

January 30, 2019

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

VIA HAND DELIVERY

*Re: Beacon 248 Holdings LLC – Proposed Multifamily Development and Office Building
(Formerly Beacon 248 Development, LLC, Multifamily Development)
248 Tioronda Avenue, City of Beacon, Dutchess County, NY
Chazen Project #81750.00*

Dear Chairman Gunn:

The Beacon 248 Development project, located in the Fishkill Creek Development (FCD) District, was granted a Special Use Permit by the City of Beacon Common Council on August 7, 2014, and site plan approval and subdivision approval were granted by the City of Beacon Planning Board on January 13, 2015. The approved project consisted of the construction of 100 two-bedroom apartment units within four buildings and a 1,200 SF clubhouse on the 9.16-acre site. Extensions of these approvals were subsequently granted. A public Greenway Trail was proposed along the Creek. Access to the project was via an easement over the Metro North railroad property, and emergency access was proposed from Wolcott Avenue. All conditions of approval were met, and the approved plan sets were signed by the Planning Board Chairman.

The current Applicant, Beacon 248 Holdings LLC, is now proposing a site plan for a multifamily development and office building on the property which complies with the amended zoning regulations for the FCD District. The number of dwelling units has been reduced to 64 dwelling units (28 one-bedroom units and 36 two-bedroom units) and the project includes 25,400 square feet of non-residential space, which represents 27.7% of the total proposed floor area. As required, 10% of the dwelling units will meet the requirements of Article XVI.B, *Affordable Workforce Housing*. The new plan also includes a public Greenway Trail.

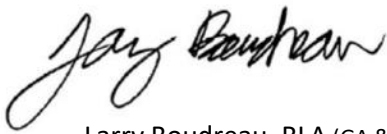
The currently proposed project was submitted to the City Council for concept plan review in July 2018. The plans have been revised in accordance with comments received, and on January 22, 2019, the City Council voted to refer to the project to the Planning Board.

The following items are attached:

- Site Plan Application with deed (5 copies)
- Full Environmental Assessment Form (FEAF) Part 1 revised January 30, 2019 (5 copies)
- Site Plan Set (5 copies)
- CD with pdfs of submittal items

Please place this project on the agenda of the agenda of the Wednesday, February 13th, Planning Board meeting. 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

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

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,

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



LEGEND:

FLOODWAY, WETLAND,
SURFACE WATER AND
SLOPES > 25%

SLOPES > 25%

Allowable Residential Units		
1	Total lot area	9.18 acres
2	Lot area with "very steep slopes" (per the definition in Section 223-81), covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland	3.29 acres
3	Remaining lands for dwelling unit calculation (line 1 - line 2)	5.89 acres
4	Maximum dwelling units (line 3 * 11)	64 units

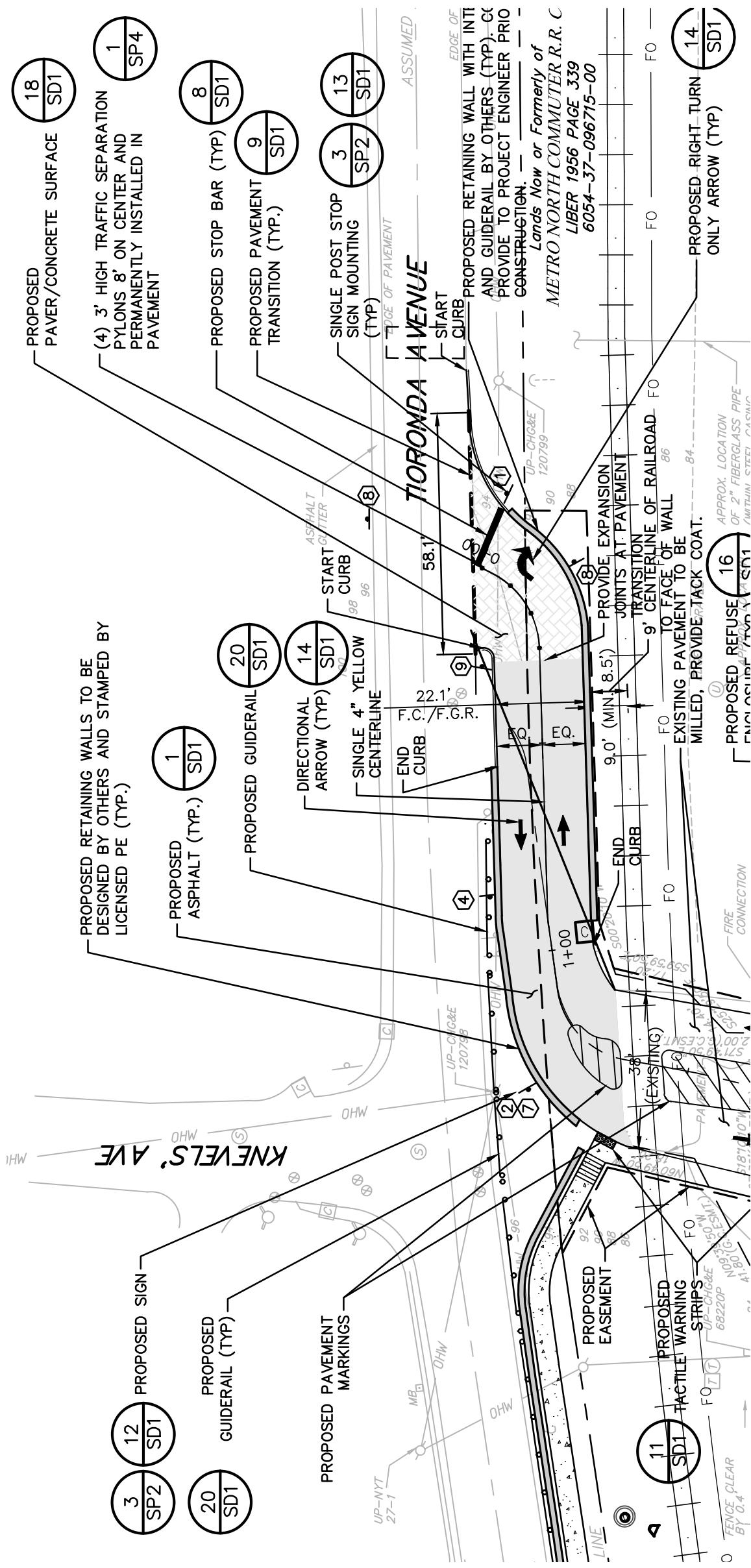


Figure 2
Access Drive from Previously Approved Plan

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 10th, 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

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. 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



From: Larry Boudreau [<mailto:lboudreau@chazencompanies.com>]
Sent: Friday, April 05, 2019 10:37 AM
To: Gorney, Lance (DOT) <Lance.Gorney@dot.ny.gov>; Tom Johnson <tjohnson@chazencompanies.com>
Cc: DeNigro, Albert (DOT) <Albert.DeNigro@dot.ny.gov>; egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <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>

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

To: Larry Boudreau <lboudreau@chazencompanies.com>

Cc: DeNigro, Albert (DOT) <Albert.DeNigro@dot.ny.gov>; egrogan@CITYOFBEACON.org; dot.sm.r08.HWPermits <dot.sm.r08.HWPermits@dot.ny.gov>; 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



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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 _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R	D _L	D _R
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_L = Safe Sight Distance needed for **Left Turns**

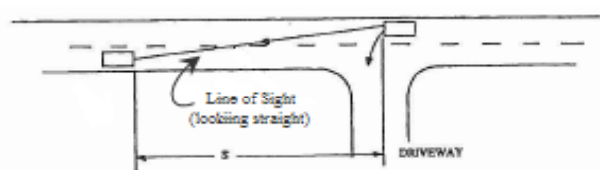
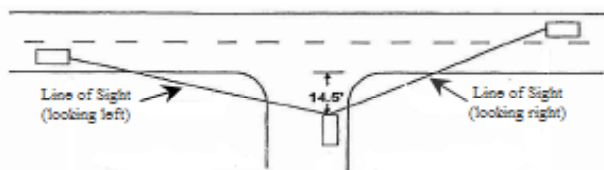
D_R = Safe Sight Distance needed for **Right Turns**

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 _s	D _s	D _s	D _s	D _s	D _s	D _s
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)



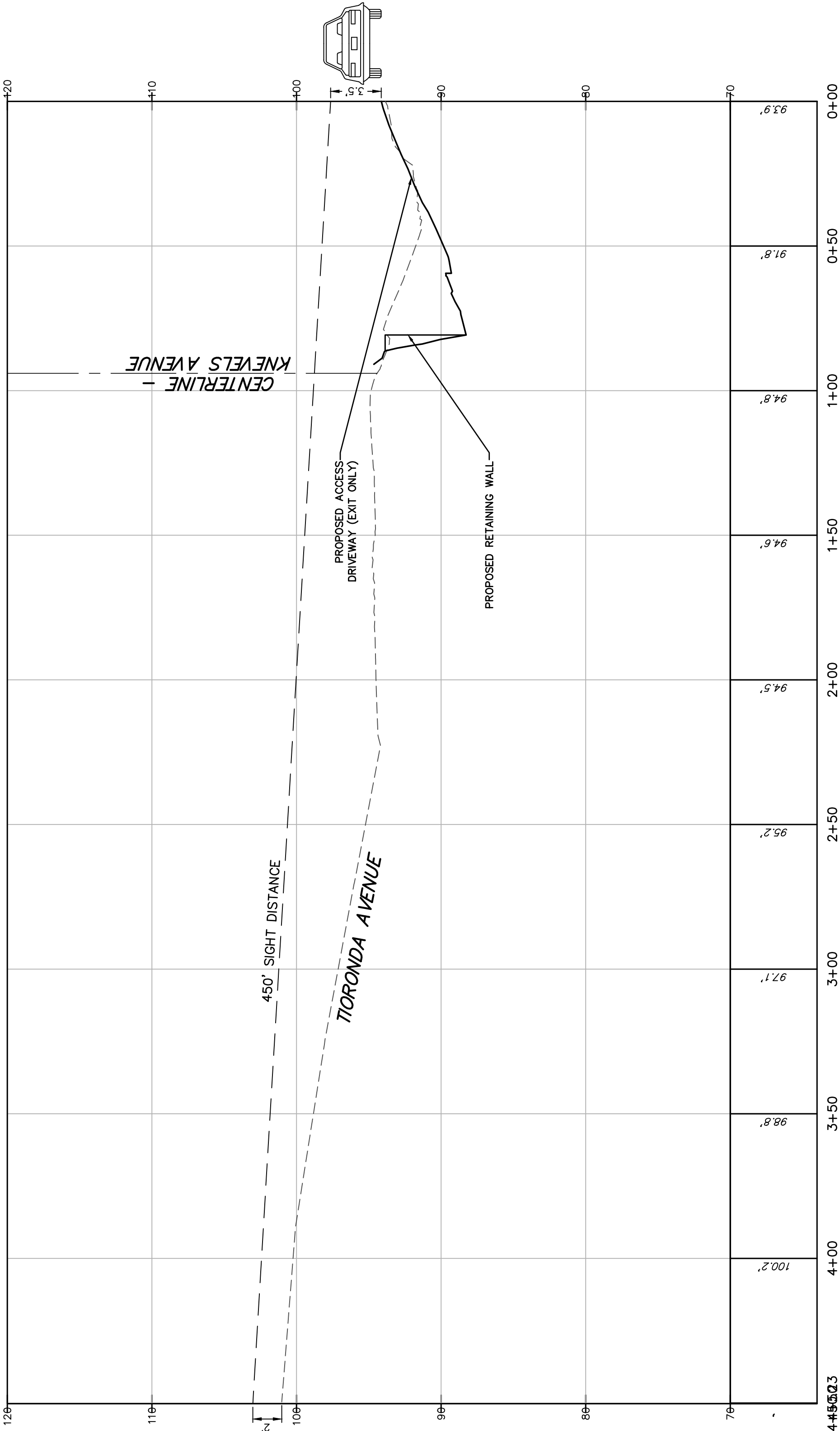
Stopping Sight Distance (Feet)							
	30-mph	35-mph	40-mph	45-mph	50-mph	55-mph	60-mph
	D _s	D _s	D _s	D _s	D _s	D _s	D _s
Passenger Car or Truck	200	250	305	360	425	495	570

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



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

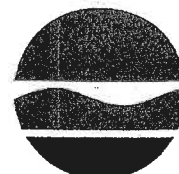
New York State Department of Environmental Conservation

Division of Environmental Remediation, 12th Floor

5 Broadway, Albany, New York 12233-7011

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

Website: 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, 11th 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:

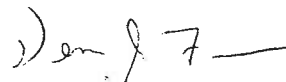
Re: DEC Site No.: 314044
Site Name: Tuck Industries
Site Address: Tioronda Avenue, Beacon, NY 12508

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, 11th 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:

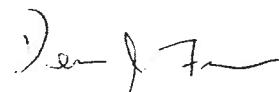
Re: DEC Site #314044
Tuck Industries
Tioronda Avenue, Beacon, NY 12508

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