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November 21, 2006

Mr. Andy Dangler
US Army Corps of Engineers, Regulatory Branch
1 Bond Street
Troy, NY 12180

Re: ACOE Permit Application Additional Information
Permit Application Number 2006-3242
Greenport Commercial Development – Widewaters Group, Inc.
Nationwide Permit Joint Permit Application
Chazen Job # 90635.00

Dear Mr. Dangler:

On October 4, 2006, The Chazen Companies (TCC) submitted a pre-construction notification (PCN) for the Greenport Commercial Development at a property located along U.S. Route 9 in the Town of Greenport, Columbia County, New York to your office. In a letter dated October 23, 2006, you requested that additional information be provided in order for the U.S. Army Corps of Engineers (ACOE) to consider the permit application to be complete for processing the PCN.

Following the submission of the PCN, the Applicant has revised the placement and size of one of the proposed major retail tenants and the associated parking area. A complete set of the revised site plans is included as Attachment One, "Revised Site Development Plans." The revised site plan also further minimizes grading required for each of the wetland impacts. Wetland Impact 6 has been eliminated and Wetland Impact Areas 1 through 5 have been reduced.

In addition, at the request of the New York State Department of Transportation (NYSDOT) and the Town of Greenport, an additional access road was added to the site plan. This road will provide access to the northwestern portion of the site from U.S. Route 9. As a result of the additional road placement and associated grading, and based on the Wetland Delineation Map verified by your agency, approximately 0.05-acre of additional wetland impact will result from the proposed site plan. This wetland impact will herein be referred to as Wetland Impact 8. Wetland impacts as a result of the revised proposed site plan is 0.22-acre.

The wetland impact identified in the previous submittal was 0.28 acre. The site plan illustrating the wetland impacts that will result from the revised site plan is included as Attachment Two, "Revised Site Development Plans Illustrating Wetland Impacts."

Below is each of your comments from the October 23, 2006 letter provided in italics followed by a response addressing the issues outlined in each comment.

1) *Please provide a plan and cross-sectional view drawing that details the proposed stream crossing method. This office recommends the use of a bridge or bottomless arch culvert to span the bed and banks of the stream. If this alternative is not feasible, the cross sectional drawing should show at least 20% of the culvert buried below the existing grade of the stream. In addition, please indicate whether scour protection is proposed at the inlet/outlet of the proposed crossing, and if so, please indicate to what extent.*

   The use of bridge or bottomless arch culverts was determined to be infeasible due to the need to place gravity fed stormwater sewer line within the road crossing at this location. The use of a bottomless culvert would increase the elevation of the stormwater sewer line to a degree that would not allow the gravity fed line to properly convey flows. Therefore, a cross-sectional drawing prepared by the project engineer showing 20% of the culvert pipe to be embedded into the existing substrate is included as Attachment Three "Culvert Section View". Once installed, the native stream bed material will be replaced into the pipe culvert.

2) *Please provide a discussion, which details why the proposed crossing within Wetland Area B (Impact Area 4) cannot be shifted to the south. It appears this shift would minimize impacts to water of the United States or possibly avoid the need for the crossing.*

   The proposed crossing within Wetland Area B (Impact Area 4) serves several functions. From a site perspective, it acts as a critical physical separation between Retail "A" and Retail "B" and their associated parking areas. This driveway also serves as a "truck route" for delivery vehicles heading to and from Retail "A" and Retail "B." Shifting this driveway to the south would divert the truck traffic into the parking area in front of Retail "A," creating a hazardous condition for both shoppers and vehicle traffic.

3) *Please provide a dewatering plan that would isolate the work area from stream flow during the construction of the proposed stream crossing.*

In order to isolate the work area from stream flow during construction, sand bags and a water pump will be used to stop and subsequently divert stream flow, thereby isolating the work area during construction of the stream crossing. A drawing prepared by the project engineer showing the dewatering plan is included as Attachment Four, "Dewatering Detail at Stream Crossing".

4) *The current plans show considerable segmentation within, and development around, Wetlands B, F2, F3, and F4. Please indicate whether culverts will be installed to maintain the existing hydrologic connections, and if so, provide revised plan showing these connections. If culvert connections are not proposed within these areas, please submit a discussion of how the secondary impacts associated with the loss of these connections would be mitigated for.*

As a result of the revised site plans, segmentation of the wetlands will no longer occur at Wetlands F3 and F4. In addition, the revised site plan drawings include the placement of pipe culverts in road crossings between Wetland B and F2. These drawings are included as Attachment One, "Revised Site Development Plans."

5) *Please provide a discussion of any past impacts to waters of the United States that have occurred on the project site. Supporting documentation should include any available historic topographic maps, aerial photographs, and/or project plans for the vacant building and associated parking lot within the northwest portion of the site.*

It is our understanding that as part of the jurisdictional determination review for the wetlands delineated at the subject property by Terrestrial Environmental Services, Inc. (TES), a set of historical aerial photographs were submitted to your office. Project plans for the previous development in the northwestern portion of the site are currently unavailable.

6) *Please discuss any opportunities to enhance the remaining upland buffers around the remaining wetlands and the unnamed tributary to Claverack Creek.*

Although not included on the current landscaping plan, shrubs such as red-osier dogwood (*Cornus sericea*), gray dogwood (*Cornus foemina*), and northern arrow-wood (*Viburnum dentatum*) will be planted in areas where grading will occur along the banks of a portion of the tributary to Claverack Creek. These shrubs will provide erosion control functions and will likely intercept run off from the adjacent development.

7) *Any means of land conservation proposed to avoid future impacts the remaining waters of the United States and associated buffers on the project site.*

The map entitled "Open Space Preservation Area and Deed Restriction" included in the original joint permit application depicts the extent of the area to be deed restricted from any other future development activities. The remaining wetlands on the site will be protected by the regulatory requirements of the Clean Water Act.

If you have any questions or need any additional information, please do not hesitate to contact our office.

Sincerely,

Ms. Barbara Beall, PWS
Manager, Wetland Services

Attachments.

cc: Mr. Marco Marzocchi, Widewaters

Attachment One:
Revised Site Development Plans

Attachment Two:
Revised Site Development Plans Illustrating Wetland Impacts

Attachment Three:
Culvert Section View

Attachment Four:
Dewatering Detail at Stream Crossing