The proposed treatment for Killearn Road is intended to harden both the foundation (subbase) and the surface (topping stone) in order to reduce gravel and sediment migration. The design aims to improve upon existing conditions, not to worsen them. However, with all gravel roadways, some degree of gravel and sediment movement is inevitable. Over time, or due to traffic, individual stones may become dislodged and migrate toward roadside areas.

3. Are diagrams online that show where the culverts are? Has this process been followed before? What is timeline of construction and how will resident access be managed; will road ever be closed.

CED July 1st Response (in-person): The culverts are being replaced in the exact same location, and the plans are on the Town's website. No, this design process has not been used to CED's knowledge in the Town before. This project could take the contractor a couple of months although, the road will never be entirely closed. They may close one side of the road while working on the other, but residents of the area will be able to leave at all times.

CED July 22 Response: CED's response on July 1st is accurate. To add, the final design plans for this project will include Work Zone Traffic Control specifications which prohibit full closure of Killearn Road. Short term closures may be used to replace culverts, in which traffic will be directed north or south to open areas of the roadway. Short term closures may last a few hours to a full working day. However, Work Zone Traffic Control specifications will mandate the contractor to open the road at the end of each workday.

4. Oil and stone option – will toppings wear off over time and tar become visible?

CED July 1st Response (in-person): Over time with cars driving overtop they will get ground into the material underneath. The tar will not become visible as the material will mix together through wear and tear.

CED July 22 Response: Please note the statement above on Design Changes. Chip & Seal will no longer be specified for this project.

5. Owns both sides of where the worst heaving occurs; drainage does not work on his property; will height of the road change? Will ditches be proposed?

CED July 1st Response (in-person): It will be basically the same as what it is now. We will be putting ditches on the sides wherever we can within the right of way.

6. Any studies of average speeds when a road is changed?

CED July 1st Response (in-person): Speeds were studied as part of the 2022-2024 Killearn Road Improvements Report. We do not expect any speed changes resulting from proposed work.

7. Driveway culverts being replaced?

CED July 1st Response (in-person): Most all culverts underneath the road will be replaced without changing the drainage pattern. Some driveway culverts may be replaced depending on their condition and elevations to allow proper water flow through roadside ditches.

CED July 22 Response: Seven (7) driveway culverts are to be replaced as part of the project. One of which is new, where the driveway was installed without a culvert.

Tim Miller Associates July 1st Comments with CED responses:

1. Inspect the erosion controls near sensitive areas after they are installed but before earth movement begins.

CED Response: Notes will be added to the plans regarding inspections of erosion controls.

2. There are some locations on the engineering plans where wetlands and buffers are not shown, and erosion controls are not provided where necessary. The road plans do not show the wetland buffer at the north end of the work area, i.e., at approximately STA 3+75, where the existing asphalt ends, and the gravel surface begins (Wetland H). Silt fence should be installed on the south side of the road to prevent any issues when work is done in this area. The same follows for Wetlands G and F, which are also not depicted on the engineering plans. Proper erosion controls must be used wherever site work is to be carried out close to flagged wetlands.

CED Response: Upon further review of the survey provided to CED by the surveyor of record – CT Male Associates – we concur that Wetland's G, F, & H are missing from their survey mapping. A request has been made to edit their survey to show these lines, at which time they can be added to our design plans.

Please note, CT Male's contract was directly with the Town of Washington and not with CED. While we can make the data request, we do not have the authority to demand these changes of the Town's consultant. We assume CT Male will comply with our request in a timely manner.

3. The plans envision a disturbance to wetlands of approximately 124 sf, all related to culvert placement and outlet protection. In my opinion this is acceptable and necessary. In the strictest sense, this work would also require approval from the Army Corps of Engineers. In general, any application for disturbance to wetlands of less than 4,356 sf for the purpose of road maintenance is treated as a minor disturbance under Nationwide Permit #14 and would not require a pre-construction notification.

CED Response: We concur. An application to NYSDEC/US Army Corps has been prepared and will be submitted upon conclusion of the Planning Board process.

CAC Comments – Undated – Received on July 21 with CED responses:

Please note, the CAC's letter indicates they reviewed the May 8, 2025, version of plans and not the June 16th version. We recommend review of the most current version of plans, plus all comment responses above, prior to finalized their review.

1. Our overall concern, which is echoed in both Mr. Marino's memo and the AKRF Memo, is that the Plans, the PB Application, and the Wetland Application have no specific information on how the necessary environmental protections will be implemented. As a result, we do not think that the Planning Board should approve the PB Application or the Wetland Application until more information is received and has been reviewed and considered by the consultants and the CAC.

CED Response: Please review the June 16, 2025, plan set. Wetland limits and erosion sediment controls have been added to plans. Further wetland limits are forthcoming from the surveyor of record.

2. The Planning Board should insist on much more detail on how roadside vegetation, mature trees, and adjacent wetlands will be protected and/or impacted. This is especially concerning as Collier has had two rounds of comments from AKRF and still has not submitted appropriate levels of detail. We would also expect that the Town Board and Planning Board would have contractual commitments from Collier to abide by the agreed upon approach to protecting vegetation, trees, and wetlands, and that there would be contractual penalties for noncompliance.

CED Response: Please review the June 16, 2025, plan set. Vegetation protection notes will be added to the plans prior to construction. There are no such provisions of our Initial Planning Board Application contract with the Town Board as referred to by the CAC in this comment. However, we will discuss these matters with the Town Board for consideration.

We note that new road ditches will be created under the project over a parcel size of 19.25 acres, according to page 6 of the Full Environmental Assessment Form. These ditches are separate from the road, which covers an area of 8.16 acres, according to the EAF. It would be very helpful to understand how much new impervious surface will be created by these new ditches and what will happen to the runoff. It's possible that the new ditches total 0.5 acres as noted on page 9 of the EAF, which is significant.

CED Response: For the EAF, we grouped all swales into the non-vegetated category as most will have stone lining. We will review our assumptions on areas and redefine our proposed impervious cover as needed.

The second area relates to the clearing of 0.7 acres of roadside vegetation, as noted on the EAF. The planning Board should obtain more information regarding where the clearing will occur and whether the clearing is necessary, as also noted in the AKRF Memo.

CED Response: As discussed with AKRF at the July 1st Planning Board meeting, the tree line depicted on our plans comes from the Town's surveyor or record – CT Male Associates – and does not discern what type of vegetation is present. Based on several site visits, most roadside vegetation to be cleared is grass and overgrowth within the Highway Boundary (Right of Way). Mature trees are to be avoided and notes pertaining to vegetation protection will be added to plans, as stated in other comments above. We would also like to note that no vegetation clearing beyond the Highway Boundary (Right of Way) is proposed.

At any time, the Highway Superintendent can trim and remove vegetation – excluding mature trees – in the right of way as of their maintenance duties, which are not subject to the review of the Planning Board, or to the Scenic Road Law, per section 344.h.6.c. We are not proposing anything that would exceed this provision of code.

At the end of this letter, CED has assembled some pictures of roadside areas that illustrate intent for vegetation clearing.

The information supplied to date does not include any information on the construction materials to be used and whether they would have any adverse environmental impact.

CED Response: Both the May 8, 2025, and June 16, 2025 plans clearly show the construction materials to be used. On sheets 3 and 4 of the plan set, typical sections are provided which indicate materials in the surface treatment*, subbase, shallow stone line swale, topsoil and turf in the full swale, and underdrains. In the May 8, 2025, set of plans, sheet 28 of 28 (now sheet 5 of 28) detail materials to be used in culvert replacement trenches, culvert end sections, slope stabilization materials, and silt fence.

The June 16, 2025, plan sheets (sheets 6 through 28) more clearly show where these materials are to be used through use of annotation on the plan sheets. There are no materials proposed that do not already exist at the site (gravels, soils, turf) or temporary materials (silt fence, soil stabilization, etc.) that exist at most construction sites throughout the Town.

***Please note, the surface treatment as changed, noted at the beginning of this comment response letter.**

Finally, as noted in Mr. Marino's memo, the maps or Plans should supply more information on where the wetlands disturbances will occur and what type of protection will be provided. Although the Applications state that less than 125 sq ft of wetlands will be disturbed, we note the presence of wetlands along much of Killearn Road, so we wonder how the impact will be so limited. We also note that the Plans are in draft form, and we wonder what if any changes may be forthcoming.

CED Response: The June 16, 2025, set of plans show both areas of wetland disturbance. The first is on sheet 14 of 28 and the second on sheet 17 of 28. A new sheet will be added to the plan set that shows only these two areas on one sheet, zoomed in for clarity.

Yes, the project plans will be finalized after the Town Board and CED enter a contract phase for Construction. Plan changes will include at a minimum: Addressing all comments from the Planning Board process received to date, which exceed our current contract for initial Planning Board Application, incorporating any changes from the Town's surveyor or record (if any), any permit conditions from both the Planning Board Wetlands Permit and future submittals to the USACE/DEC permitting process that need to be listed on plans for bidding purposes, specifications from the Highway Superintendent on Stone Topping discussed at the beginning of this letter, any further comments from the Public Hearing if it remains open at the next Planning Board Meeting, and stamping/signatures on plans.

Vegetation Clearing Examples:

Below are two typical examples of vegetation that could be affected by work limits. As described above, it is the design intent to avoid mature trees and only remove grass, brush, and tree limbs within or overhanging work limits.





