



September 24, 2014

Mr. John Ewasutyn, Chairman
Town of Newburgh Planning Board
308 Gardnertown Road
Newburgh, NY 12550

Emily Lloyd
Commissioner

Sean McAndrew, P.E.
Portfolio Manager

Bureau of Engineering
Design & Construction

smcandrew@dep.nyc.gov

16 Little Hollow Road
P.O. Box 260
Grahamsville, NY 12740

Tel. (845) 334-7195

Re: New York City Department of Environmental Protection
Delaware Aqueduct Rondout-West Branch Tunnel Repair Program
West Connection Site/Shaft 5B
Saturday Work Hours
Project ID # 2013-5

Dear Mr. Ewasutyn:

As part of the ongoing construction of the Shaft 5B site and shaft, DEP would like to work on Saturdays. Our goal in pursuing the Saturday work is to proactively manage the construction schedule, allowing DEP to control the duration of the project which is presumably in the interests of the Town of Newburgh, as well.

Based on the project's environmental impact statement (EIS)¹ as well as the Planning Board site plan approval² and the letter agreement³ covering the project, construction activities for site preparation are to be conducted up to six days per week for two shifts, from 7:00am to 11:00pm. Shaft construction activities are limited to five days per week, 24 hours per day.

DEP is now proposing a slight departure from the agreed hours of work to conduct shaft construction activity on Saturdays – with the exception of blasting and trucking – from 7:00am to 7:00pm, the hours listed in §125-9 D.(2) of the Town Code, Noise and Illumination Control. Work would include, but not be limited to, drilling blasting holes, rock bolting, mesh installation, grouting, concrete formwork erection and stripping, concrete placement, and equipment maintenance. The majority of this work would occur inside the shaft and resultant noise levels would be reduced relative to site work. Site work, as already agreed, would continue on Saturdays during the prescribed timeframe, as well. And, to reiterate, blasting and offsite trucking would not be conducted during the Saturday work.

Please note that the noise mitigation plan³ developed for the project will be in force during the Saturday work, as it is for the weekdays. Should an exceedence of the prescribed noise levels occur, corrective action will be taken immediately in accordance with the plan.

¹ Final Environmental Impact Statement, Water for the Future Program: Rondout-West Branch Bypass Tunnel Repair, CEQR No. 10DEP042U, May 18, 2012; Section 2.1: Description of the Project 1 Construction Program, Table 2.1-1 - West Connection Site: Hours of Work

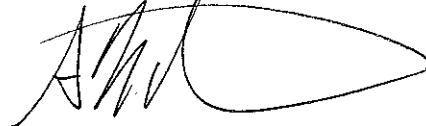
² Project Number 2011-15, July 9, 2012. (The project number was changed to 2013-5 to accommodate the post-approval escrow.)

³ Agreement on Applicability of NYC Building Code Water for the Future – Shaft 5B Construction Project, October 12, 2012.

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We respectfully request your concurrence for the Saturday work, and we look forward to discussing any of the details at your convenience. Please contact me or Mr. George Schmitt at (347) 585-4281 if you require additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'SMcAndrew', written over a large, horizontal, teardrop-shaped scribble.

Sean McAndrew, P.E.

Attachment

- c: Gil Piaquadio, Town of Newburgh Supervisor
- James W. Osborne, Town Engineer
- Gerald Canfield, Town Code Compliance Supervisor
- Kenneth W. Wersted, Planning Board Traffic Consultant
- Patrick J. Hines, Planning Board Engineer ✓
- Michael H. Donnelly, Attorney to the Planning Board
- Sean McAndrew, Program Director, BEDC
- Dan Michaud, RWBT Program Manager, BWS
- Mark Page, Managing Director, BEPA
- Ted Dowey, Accountable Manager, BEDC
- Phil Simmons, Permit Resources, BEDC
- Leif Stepakoff, Resident Engineer, Parsons