MEMORANDUM

TO: BART J. TALAMIN, COMPTROLLER
FROM: THOMAS MADDEN, AICP, COMMISSIONER, Department of CD & C
DATE: Wednesday, August 04, 2010
RE: 2010 Capital Budget – Sheldon Brook Drainage District Improvements

Background

The Sheldon Brook drainage basin is located within the boundaries of the Town of Greenburgh and the Villages of Elmsford and Tarrytown. Covering an area of approximately two square miles it is bounded on the east by the Saw Mill River Parkway, on the south by a ridge running parallel to Taxter Road and Sunnyside Lane, by the Hudson River on the west, and on the north by the Hackley School property and a ridge paralleling Martling Avenue.

Sheldon Brook flows westerly from the ridge line of the Saw Mill River basin for about 12,500 feet to the Hudson River. The hills bounding the basin at its easterly section are above 500 feet in elevation and have been pierced by the construction of the New York State Thruway.

SEQRA Review

I have reviewed the proposed rehabilitation of the existing box culvert drainage structure located on Route 9A in Tarrytown from a SEQRA perspective and make the following observations:

1. The proposed project is to rehabilitate the existing box culvert drainage structure by repairing the collapsing side walls and to replace the existing debris gate over the overflow pipe. As such, pursuant to §617.5 (2) of the SEQRA regulations, replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part, is considered to be an action or classes of actions (Type II) identified under SEQRA that are not subject to review. These actions have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8.

2. Thomas Madden, Commissioner of the Department of Community Development and Conservation, Victor Carosi, Commissioner of the Department of Public Works and Michael Lepre, Town Engineer conducted a site on Monday August 2, 2010. Whereas, the proposed rehabilitation work is to be located in an existing watercourse, the project would not required review under the Code
of the Town of Greenburgh, Chapter 280 – Wetlands and Watercourses. As stated in the code:

280-7 A. Allowable activities not requiring permit. The following activities shall be permitted as-of-right within a wetland, watercourse, or wetland buffer, and do not require a wetland/watercourse permit to the extent that they are not prohibited by this or any other ordinance, law, local law, rule or regulation; and to the extent that they do not constitute a pollution or erosion hazard or interfere with proper drainage; and provided they do not require structures, grading, fill, draining, or dredging. A clearance form must be obtained before any activity is commenced.

(7) Construction and repair of sluices and culverts by the Public Works Department in accordance with § 140 of the New York State Highway Law

Findings

As the Environmental Officer for the Town of Greenburgh, and as such, I have reviewed both the Code of the Town of Greenburgh Chapter 200 Environmental Quality and Chapter 280 – Wetlands and Watercourses, as well as Environmental Conservation Law, article 8 and find that the proposed rehabilitation of the existing box culvert drainage structure is classified as a Type II action under Environmental Conservation Law, article 8 and is not subject to review by Chapter 200 Environmental Quality. Further, that the proposed project is an allowable activity under Chapter 280 – Wetlands and Watercourses and does not require a permit.

Cc: Victor Carosi, PE, Commissioner of the Department of Public Works
    Tim Lewis, Esq. Town Attorney
Figure 1. Project Location

Saw Mill River Road

Project Location
Figure 2. Collapsing sidewall that will be repaired

Figure 3. Trash gate that is proposed to replaced