

February 26, 2019

Mr. John Gunn, Chairman
and Members of the Beacon Planning Board
Beacon City Hall
1 Municipal Center
Beacon, New York 12508

VIA HAND DELIVERY

*Re: Response to John Clarke Planning and Design Comments dated February 8, 2019, and
Lanc & Tully Comments dated February 7, 2019
248 Beacon Holdings LLC - Fishkill Creek Development Concept Plan for 248 Tioronda Avenue
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn and Members of the Beacon Planning Board:

The following is a point-by-point response to the above referenced comments.

JOHN CLARKE COMMENTS DATED FEBRUARY 8, 2019

1. *Sheet C100 includes the combined floodway, wetland, and surface water boundaries, as well as the proposed development footprints, but the very steep slopes layer is missing. This mapping information and a justification for compliance with Section 223-16 will be needed for a SEQR determination.*

Response: Sheet C100 has been updated to clarify the presence of the steep slopes. The total combined floodway, wetlands, as Jurisdictionally Determined by the ACOE (expired), surface water boundaries, and steep slopes total 3.29 acres. This area calculation was confirmed by Lanc and Tully.

2. *On Sheet G001 the Site Statistics Table should indicate 216 parking spaces. According to Section 223-41.13 I(11)(b) the minimum required parking should also be the maximum allowed.*

Response: The table has been updated indicating that 216 spaces are provided. This number includes 9 handicapped accessible parking spaces, of which 7 are surface and 2 are in the garage.

3. *The photo-simulations and cross-sections previously provided to the Council should be included in the Planning Board packet to assess visual impacts from surrounding public viewpoints.*

Response: Photo-simulations and cross-sections are included with this submittal.

4. *The current Concept Plan proposes 20 land-banked parking spaces to help create a central green. Previous Concept Plan versions showed 33 and 40 land-banked spaces, which would provide more usable greenspace and less potentially unnecessary asphalt. The Board and applicant should discuss an appropriate number of land-banked spaces.*

Response: We have increased the land banked parking from 20 to 24 spaces located entirely in the "lower" parking area closest to the Fishkill Creek allowing for a larger central green area. The remaining surface parking is 118 of which 15 is residential and 103 is non-residential. This would equal 1.39 spaces per residential unit and 4.06 spaces per 1,000 SF for the non-residential space. Based on the Institute of Transportation Engineers (ITE) Parking Generation, 4th Edition, these ratios are considered reasonable.

5. *An ADA-compliant section of the Greenway Trail should be provided through the green near the retaining wall to bypass the lower trail segment with stairs.*

Response: Conceptually, we show a pedestrian path adjacent to the central green linking to the Greenway Trail. As the design is advanced to including storm water and grading, we will review the practicality of ADA-compliant trail section in this area.

6. *The November 26, 2018 response letter from The Chazen Companies reported that the federal wetlands boundary was re-delineated on November 5, 2018 and was to be reviewed by the Army Corps of Engineers. The January 28, 2019 Wetlands Investigation Memorandum reverses course and states that a site investigation on November 6, 2018 found no wetlands on the property. This contradiction needs to be explained.*

Response: The proposed change is based on updated field investigation by a Chazen wetland biologist and is subject to review and determination by the USACOE. The plans will be revised in accordance with USACOE's final determination.

7. *Since this parcel is in the Coastal Management Zone, the application requires a LWRP Consistency Determination. The EAF Narrative provided a consistency justification for the project that addresses designated scenic views. The LWRP does not specifically address this site, but to satisfy general policies the project will need to incorporate best stormwater practices and erosion control measures and protect steep slopes, wetlands, floodplains, and natural vegetation bordering the creek. The proposed Greenway Trail easement is certainly consistent with Policy 22A to set aside open space for passive recreation along the Fishkill Creek.*

Response: A Coastal Assessment Form which addresses the LWRP policies has been prepared and is attached.

LANC AND TULLY COMMENTS DATED FEBRUARY 7, 2019

1. *Although Section 4.2 states that there are "no wetlands observed on the project site." This should be revised to read that there are "no wetlands observed in the area of proposed construction", as the project site is the overall parcel which includes wetlands as shown on the submitted plan SP1.*

Response: Please refer to the response to Clarke comment # 6. The FEAF will be revised in accordance with the USACOE's final determination when it is received.

2. *Dutchess County Parcel Access notes that tax parcel 6054-45-012574 is currently owned by Beacon 248 Development, whereas the Existing Conditions plan (SP1) notes that this parcel is owned by Central Hudson. The plan should be updated to reflect the current owner of the parcel. The notes and information provided on this plan may also need to be updated based upon this change.*

Response: Ownership of both parcels was conveyed to the Applicant in December 2018. The existing conditions plan will be updated in a future submittal.

3. *Will gate(s) be provided at either end, or both ends, of the emergency access drive? If so, they should be shown on the concept plan. If not, how will the access drive be controlled to prevent daily use of this access by the residents or those visiting the site?*

Response: Gates (or bollards) will be provided at both ends of the emergency access drive. This is now shown on the plan.

4. *The Planning Board should be aware that our office previously performed an analysis of the site for the City Council with regards to steep slopes, wetlands, and floodway mapping to determine the maximum number of units that could be constructed on the site with these given constraints. Based upon our analysis we determined that 64.74 units, which is rounded down to 64 units, could be achieved on the site once these constraints were taken into consideration.*

Response: Comment noted.

The following items are enclosed:

- Coastal Assessment Form dated February 26, 2019 (8 copies);
- Concept Plan Set revised February 26, 2019 (8 copies);
- Site Sections (8 copies); and
- Photo Simulations (8 copies).

Please place this project on the agenda of the March 12th Planning Board meeting. If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,



Larry Boudreau, RLA (GA & NY), MBA
Director of Land Development