

May 24, 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: 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 site plan has been revised to show a driveway spur to connect to the adjacent Sisters' property. Additionally, we received a "no adverse impact" letter from the NYS Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) (attached) in response to our submittal of the current site plan.

Correspondence from Lanc & Tully dated May 9, 2019, and correspondence from John Clarke Planning and Design dated May 9, 2019, indicate that all of their previous comments have been addressed.

The following are comments generated at the public hearing on May 14, 2019, based on the draft meeting minutes.

1. *Kevin Byrne, 61 Tioronda Avenue, commended the applicant on the building design. He felt the grade change at the Wolcott Avenue emergency access should be reviewed because it appeared too steep and asked that amenities to greenway trail be improved by working with the Greenway Committee. Mr. Byrne suggested the trail remain by the creek by creating a cantilevered walkway under the bridge to avoid steep grade changes where the trail meets Wolcott Avenue.*

**Response:** The emergency access drive (EAD) as shown is as it was previously approved with the addition of a greenway trail sidewalk. The maximum allowable grade permitted for emergency access vehicles is 10 percent. The EAD will not exceed this design requirement. Greenway trail comments are noted. The applicant has and will continue to work with the Greenway Trail Committee during the site plan approval phase.

2. *Theresa Kraft, 315 Liberty Street, expressed concern that there could be additional contaminants unearthed during construction because it is a former industrial site. She thought materials could be left underground and new contaminants introduced from the development.*

**Response:** Based on the attached correspondence from NYSDEC, the remediation of the site was completed, and the property was delisted from the Registry of Inactive Hazardous Waste Disposal Sites in New York. Since no new contaminants have been introduced to the site, the NYSDEC does not require further investigation. It should be noted that each building would have its own sanitary sewer pump station with generator back up.

3. *Arthur Camins, 39 Rombout Avenue, suggested use of permeable pavement and a green roof system would be better for the environment.*

**Response:** Comment noted. The applicant is committed to sustainable practices as appropriate to the site condition and will look for opportunities to use the practices noted.

4. *Frank Filiciotto with Creighton Manning reported [that he] worked with the applicant on updating their traffic study. He confirmed that sufficient capacity exists at the intersection of Wolcott and Tioronda Avenue to accommodate the additional vehicular traffic that will be generated from this project.*

**Response:** Comment noted.

5. *Mr. Clarke reported the applicant sufficiently addressed his comments in order to move forward with the LWRP and SEQRA determinations for a recommendation to the City Council on the Concept Plan. The wetland delineation from Army Corps of Engineers remains but the environmental review process is complete and further site plan review will take place once conceptual approval is granted by the City Council. Mr. John reported his environmental review comments have been addressed.*

**Response:** Comment noted.

6. *Members will advise the City Council that they support the use of permeable pavement and green measures but don't feel it should be mandatory since the applicant agreed to work in good faith during the site plan review. The number of land banked spaces will also be reevaluated during site plan review. Members were comfortable with the conceptual layout knowing that specific site plan issues will be dealt with after conceptual review.*

**Response:** Comment noted.

7. *Mr. Barrack made a motion to close the SEQRA public hearing, and direct the City Attorney to draft SEQRA documents, an LWRP Consistency Determination, and a recommendation to the City Council for consideration at the June meeting, seconded by Mr. Muscat. All voted in favor. Motion carried.*

**Response:** Comment noted.

The following items are enclosed:

- NYSOPRHP "no adverse impact" letter dated May 6, 2019 (8 copies);
- NYSDEC letters dated October 11, 2002, February 4, 2003, and May 1, 2003, which relate to the delisting of the site from the Registry of Inactive Hazardous Waste Disposal Sites in New York (8 copies); and
- Site Plan Set revised May 24, 2019 (8 copies).

Please place this project on the agenda of the June 11, 2019, Planning Board meeting, in anticipation of a SEQR Determination, LWRP Consistency Determination, and recommendation to the City Council. 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





## Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO  
Governor

ERIK KULLESEID  
Commissioner

May 6, 2019

Ms. Doborah Hubbard  
The Chazen Companies  
21 Fox Street  
Poughkeepsie, NY 12601

Re: DEC  
Beacon 248 Development LLC; Tioronda Avenue  
248 Tioronda Avenue  
Beacon, NY 12508

Dear Ms. Hubbard:

Thank you for continuing to consult with the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials 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). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources.

We understand that the proposed project plan has changed since our last review, and that the current proposal consists of a 64-unit multifamily residential development within two buildings (reduced from 100 units) and a 25,400 SF office building.

Based on this review, it is the opinion of the SHPO that the proposed project, as amended, will have No Adverse Impact to historic and cultural resources.

If you have any questions, I can be reached at (518) 268-2164.

Sincerely,

Weston Davey  
Historic Site Restoration Coordinator  
weston.davey@parks.ny.gov

via e-mail only



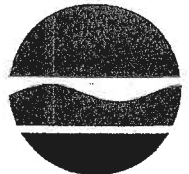
**New York State Department of Environmental Conservation**

**Division of Environmental Remediation, 12<sup>th</sup> Floor**

5 Broadway, Albany, New York 12233-7011

Phone: (518) 402-9706 • FAX: (518) 402-9020

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)



Erin M. Crotty  
Commissioner

OCT 11 2002

Mr. Kevin P. McCarty  
Director, Site Investigations  
Lawler, Matusky & Skelly Engineers LLC  
One Blue Hill Plaza  
P.O. Box 1509  
Pearl River, NY 10965

Dear Mr. McCarty:

Re: Petition to Delist  
Tuck Industries  
Site ID No. 314044

This is in response to your petition of May 14, 2002 requesting that the subject site be delisted from the Registry of Inactive Hazardous Waste Disposal Sites in New York State.

The Department has determined that your petition may be granted. This letter serves as notice of the Department's intent to delist this site. In accordance with Environmental Conservation Law, DEC will commence a 60 day notice period prior to the proposed deletion of this site. During this period, public comments will be received for 30 days. If no information is received which would change the proposed action, this site will be removed from the Registry and notice will be sent to you.

If you have any questions or problems concerning this determination, please contact Wayne Bayer, of the Bureau of Hazardous Site Control, at (518) 402-9553.

Sincerely,

Dale A. Desnoyers

Director

Division of Environmental Remediation

cc: J. Rendeiro ✓  
B. Grossman, Alston & Bird  
C. Rigano, tti





**New York State Department of Environmental Conservation**  
**Division of Environmental Remediation**  
Bureau of Hazardous Site Control, 11<sup>th</sup> Floor  
25 Broadway, Albany, New York 12233-7014  
Phone: (518) 402-9551 • FAX: (518) 402-9020  
Website: www.dec.state.ny.us



FEB - 4 2003

Mr. Joseph Rendeiro  
425 Beverbrook Road  
Lincoln Park, NJ 07035

Dear Mr. Rendeiro:

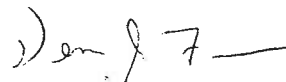
Re: DEC Site No.: 314044  
Site Name: Tuck Industries  
Site Address: Tioronda Avenue, Beacon, NY 12508

As mandated by Section 27-1305 of the Environmental Conservation Law, the New York State Department of Environmental Conservation (Department) must maintain a registry of all disposal sites known to contain hazardous wastes. It is this Department's policy to notify the owner of all or any part of each site or area included in the Registry of Inactive Hazardous Waste Disposal Sites as to changes in site classification.

Our records indicate that you are the owner or part-owner of the above-referenced site. Based on the information that has been gathered to date, the Department has concluded that this site has been properly remediated and that no further action is required. Therefore, this letter constitutes notification of the Department's intention to delist this site from the Registry of Inactive Hazardous Waste Disposal Sites in New York State. State laws require that the Department set a 60-day public notification period of our intention to delist a site from the Registry, and receive any public comments on the proposed deletion. At the conclusion of this period, if no new information is presented, this site will be removed from the Registry. If we receive any information which causes us to reconsider this deletion, you will be notified of this change.

If you have any further questions, please contact me at (518) 402-9553.

Sincerely,



Dennis J. Farrar  
Chief  
Site Control Section

cc: Mr. Kevin McCarty



New York State Department of Environmental Conservation  
Division of Environmental Remediation  
Bureau of Technical Support, 11<sup>th</sup> Floor  
125 Broadway, Albany, New York 12233-7020  
Phone: (518) 402-9551 • FAX: (518) 402-9557  
Website: www.dec.state.ny.us



MAY - 1 - 2003

Mr. Joseph Rendeiro  
425 Beverbrook Road  
Lincoln Park, NJ 07035

Dear Mr. Rendeiro:

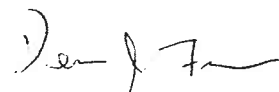
Re: DEC Site #314044  
Tuck Industries  
Tioronda Avenue, Beacon, NY 12508

The 60 day notification period and inclusive 30 day public comment period have ended. These requirements were established for the proposed deletion of sites from the New York State Registry of Inactive Hazardous Waste Disposal Sites (the Registry).

This is official notification that the site has been deleted from the Registry effective with receipt of this letter.

Please refer questions to James Schreyer, NYSDEC, Region 3 Headquarters, 21 South Putt Corners Road, New Paltz, NY 12561 at (914) 256-3000.

Sincerely,

  
Dennis J. Farrar  
Chief  
Site Control Section