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December 5, 2019

Mr. John Gunn
Beacon Planning Board Chair
City of Beacon
1 Municipal Plaza
Beacon, NY 12508

RE: 23-28 Creek Drive
City of Beacon
Site Plan Application

Dear Mr. Gunn:

My office has received the following in regard to the above application:

- Project correspondence dated October 29, 2019, as prepared by Aryeh Siegel, Architect.
- Project correspondence dated October 29, 2019, as prepared by Hudson Land Design.
- Project correspondence dated September 16, 2019 from Army Corp. of Engineers regarding disturbance to Fishkill Creek.
- City of Beacon Resolution No. 151 Granting Concept Approval for 23-28 Creek Drive, dated November 18, 2019.
- E-mail correspondence from Hudson Land Design dated May 31, 2019 to Metro-North, with attachments.
- Correspondence from Metro-North Railroad dated June 19, 2019, regarding work on Metro-North property abutting project site.
- Plan entitled "Lot Line Alteration prepared for 23-28 Creek Drive", dated October 28, 2019, as TEC Land Surveying.
- Plan Set entitled "Site Plan Application – 23-28 Creek Drive," last revised October 29, 2019, and consisting of sheets 1, 2, 4, 6, 7, 8 and 10 of 12 of the overall plan set as prepared by Aryeh Siegel, Architect, Hudson Land Design, TEC Land Surveying, P.C., and Landscape Restorations.

Based on our review of the above materials, we would like to offer the following comments:

General Comments:

1. As previously noted, based upon the proposed ingress/egress to the site being through the neighboring parcel, an ingress/egress easement will need to be provided over the neighboring parcel. A description should be prepared for this easement, along with a plan showing the metes and bounds for the easement.
2. The Applicant's consultants have further revised the location of the trail based upon a meeting with Tom Wright of the Greenway Trail Committee in late June of 2019. The Applicant should keep the Board apprised of any meetings and correspondences they have with the Committee. If the Greenway Trail Committee is acceptable to what is proposed, we would ask that the applicant or Planning Board receive a letter from the Greenway Trail Committee noting such acceptance.
3. Based upon review of the Phase II Environmental report. Based upon the soil testing conducted at the site, and the findings of those tests, a spill number was opened with the NYSDEC by the applicant's environmental engineer. The report further recommends that remediation of the site be conducted where the petroleum contamination was found, and that the potential for groundwater contamination be assessed during site remediation. The applicant should prepare a remediation work plan for submission and approval by the NYSDEC for the required remediation work required at the site. A copy of the approved remediation work plan shall be provided to the City of Beacon. It is further recommended that a building permit for the project not be issued until such time as site remediation has been conducted and the remediation has been closed out by the NYSDEC.
4. Based upon the recent correspondence received from the Army Corp. of Engineers, the applicant has received approval to do the grading and filling work along the Fishkill Creek. The correspondence further states that the applicant shall adhere to the Special Conditions listed in the correspondence. Notes should be added to plan sheets 1, 4, 7 and 8 stating the Special Condition stated within the correspondence regarding the Indiana Bat and removal of trees, along with the installation of construction fencing.
5. Approval from the Dutchess County Department of Health (DCDOH) will be required for the proposed sewer relocation and the proposed water main extension. The applicant should provide our office with copies of all plans and reports submitted to the DCDOH for this project.

Lot Line Alteration Plan:

1. The "Greenway Easement" label in the north-east corner of the plan should be enlarged so that it is legible.

2. The easement for the Greenway Trail in the north-east corner of the parcel is shown to cross-over on to the neighboring parcel. As previously requested, ownership of this parcel this parcel should be noted on the plan and should also note if an easement has been secured from the neighboring parcel to allow for the construction of the Greenway Trail on the neighboring parcel.
3. The lines representing the edge of the creek/waters edge should be labeled on the plan.
4. Descriptions should be prepared for all easements proposed as part of the project and submitted for review.

Sheet 1 of 12:

1. As previously noted, it appears that a portion of the proposed Greenway Trail, located in the north-east corner of the site (near the Fishkill Creek), is to be constructed off the project parcel in the lower easterly corner of the site. The plan should note who owns this parcel, and if an easement has been secured to allow for the construction of the trail in this location.

Preliminary Stormwater Pollution Prevention Plan:

1. Infiltration testing was conducted at the site on November 21, 2019 and witnessed by our office. Based upon the field testing that was conducted, slight modifications to the Storm Water Pollution Prevention Plan (SWPPP) will need to be prepared along with minor revisions to the plan. The applicant should include on the plans the location as to where soil testing was conducted, along with the results of the testing.
2. As previously noted, sizing information for the hydrodynamic separators should be provided now. *Consultant notes will be provided in a future submission.*
3. The project scope on page 2 should be updated to match the current proposed project. *Consultant notes that the project scope has been updated and will be submitted with the Final SWPPP.*

This completes our review at this time. Further comments may be forth coming based upon future submissions. A written response letter addressing each of the above comments should be provided with the next submission. If you have any questions, or require any additional information, please do not hesitate to contact our office.

Very truly,
LANC & TULLY, P.C.


John Russo, P.E.

cc: John Clarke, Planner
Jennifer Gray, Esq.
David Buckley, Building Inspector