Tim Miller Associates, Inc.

Memorandum:

To: Town of Washington Planning Board

From: Steve Marino, PWS

Date: 7/1/25

Subject: Killearn Road Improvements

In response to a request from the Planning Board I reviewed the engineering plans for the proposed road improvements on Killearn Road prepared by Colliers Engineering. At my request, Colliers provided additional information and a complete wetlands application package. I also walked the length of Killearn Road to inspect adjacent wetlands, the condition of existing culverts and crossings, etc.

I concur with the wetlands delineation report prepared by C.T. Male, dated May 2, 2023. The wetland delineations depicted in the report are accurate. Although the report pre-dates the new DEC regulations that went into effect on January 1, it is my opinion that none of the wetlands in this corridor would meet the new regulatory guidelines since none of the "special condition" criteria are met. Specifically, the whole of Killearn Road is not in an "urban area" or "significantly flooded" watershed as defined by the new regulations, and New York State Natural Heritage mapping does not show any records of rare or threatened plans or animals. Therefore the wetlands in this part of the Town of Washington would not be subject to the new regulations. The C.T. Male report incorrectly identifies Wetland A (at the intersection of Killearn Road and Chestnut Ridge Road) as being a DEC wetland. While the stream passing under the road is a Class C NYS stream, the wetland itself is not regulated by the DEC. Being a Class C stream, no permit is required from the State for work within or adjacent to it.

Based on my site inspection, it is clear that the culverts and drainage swales adjacent to and passing under Killearn Road need to be replaced and/or maintained. Their poor condition leads to flooding of the road side and consequently the backing up of water into the adjacent ponds and wetlands. The replacement of the culverts and restoration of the swales will improve stormwater flow and restore a more natural condition to the corridor.

The limit of disturbance depicted on the plans shows only minimal encroachment into the wetland buffers, the vast majority of which is within the existing roadbed and roadside swales. With the proper use of erosion and sedimentation controls during site work any deposition of sediments to the wetlands and streams could be avoided. I would suggest that I be present to inspect the erosion controls near sensitive areas after they are installed but before earth movement begins. There are some locations on the engineering plans where wetlands and

Tim Miller Associates, Inc.
10 North Street
Cold Spring, NY 10516
845-265-4400
fax: 845-265-4418
www.timmillerassociates.com

Steve Marino, PWS
Jon Dahlgren
James A. Garofalo, AICP
Ann Cutignola, AICP
Sarah Babyak
Katherine Marino
Tim Miller, AICP, Retired

buffers are not shown and erosion controls are not provided where necessary.

The road plans do not show the wetland and 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.

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.

That is the extent of my comments at this time. Please let me know if the Board has any additional questions.