

April 30, 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 04/04/2019, Lanc & Tully Comments dated 04/01/2019,  
Creighton Manning Comments dated 04/29/2019, and Additional Public Comments  
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 APRIL 4, 2019**

1. *The Board will need to determine that Section 223-16 B regarding very steep slopes is satisfied to the maximum degree feasible. The applicant's latest response letter provides a brief justification and an overlay map showing the proposed buildings and the existing slopes, which were substantially affected by previous development and demolition on the site. The Full EAF narrative, Section 4.1, incorrectly states that no development is proposed on areas of very steep slopes.*

**Response:** The FEAF has been revised to indicate that a portion of the development occurs in areas of very steep slopes. An updated Environmental Constraints Plan is included with this submittal. The following addresses the criteria listed in Section 223-16.B of the zoning regulations to be considered by the Planning Board in allowing development in areas of very steep slopes.

- (1) The proposed development is located in the area of previous development, which is in the most suitable area of the site, consistent with criteria B(1). The Creekside slopes are mostly undisturbed, with the exception of small areas of disturbance necessary for the Greenway Trail. Additionally, the majority of disturbance to very steep slopes occurs in areas where the slopes appear to be manmade by the previous development and Metro North.
- (2) The activity proposed is the minimum necessary to make reasonable use of the land, consistent with criteria B(2).

- (3) All feasible construction standards and precautions will be outlined in the SWPPP and Erosion & Sediment Control plans and reviewed by the Planning Board during site plan approval, consistent with criteria B(3).**
  - (4) The purpose of Section 223-16.B is satisfied to the maximum degree feasible, consistent with criteria B(4).**
2. *The Full EAF narrative, Section 3.2, now includes an estimate of 16 public school children from the proposed project, based on a set of New York State multipliers from Econsult Solutions. These multipliers are limited because those identified by bedroom count include all rental housing types, not just multifamily, and the multifamily multipliers combine all bedroom and unit sizes. The Rutgers University 2006 Residential Demographic Multipliers for New York, long considered the standard for school estimates, use older data, but break down the ratios by unit types, bedroom counts, and relative rental prices. By comparison, the more specific Rutgers multipliers for 25 market-rate and 3 workforce 1-bedroom apartments and 32 market-rate and 4 workforce 2-bedroom apartments add up to a total of 9.48 public school-age children.*

*These estimates from 9 to 16 public school children, spread over 12 grades, should not significantly impact school capacities, especially since the district has experienced an enrollment decline from 3,601 in 2004-5 to 2,841 in 2017-18, down 760 students. Also, the 25,400 square foot commercial component of this project would help balance any budgetary impacts.*

**Response: Comment noted.**

- **Section 3.2 of the EAF has been revised to utilize the Rutgers reference for school children calculations.**
  - **As stated by John Clarke, the new students generated by the project are not expected to result in any significant adverse impacts on the School District.**
3. *For final Concept Plan approval, an ADA-compliant section of the Greenway Trail should be shown through the green near the retaining wall to bypass the lower trail segment with stairs.*

**Response: A connection between the Greenway Trail and the parking area has been shown on the concept plan. The exact location will be determined during site plan review when detailed design plans are developed.**

4. *The applicant should be prepared to update the Board regarding NYSDOT review of the recent Traffic Impact Study, Army Corps of Engineers review of the wetland analysis, and NYSOPRHP review of any archeological impacts.*

**Response:**

- **NYSDOT: Email correspondence from NYSDOT dated April 17, 2019 (attached) indicate that the NYSDOT's comments have been addressed.**

- **USACOE:**
  - Continued coordination and follow up.
  - 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.
- **NYSOPRHP:**
  - A Phase 1A Archeological Investigation dated July 2013 was conducted by Hartgen Archaeological Associates, Inc.
  - The Phase 1A report concluded that as a result of the impacts related to the continuous industrial development of the property combined with the impacts surrounding the removal the buildings associated with the New York Rubber Company facility, it is likely no significant cultural deposits, specific to the early to mid-19th century development of the property remains. The Phase 1A report was submitted to NYSOPRHP for review, under the previously approved project.
  - Correspondence from NYSOPRHP dated September 27, 2013, concurred the report's conclusions regarding cultural deposits, but requested additional information with regard to building heights due to the project's location adjacent to a National Register-Eligible district to the east.
  - The Applicant submitted the additional requested information, and in correspondence dated December 23, 2013, NYSOPRHP concluded that the massing of the buildings as proposed at that time was appropriate for the site, and determined that the approved project would have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

**LANC AND TULLY COMMENTS DATED APRIL 1, 2019**

1. *As noted in our previous comment correspondences, the 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:** Comment noted. As previously indicated, ownership of both parcels was conveyed to the Beacon 248 Holdings, LLC, in December 2018. The existing conditions plan has been updated.

**CREIGHTON MANNING COMMENTS DATED APRIL 29, 2019**

1. *The original (2014) Planning Board approval considered an entirely residential development consisting of 100 units. The current application includes both residential and commercial components—64 residential units are proposed along with 25,400 square feet of commercial space. In the updated FEA, The Chazen Companies performed a vehicle trip generation analysis and concluded that the findings of the 2013 Traffic Impact Study Report remain valid given that the trip generation figures are generally consistent. CM is in agreement.*

**Response: Comment noted.**

2. *The 2013 Traffic Impact Study Report assumed a build year of 2015 with no background growth in traffic from 2013 to 2015. Given that four years have passed since the assumed build year and other projects within the city have come online, it is reasonable to inquire if there has been background growth between 2015 and 2019. Does The Chazen Companies have more current traffic data that can inform this? Regardless, based on the calculated levels of service of A and B, an assumed background growth rate of 2% (annually) over four years would likely not result in capacity constraints at this intersection.*

**Response: More current data on the traffic volumes since 2015 is not available. The City previously raised a similar comment as well. To conduct an analysis of future volumes (2018) the 2015 volumes were increased substantially on Wolcott Avenue and southbound Tioronda Avenue, well beyond an annual growth rate of 2% per year. The AM volumes on Wolcott Avenue were increased by 600 vehicles and by 50 vehicles on southbound Tioronda Avenue. The PM volumes were increased by 400 vehicles on Wolcott Avenue and by 50 vehicles on southbound Tioronda Avenue. For both peaks, delays increased by about 3 seconds; therefore, the intersection can handle a substantial amount of additional traffic and still operate at very good levels of service (LOS B).**

3. *CM concurs with the right-turn ingress and left-turn egress restrictions recommended at the site driveway on Tioronda Avenue. Traffic control signs should be shown on the Concept Plan in accordance with MUTCD guidelines—i.e., at “near right” and “far left” locations.*

**Response: Comment noted.**

4. *The southerly crosswalk spanning Tioronda Avenue at its intersection with Wolcott Avenue is set back approximately 30 feet from Wolcott Avenue. At this particular location, drivers have mostly completed their turns by the time they reach the crosswalk. With the forecasted increase in turning movements, CM recommends that the applicant consider installing “Turning Vehicles Yield to Pedestrians” (R10-15) signs as means to remind drivers of the possible presence of pedestrians in the crosswalk. Placement of signs should be proposed by the applicant’s professionals. NYSDOT may need to be consulted.*

**Response: Comment noted. The sign would not be within NYSDOT jurisdiction. Signage details will be provided during site plan review when a more detailed site plan is developed.**

5. *CM recommends that the applicant consider installing an Offset Intersection Warning Sign on northbound Tioranda Avenue in advance of Knevels Avenue and the site driveway, which are on opposite sides of the road. The sign legend and placement of the sign should follow MUTCD guidelines.*

**Response: Comment noted. Signage details will be provided during site plan review when a more detailed site plan is developed.**

6. *CM is aware of the constraints that require the site access driveway to intersect Tioranda Avenue at an acute angle. As noted, this configuration will limit turning movements to lefts in and rights out only. A review of the Vehicle Maneuvering Plan suggests that entering and exiting paths of passenger vehicles could overlap at/near the driveway throat. CM recommends that the applicant conduct an AutoTurn analysis of passenger vehicles to show there is adequate maneuverability within the proposed driveway on Tioranda Avenue for simultaneous entering and exiting movements.*

**Response: Comment noted. A Vehicle Maneuvering Plan will be provided during site plan review when a more detailed site plan is developed.**

***ERIN GIUNTA ADDITIONAL COMMENTS DATED APRIL 10<sup>th</sup>, 2019***

1. *Review speed noted in TIS, may be discrepancy. The speed limit on Tioronda is 25 mph. The traffic study calculated the rate of cars at 40 mph limit.*

**Response: The traffic study has been updated with the correct speed.**

3. *Noted nearby sightings of Bald Eagle, Check DEC web site. I have photos of a bald eagle from 2018 on the Sargent school grounds.*

**Response: DEC SEQR procedures for evaluating impacts to endangered, threaten and rare species (ETR) at this site have been followed.**

5. *Will there be a 2-way stop sign at Knevels/Tioronda?*

**Response: A two-way stop sign will not be provided at Knevels/Tioronda Ave intersection as part of this project.**

9. *Additional house built on new parallel street called Coyne Hill Road, at top of Knevels hill. Your map doesn't list this street.*

**Response: Comment noted.**

10. *Will there be a gas line provided on Tioronda to this complex? Currently no gas line as far as I know. Can the residents of Knevels request that the gas line be extended to Knevels to connect the line to Sargent Ave?*

**Response: Details of the utility service are unknown at this time, and will be determined during the site plan review process when more detailed plans are developed.**

In addition to these comments, the attachments include some items requested at the Planning Board meeting. The NYSDEC Natural Heritage Program letter is provided in Attachment B of the FEAF.

The following items are enclosed:

- NYSDOT email correspondence dated April 17, 2019 (8 copies);
- NYSOPRHP "no effect" letter dated December 23, 2013 (8 copies);
- ITE Site Distance Criteria and profile (Appendix G of 2013 Traffic Impact Study) (8 copies);
- FEAF Part 1 revised April 30, 2019 (8 copies); and
- Site Plan Set revised April 30, 2019 (8 copies)

If you have any questions or need anything further, please call me at 845-486-1510. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Larry Boudreau". The signature is fluid and cursive, with the first name "Larry" being more prominent than the last name "Boudreau".

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



**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation  
Peebles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643  
[www.nysparks.com](http://www.nysparks.com)

December 23, 2013

Larry Boudreau  
Director of Land Development  
The Chazen Companies  
21 Fox St  
Poughkeepsie, New York 12601  
(via e-mail only)

Re: DEC  
Beacon 248 Development LLC; Tioronda Avenue  
248 Tioronda Avenue, Beacon, Dutchess County  
13PR04006

Dear Mr. Boudreau:

Thank you for continuing to consult with the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law).

We have reviewed the Site Plan, Elevation/Section Drawings, and Concept Plan submitted to our office. As noted in our previous letter, the proposed project is located adjacent to a National Register eligible historic district. We note that the massing is appropriate for the site and that the buildings will be three stories maximum (built into the hillside). Based upon this review, it is the OPRHP's opinion that your project will have No Adverse Impact upon cultural resources in or eligible for inclusion in the State and National Register of Historic Places.

If further correspondence is required regarding this project, I can be reached at (518) 237-8643, ext. 3260 or at [eric.kuchar@parks.ny.gov](mailto:eric.kuchar@parks.ny.gov). Please be sure to refer to the Project Review (PR) number noted above.

Sincerely,

Eric N. Kuchar  
Historic Preservation Technical Specialist





**From:** [Larry Boudreau](#)  
**To:** [Debbie Hubbard](#)  
**Subject:** FW: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)  
**Date:** Monday, April 29, 2019 3:04:24 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)

---

---

**From:** Gorney, Lance (DOT) <Lance.Gorney@dot.ny.gov>  
**Sent:** Wednesday, April 17, 2019 2:44 PM  
**To:** Larry Boudreau <lboudreau@chazencompanies.com>; Tom Johnson <tjohnson@chazencompanies.com>  
**Cc:** egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <dot.sm.r08.HWPermits@dot.ny.gov>; berry@chaibuilders.com; Pacheco, Ivelisse (DOT) <lvelisse.Pacheco@dot.ny.gov>  
**Subject:** RE: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

Larry,

Regarding NYSDOT SYNCRO Comments: Comments have been addressed. No further comments at this time.

Thank you,

**Lance Gorney, P.E.**

Regional Highway Work Permit Coordinator

**New York State Department of Transportation, Hudson Valley**

4 Burnett Boulevard, Poughkeepsie, NY 12603

(845) 437-3325 | [Lance.Gorney@dot.ny.gov](mailto:Lance.Gorney@dot.ny.gov)



---

**From:** Larry Boudreau [<mailto:lboudreau@chazencompanies.com>]  
**Sent:** Friday, April 05, 2019 10:37 AM  
**To:** Gorney, Lance (DOT) <[Lance.Gorney@dot.ny.gov](mailto:Lance.Gorney@dot.ny.gov)>; Tom Johnson <[tjohnson@chazencompanies.com](mailto:tjohnson@chazencompanies.com)>  
**Cc:** DeNigro, Albert (DOT) <[Albert.DeNigro@dot.ny.gov](mailto:Albert.DeNigro@dot.ny.gov)>; egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <[dot.sm.r08.HWPermits@dot.ny.gov](mailto:dot.sm.r08.HWPermits@dot.ny.gov)>; berry@chaibuilders.com  
**Subject:** RE: Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

**ATTENTION:** This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Lance – we made a submittal back to the City last week. I am sending you that portion of the submittal which addressed your comments, made by Tom Johnson our traffic engineer, who I am also cc'ing to this email. This includes the response letter to the Planning Board with the responses to the DOT comments highlighted in yellow, the revised Synchro Analysis and Synchro files. We meet with the City Tuesday night April 9. In order for them to act on SEQRA, they will want your response to the project. Please let me know if you have any questions for us. Thanks! Larry

---

**From:** Gorney, Lance (DOT) <[Lance.Gorney@dot.ny.gov](mailto:Lance.Gorney@dot.ny.gov)>

**Sent:** Thursday, March 21, 2019 3:25 PM

**To:** Larry Boudreau <[lboudreau@chazencompanies.com](mailto:lboudreau@chazencompanies.com)>

**Cc:** DeNigro, Albert (DOT) <[Albert.DeNigro@dot.ny.gov](mailto:Albert.DeNigro@dot.ny.gov)>; [egrogan@CITYOFBEACON.org](mailto:egrogan@CITYOFBEACON.org); dot.sm.r08.HWPermits <[dot.sm.r08.HWPermits@dot.ny.gov](mailto:dot.sm.r08.HWPermits@dot.ny.gov)>; [berry@chaibuilders.com](mailto:berry@chaibuilders.com)

**Subject:** Beacon 248 Holdings LLC: 248 Tioronda Avenue (NYSDOT SEQRA 19-012)

Larry,

Regarding the March 2019 SYNCHRO file submitted to our office, please see attached comments. It appears the SYNCHRO file may have been utilizing the default settings. Please make revisions to the SYNCHRO files and submit to our office. To reiterate and be certain we are on same page – both Tioronda and this segment of 9D are not State Jurisdictional roads. Our interest will be related to the traffic flow.

Regards,

**Lance Gorney, P.E.**

Regional Highway Work Permit Coordinator

**New York State Department of Transportation, Hudson Valley**

4 Burnett Boulevard, Poughkeepsie, NY 12603

(845) 437-3325 | [Lance.Gorney@dot.ny.gov](mailto:Lance.Gorney@dot.ny.gov)



**Chazen is Proud to be an Employee-Owned Company.**



Chazen is committed to sustainable practices, and asks you to consider whether printing this e-mail is necessary. This e-mail message, including any attachments, is the property of The Chazen Companies. It is intended only for the exclusive use of the individuals listed herein and may contain information that is privileged and/or confidential. If received in error, please notify the sender immediately and delete the transmission in its entirety. Thank you.

## Appendix G:

### ITE Site Distance Criteria



## Sight Distance Measurements

Distance along the Major Road from Minor Road to Allow Vehicle to Enter Safely (Feet)															
		30-mph		35-mph		40-mph		45-mph		50-mph		55-mph		60-mph	
		D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>	D <sub>L</sub>	D <sub>R</sub>
2-lane	Passenger Car	335	290	390	335	445	385	500	430	555	480	610	530	665	575
	Single Unit Truck	420	375	490	440	560	500	630	565	700	625	770	690	840	750
	Combination Truck	510	465	595	545	680	620	765	695	850	775	930	850	1015	930
4-lane	Passenger Car	355	290	415	335	475	385	530	430	590	480	650	530	710	575
	Single Unit Truck	450	375	525	440	600	500	675	565	750	625	825	690	900	750
	Combination Truck	540	465	630	545	720	620	810	695	900	775	990	850	1080	930

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = Use 3.5' (desirable since it is redpmcal) but can use 4.35' (height of vehicle)

**D<sub>L</sub>** = Safe Sight Distance needed for **Left Turns**

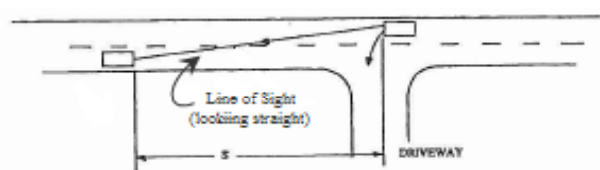
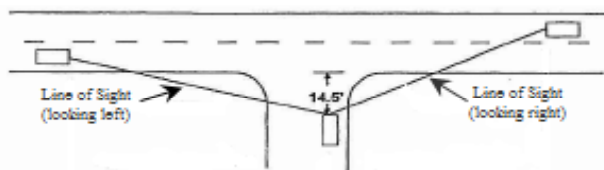
**D<sub>R</sub>** = Safe Sight Distance needed for **Right Turns**

Distance along the Major Road for Vehicles to Safely Turn onto Minor Road (Feet)								
		30-mph	35-mph	40-mph	45-mph	50-mph	55-mph	60-mph
		D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>
2-lane	Passenger Car	245	285	325	365	405	445	490
	Single Unit Truck	290	335	385	430	480	530	575
	Combination Truck	335	390	445	500	555	610	665
4-lane	Passenger Car	265	310	355	400	445	490	530
	Single Unit Truck	320	375	425	480	530	585	640
	Combination Truck	365	425	485	545	605	665	725

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = Use 3.5' (desirable since it is redpmcal) but can use 4.35' (height of vehicle)



Stopping Sight Distance (Feet)							
	30-mph	35-mph	40-mph	45-mph	50-mph	55-mph	60-mph
	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>	D <sub>s</sub>
Passenger Car or Truck	200	250	305	360	425	495	570

Height of Eye for a Passenger Car = 3.5'

Height of Eye for a Truck = 7.6'

Height of Object for a Car or Truck = 2'

PROJECT EXIT SIGHT DISTANCE: TIORONDA AVENUE TO LEFT

