

October 15, 2018

Mayor Randy Casale and  
Members of the Beacon City Council  
Beacon City Hall  
1 Municipal Center  
Beacon, NY 12508

VIA HAND DELIVERY

*Re: Response to John Clarke Initial Planning Comments dated September 21, 2018  
Chai Builders - 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 #81056.00*

Dear Mayor Casale and Members of the City Council:

The following is a point-by-point response to the above referenced initial planning comments.

1. *The EAF Narrative on pages 2-3 quotes from the December 17, 2017 Comprehensive Plan. Beacon adopted a December 17, 2007 Comprehensive Plan and an April 3, 2017 Comprehensive Plan Update. The consistency quotes should reference the 2017 Update.*

**Response: The EAF Narrative has been revised to incorporate the April 3, 2017, Comprehensive Plan Update.**

2. *The EAF Narrative on page 6 cites the superseded definition of Very Steep Slopes, before the 2018 amendment changing that definition and requiring lot area deductions for very steep slopes, wetlands, surface water, and floodways. Those sections of the EAF Narrative will need to be updated to reflect the new FCD Bulk Regulations in Section 223-41.14 B and the revised definition.*

**Response: The EAF Narrative has been revised to provide the updated definition for very steep slopes.**

3. *The Site Plan sheets, however, include the recently adopted lot area deductions for the required environmental features. The City Engineer will have to confirm these mapped areas and calculations to establish the allowable development potential on the property.*

**Response: Comment noted.**

4. *The Site Plan sheets T1 and EC1 identify Very Steep Slopes as greater than 25%, while the law refers to slopes "25% or more extending over a contiguous land area of at least 10,000 square feet." For the Edgewater project, the City requested an overlay map, showing the areas of Very Steep Slopes with the proposed structures and limits of disturbance. This will be necessary for the Planning Board to certify that the proposal avoids slopes to the maximum degree feasible.*

**Response:** The proposed structures and limits of disturbance have been added to Sheet EC1. Steep slopes have been delineated from other constraints.

5. *The Bulk Table on Sheet T1 should change the required Minimum Lot Area to 2 acres and will need to provide the proposed Maximum Building Coverage and Minimum Open Space, as well as the Maximum Building Height in feet as well as stories.*

**Response:** The Bulk Table on Sheet T1 has been revised as requested.

6. *The federal wetlands boundary will need to be updated from the previous 2013 delineation.*

**Response:** Comment noted.

7. *I am not sure the extent of the traffic study for the previous proposal, but it may have to be updated and referred to NYSDOT for its comments.*

**Response:** The currently proposed project consists of 64 dwelling units and a 25,400 SF office building. As shown in Section 6.1 and Table 6-1 of the EAF Narrative, the traffic expected to be generated by the proposed project is 52 vehicle trip ends (vte's) during the weekday a.m. peak hour of adjacent street traffic and 57 vte's during the weekday p.m. peak hour of adjacent street traffic, which are below the SEQR threshold of 100 vehicle trip ends during these peak periods. The previously approved project with 100 dwelling units was expected to generate slightly more traffic, with 53 vte's during the weekday a.m. peak hour of adjacent street traffic and 73 vte's during the weekday p.m. peak hour of adjacent street traffic. Since the estimated traffic generation for the current project is expected to be less than that of the approved project, no significant adverse impacts to traffic are anticipated.

A Traffic Impact Study dated November 13, 2013, was prepared and supplemented by another study dated March 20, 2014. The March 2014 Supplemental study evaluated the traffic movements considering also the traffic to be generated by potential development of the Sisters property and the Beacon Terminals 555 South Avenue property, both of which are also within the FCD district. The March 2014 study concludes that even with the development of the FCD parcels to the south, all intersections studied will continue to operate at a LOS "A" (excellent) with the exception of the Wolcott Avenue/Tioronda Avenue intersection, where the Wolcott Avenue approaches will operate at LOS "B" (good) and the Tioronda Avenue approaches will operate at LOS "A" (excellent).

The proposed access configuration and associated traffic routing, which directs all traffic to and from the site to Wolcott Avenue rather than traveling south on Tioronda to local streets, has a number of advantages. It meets the needs of the travelers, since Wolcott Avenue provides the best routing in either direction to I-84, the train station, and Route 9D going either north or south. It also protects the local neighborhoods to the south and west of the site from additional traffic through local

**neighborhoods. In other words, the proposed limitation on turning movements does not create any traffic difficulties for the residents of the project or for the local community.**

**Sight distance is excellent at the proposed Wolcott Avenue access, according to the November 2013 Traffic Impact Study. The sight distance looking south from the Tioronda access will exceed AASHTO standards with the removal of existing vegetation.**

8. *The EAF Narrative on page 12 states that the applicant is preparing a section showing the relationship of the buildings to Tioronda Avenue and the Creek. This will be very helpful in assessing the visual impacts of the buildings.*

**Response: Sections have been added to the elevation views.**

9. *The submission does not adequately address views of and through the site from important viewing points, as required in 223-41.13 F(1)(i) and 223-41.13 F(3)(b)[8]. The Council will need to clarify what views it deems important and request photo-simulations.*

**Response: Comment noted.**

10. *The Greenway Trail appears to have been relocated from the previously approved proposal and the presentation to the Council on October 13. It is now proposed along the parking lot and directly adjacent to and even under the buildings. This less scenic alternative will need to be justified. According to 223-41.13 I(10)(b), each FCD project should show a dry-land right-of-way or easement for the enjoyment of the public not less than 20 feet in width traversing the entire length of the site.*

**Response: The Greenway Trail has been relocated to avoid steep slope, wetland and floodplain areas, in accordance with Section 223-41.13.I(11)(b), which requires a “dry-land right-of-way or easement” for the Greenway Trail.**

11. *Concept Plan Approval Section 223-41.13 F(3)(b)[3] refers to the Design Standards in 223-41.13 I, to the extent applicable at the Concept Plan stage. The standards include references to planning the various uses as a cohesive unit, groups of buildings as a varied but compatible mix, and at least one pedestrian-oriented gathering place, using the building forms to frame, overlook, or complement the space. The proposed layout places the office building over 440 feet from the residential buildings, separated by a large, central parking lot. The wood observation deck is located in front of this 142-space lot. The Council and applicant should look for ways to reduce or break-up the expanse of parking and better integrate the buildings and the primary pedestrian-oriented gathering place.*

**Response: Please note that the area to the south of the building is a parking easement for the adjacent property, so in effect there is parking on both sides as currently designed. Additionally, the impact of visual impact of surface parking is mitigated by providing parking beneath the residential building.**

The following items are enclosed:

- FCD Application document revised October 15, 2018 (8 copies);
- Full Environmental Assessment Form (FEAF) Part 1 revised October 15, 2018 (8 copies);
- Architectural Elevations/Sections (8 copies);
- Site Plan Set revised October 2018 (8 copies).

Please place this project on the agenda of the Monday, October 29<sup>th</sup>, City Council workshop 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