

March 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 Comments dated 03/07/2019, Lanc & Tully Comments dated 03/08/2019, NYSDOT comments dated 03/21/2019, and Public Comments at 03/12/2019 Public Hearing
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 March 7, 2019

1. *A justification that Section 223-16 B regarding very steep slopes is satisfied to the maximum degree feasible will be needed for a SEQR determination.*

Response: The “very steep slopes” (per the definition in Section 223-81) along Fishkill Creek have been substantially avoided with both the development and Greenway Trail Layout. Internal steep slopes are used in the site plan concept design to transition grade between the upper (west side) and lower (east side) of the site. The emergency access road going out to Wolcott, uses wall to transition between grades. Please refer to Figure 1 attached.

2. *The updated cross-sections previously provided to the Council should have been included in the Planning Board packet to help assess visual impacts from surrounding public viewpoints.*

Response: The referenced cross sections were submitted to the Planning Board on February 26, 2019.

3. *The current Concept Plan proposes 24 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. Exact numbers and locations of parking spaces and other supporting elements should be determined during the Site Plan review process.*

Response: The land banked parking has been increased 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 is equivalent to 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.

4. *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 and will continue to work with the Greenway Trail Committee for overall review and acceptance.

5. *Responses from NYSDOT regarding the Traffic Impact Study and the Army Corps of Engineers regarding the updated wetlands analysis should be reviewed before final SEQR and LWRP determinations. The submitted LWRP consistency analysis otherwise seems reasonable and complete.*

Response: Responses to NYSDOT comments dated March 21, 2019, are provided below. The FEAF has been revised to indicate that there are no wetlands within the area of disturbance for the proposed project, and thus, the project will not result in any wetland disturbance.

The site plan avoids any impacts to the wetlands as approved by the USACOE. If the USACOE accepts a slightly different delineation, then it will affect only a Greenway Trail Section, not the concept plan. From a SEQR standpoint, the proposed layout, for both the project and Greenway Trail, avoids impacts to the wetlands.

LANC AND TULLY COMMENTS DATED MARCH 8, 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. Applicant notes that they are waiting for final determination from the Army Corp. of Engineers and will make any adjustments once this is received.*

The FEAF has been revised to indicate that there are no wetlands within the area of disturbance for the proposed project, and thus, the project will not result in any wetland disturbance.

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. Applicant notes that this will be addressed in future submissions.*

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

NYSDOT COMMENTS DATED MARCH 21, 2019 (SYNCRO COMMENTS)

1. *'Right-Turn-On-Red' is prohibited on Tioronda Avenue but the synchro models show otherwise.*

Response: RTOR restrictions are now included in the model for the Tioronda Avenue approaches.

2. *The posted speed is not 30mph on all approaches:
EB Route 9D – 1 5mph (due to school)
WB Route 9D – 30 mph
NB Tioronda Ave – 25 mph
SB Tioronda Ave – No posted speed (assume 30 mph)*

Response: Changes to the approach speeds have been made for the values above.

3. *The pedestrian phases are not shown in the models.*

Response: Pedestrian crossings are on three approaches. The model now includes the pedestrian phases.

4. *Heavy vehicles are not allowed on EB Route 9D. The models show 2% HV on that approach.*

Response: Vehicle classification counts were not conducted at the time of the intersection turning movement counts; therefore, a default value of 2% was assumed for each approach. The eastbound Route 9D approach is signed as a truck route.

5. *The 3.5 second yellow and 0.5 second all-red times seem low. What's the source of these values? Provide existing phase timings for review.*

Response: The model has been revised to include 4.0 seconds for yellow and 1.0 seconds for all-red. Timings gathered in the field at the time of the data collection are not available.

6. *Where did traffic counts come from?*

Response: Traffic counts were collected by Chazen on September 30, 2013, and October 1, 2013. It is noted that the default values for peak hour factors in the model were revised for actual conditions.

Based on the changes to the Synchro model, the intersection will continue to operate at level of service B as in previous models. Wolcott Avenue operates at level of service B and Tioronda Avenue drops from level of service A to level of service B.

PUBLIC COMMENTS AT MARCH 12, 2019, PUBLIC HEARING

Erin Giunta Comments

1. *Review speed noted in TIS, may be discrepancy.*

Response: The traffic Synchro analysis has been revised in response to NYSDOT comments, which included correction to speed limits.

2. *Noted Sargent School children walking to the school.*

Response: Comment noted, please also refer to comment response #7.

3. *Noted nearby sightings of Bald Eagle, Check DEC web site.*

Response: Consultation with the NYSDEC Natural Heritage Program was initiated in October of 2018 to obtain updated information on endangered, threatened and rare species in the vicinity of the project site. The FEAF Mapper automatically responds “no” to FEAF question E.2.o which relates to endangered or threatened species or associated habitat. Additionally, correspondence from NYSDEC Natural Heritage Program dated November 7, 2018, indicates that the NYSDEC has no records of rare or state-listed animals or plants or significant natural communities at the project site. This correspondence was provided in Attachment B of the Full Environmental Assessment Form (FEAF). Thus, the NYSDEC’s current records show no occurrences of the Bald Eagle in the vicinity of the project.

4. *Check survey for note “Assumed Centerline” and clarify.*

Response: The note on the survey “Assumed Center Line” is the approximate location of the centerline for Tioronda Ave.

5. *Exiting the project site, review site line.*

Response: The site line looking south down Tioronda, while exiting the site, has been reviewed under the previously site plan approval and found to be acceptable with the vegetation removed.

6. *Noted Knevels Ave steep grade going down into Tioronda Ave.*

Response: As part of the previous site plan approval, a guide rail is proposed on the east side of Tioronda Ave directly across from Knevels Ave. Please refer to Figure 2 attached.

7. *How many school aged children will be generated with the project?*

Response: The project is located in the Beacon City School District. According to the NY State Education Department website, the 2017-2018 enrollment in the district was 2,812 students, with an additional 270 students who live in the district but attend private schools, resulting in a public-school participation rate of 91%. The project is expected to generate approximately 18 total school-age children, of which approximately 16 would be expected to attend public schools based on the public-school participation rate. This represents only a 0.6% increase in students at the Beacon City School District schools. It is anticipated that the school district has capacity to handle this increase. Additionally, some of these school-age children may be moving into the apartments from other locations within the school district and are already enrolled in the school district. This information along with a table that shows the school-age children calculations has been added to Section 3.2 of the FEAF Narrative.

8. *Accident occurrence on Tioronda Ave.*

Response: The intersection of Tioronda and Wolcott Ave operates at a very good conditions with low volumes. The LOS is a High B meaning that the low volumes produce little vehicle delay. With the low volumes, it is anticipated that accident occurrence would also be low.

Taylor Palmer Cuddy and Feder (representing Sisters)

1. *Emergency access through the B248 site. We need to address this like the past permit which allowed the use of the access with fair and just compensation.*

Response: Comment noted.

Other

1. *Question regarding ADA accessible Greenway Trail.*

Response: Regarding ADA accessibility and all items relating to the Greenway Trail, we will continue to work with the GWT committee through the site plan approval phase to finalize the GWT layout, features and grades.

The following items are enclosed:

- FEAF Part 1 revised March 26, 2019 (8 copies)
- Revised Synchro Analysis (Attachment A of FEAF – 8 copies)
- Figure 1: Environmental Constraints Map (8 copies)
- Figure 2: Access Drive from Previously Approved Plan (8 copies)
- Traffic Synchro files on CD

Please place this project on the agenda of the April 9th 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

