



445 Hamilton Avenue, 14th Floor  
White Plains, New York 10601  
T 914 761 1300  
F 914 761 5372  
cuddyfeder.com

Taylor M. Palmer  
tpalmer@cuddyfeder.com

October 31, 2017

**BY FEDERAL EXPRESS**  
**AND E-MAIL**

Hon. James C. Sheers, Chairman  
And Planning Board Members  
City of Beacon Planning Board  
1 Municipal Square  
Beacon, New York 12508

Re: AK Property Holding, LLC – Request to Appear at November 14<sup>th</sup> Planning Board Meeting  
Application for Preliminary & Final Subdivision Plat Approval for 13 Residential Lots  
Premises: 25 Townsend Street, Beacon, New York

---

Dear Chairman Sheers and Planning Board Members:

We were recently retained and are writing on behalf of our client, AK Property Holding, LLC, (the “Applicant”), the owner of the above-referenced Premises, in order to request to appear on the Planning Board’s November 14<sup>th</sup> Planning Board Agenda in connection with the continued review of the above-referenced Application for Preliminary & Final Subdivision approval.

Pursuant to our meeting on October 24<sup>th</sup>, together with Mr. Dexter and the Applicant’s engineering consultant, Jon D. Bodendorf, P.E., of Hudson Land Design, our office has been in communication with Thomas L. Newman II, P.E., of Henningson, Durham & Richardson Architecture & Engineering, P.C. (“HDR”), regarding HDR’s estimate to complete an assessment of the potential impact to sewer system flow rates and potential sanitary sewer overflows (the “HDR Estimate”).<sup>1</sup> At this time, we are still in the process of reviewing the HDR Estimate, and the Applicant’s consultants continue to work on addressing the comments prepared by the City’s Engineering and Planning consultants.

Pursuant to the Applicant’s prior appearance before this Board in connection with the above-referenced matter, we respectfully request to appear for continued review of the 13-lot residential subdivision, and further that this Board consider setting a Public Hearing on this matter at this Board’s December meeting, in order for the Public Hearing to be opened at the Board’s January meeting.

---

<sup>1</sup> Enclosed please find a copy of the HDR’s Estimate, dated September 29, 2017, addressed to the City of Beacon.



October 31, 2017  
Page -2-

Thank you in advance for your consideration regarding this request. We look forward to the opportunity to appear at the November 14, 2017 meeting of this Board to continue the discussions regarding this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'T.M. Palmer', is written over a faint, light blue horizontal line. The signature is fluid and cursive.

Taylor M. Palmer

Enclosure

cc: Jennifer L. Gray, Esq., Attorney to the Planning Board; Arthur R. Tully, P.E., City Engineer; Lt. Timothy P. Dexter, Building Inspector; John Clarke, Beacon Planning Consultant; AK Property Holding, LLC; Hudson Land Design

September 29, 2017

Mr. Timothy Dexter  
City Administrator  
City of Beacon  
One Municipal Plaza  
Beacon, NY 12508

RE: Impact Analyses of Proposed Development at 25 Townsend Ave.

Dear Mr. Dexter:

Henningson, Durham & Richardson Architecture and Engineering, P.C. (HDR) is in receipt of the City of Beacon's request to assess impact of a development proposed at 25 Townsend Ave. on sewer system flow rates and potential sanitary sewer overflows (SSOs). This analysis, which may be required by the Dutchess County Department of Health (DCDOH) and the New York State Department of Environmental Conservation (NYSDEC) to demonstrate that the City's sewer system has sufficient capacity to convey the additional sewage, is similar to previous analyses that HDR has performed on Beacon's behalf for other proposed developments.

Anticipated elements of the analysis for 25 Townsend include the following:

1. As necessary for HDR to incorporate the locations and amounts of proposed sewage inflows to Beacon's existing sanitary sewer collection system, coordination with the developer to obtain relevant "25 Townsend Ave" plans and specifications and subsequent review and confirmation of such information with the developer.
2. Modification of Beacon's existing computerized collection-system model to reflect the proposed development and the impacted portion of the Beacon sewer system, which does not currently include sewer segments along Fishkill Ave. north of Delevan Ave.
3. Computer simulations and preparation of results in graphical and/or tabular form to characterize the sewer-system response for both the "existing" and "with-proposed project" scenarios, for the meteorological conditions required by DCDOH and NYSDEC. This proposal assumes that DCDOH and NYSDEC will require analysis of two meteorological conditions, as required for previous, similar investigations.
4. Prepare a summary of results of the analysis for the developer and the City of Beacon, and support via a conference call as necessary to present the results.

Based upon input from the developer and/or the City, finalize the summary of results in a suitable format (such as a brief technical memo or PowerPoint) for submittal to DCDOH and/or NYSDEC.

5. Attendance of up to two HDR staff at an in-person meeting to present results of the analysis to the developer, the City, and/or DCDOH and NYSDEC.

The estimated cost to complete the above tasks is \$9,900. Simulation of additional analyses and model scenarios, such as development of infrastructure modifications to reduce adverse impacts of the development on collection-system capacity, if necessary, would require additional funding.

We appreciate the opportunity to assist the City of Beacon, and we look forward to continuing our work with you. With your signature below, we can accept this work as an add-on to our existing contract and its associated Terms and Conditions. Should you have any questions, please do not hesitate to contact me or Tom Newman.

Sincerely,

Henningson, Durham & Richardson  
Architecture and Engineering, P.C.



Thomas L. Newman II, P.E.  
Project Manager

Sincerely,

Henningson, Durham & Richardson  
Architecture and Engineering, P.C.

Joseph Frissora, P.E.  
Authorized Representative

ACCEPTED BY:

\_\_\_\_\_  
Timothy Dexter  
City Administrator  
City of Beacon

Date: \_\_\_\_\_