

PROJECT REVIEW SHEET

for

Town of Stony Point

REVIEWER: John O'Rourke, P.E.

PROJECT: Eagle Bay Mixed Use Development

REVIEW DATE: September 18, 2019

DATE OF DEIS: September, 2019

The following items are listed to assist you in completing your submission to the Planning Board.

This is only a guide and other items may be listed at future meetings. Please complete all items and supply the Planning Board with revised plans fourteen days prior to the next regularly scheduled meeting.

If you need further assistance please contact this office.

We have reviewed the Draft Environmental Impact Statement (DEIS) dated September 2019 prepared by Atzl, Nasher & Zigler, PC for completeness and consistency with the adopted scoping document and offer the following comments for your consideration. This review does not include any technical comments, site plan comments or review of the adequacy of the conclusions of any technical studies. These comments will be provided once the Planning Board determines the document is complete. Our comments follow the organization of the scope and DEIS for ease of review.

1. (Scope item I.d and e) The DEIS Cover page does not identify the County or the project tax ID and does not provide contact information for the Lead Agency.
2. (Scope item I.h) The cover page should have a placeholder for a date by which comments on the DEIS must be submitted.
3. (Scope item III.D.1.d) The DEIS is missing a discussion of the description of how public areas and private areas will interact.
4. (Scope item III.E) This section is supposed to contain the quantification of construction vehicle trips and construction vehicle access.
5. Section 3.1.2 and 3.1.3 of the DEIS should incorporate the impacts and mitigation measures identified in the Geotechnical Report related to amount of uncontrolled fill encountered.
6. Scope item IV.B requires the DEIS provide a discussion of slopes over 15% and 25% and the amount of disturbance in each slope category.

7. Section 3.2.2 states that no cut will be removed from the site while the Geotechnical report recommends that much of the uncontrolled fill be removed because it is unsuitable for footing support. The DEIS should be revised to be consistent with the geotechnical report.
8. (Scope item IV.B) The DEIS does not discuss any rules or regulations pertaining to the importation of fill or any relevant town regulations.
9. (Scope item IV.B) Soils and Topography mitigation measures are required to contain a discussion of what will occur in the event that any contaminated soils or bulk storage containers are discovered during construction.
10. (Scope item IV.C) While there is a general discussion of Hudson River habitat, the DEIS does not provide a description of the Haverstraw Bay Significant Fish and Wildlife Habitat including references to the NYS Office of Planning and Development Standards.
11. (Scope item IV.D) The impacts section within Flooding and Stormwater Management requires a discussion of wetland impacts, impacts to submerged aquatic vegetation (SAV) and identification of any dredging. Any permits required should be discussed. If no impact to the wetlands are proposed, this should be stated.
12. This section also requires a discussion of impacts related to the use of pesticides, fertilizers or pool chemicals.
13. The mitigation section of Ecology is required to contain a discussion on storm and flood resilience techniques.
14. (Scope item IV.C) The DEIS is missing an evaluation of stormwater and flooding impacts to Beach Road, an evaluation of water quality impacts to the Hudson River (including a discussion of contaminants from parking areas or vehicular pollutants), a discussion of conformance with any relevant regulations and a discussion of buildings to be located in the floodplain.
15. (Scope item V.A) Under Land Use and Zoning, the discussion of potential impacts requires a discussion of the AT&T easement and any proposed affordable housing.
16. Section 4.2.1 of the DEIS should identify the Stony Point Battlefield Site and Stony Point Lighthouse as National Historic Landmarks and identify any other historic sites, districts or structures within the immediate vicinity of the Project Site (or state these sites are the only historic resources in the immediate vicinity).
17. Section 4.3.2 of the DEIS should discuss the number of proposed parking spaces, internal circulation and impacts to non-motorized transportation.
18. The light fixture detail and lighting legend on the lighting plans (Figures 45A-D) are not legible at the scale provided.
19. The scope requires existing conditions of Community Services provide existing system capacity for both public water and sewer systems and other system details.
20. The calculation of projected water usage should be moved to the body of the document from the appendix and the standard used to calculate the demand should be stated.
21. Section 4.5.2, projected demand for sewage generation should be provided and a discussion of the onsite plan for collection and conveyance to the municipal system.
22. Section 4.5.2 provides impacts to Fire Department manpower but does not provide discussions of the adequacy of equipment, emergency access both into and around the site and access during flood events (even though mitigation is offered for these potential impacts).

LANC & TULLY

Engineering and Surveying, P.C.

23. (Scope item VI.A.5) The Alternatives Section is missing a discussion of a project alternative which features structural parking.

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.

**TIM
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October 1, 2019

Mr. William Sheehan, Building Inspector
Town of Stony Point
74 East Main Street
Stony Point, NY 10980

RE: Eagle Bay, Landscape Plan and SEQR Review
Continued Review

Dear Mr. Sheehan:

We have received "Landscaping Plan" drawings and SEQR documents for review relative to the Eagle Bay project under consideration by the Town of Stony Point. These documents include:

- Landscaping Plan, Sheets L-1 to L-10
- Eagle Bay DEIS - September 2019
- Eagle Bay DEIS - Appendix Volume I, Appendix Volume II

The following are our review comments.

General Landscape Plan Comments:

Planting Notes

1. There are no planting notes associated with the plant lists on the drawings. Planting notes are typically provided and include such items as spring and fall planting dates, plant selection criteria, installation, staking (if proposed), pit size, topsoil, mulch, warranty, etc.
2. Planting details should be provided.
3. Areas of seeded lawn and/or sod should be noted on all drawings. If seed is used specify the seed mix.
4. Provide notes on planting soil mix, especially in the raingardens to prevent severe drought conditions between storm events resulting in plant die off.
5. Inclusion of care intentions should be included, especially in pruning or trimming plants. Some of the specified plants can get very tall and/or have a wide spread. The plans should give some guidance to whether they are intended to not be trimmed at all, trimmed to a "natural shape" or trimmed to a hedge. This may vary by location.
6. Is irrigation planned? If not how will the plants be watered?

Landscape Plans

Landscaping Plan Area 'A' – Entrance Drive (L-1)

1. Please describe treatment of disturbed area between curb and ROW, or further if necessary, including restoration of grades, topsoil, seeding or sodding lawn.
2. Add plant list and notes.

Landscaping Plans Area 'B' – Parking Lot 1 (L-2)

1. Label surface treatments, e.g. lawn, mulch.
2. The use of Ninebark will likely require some pruning as this plant will grow 5-10 feet high and 6-10 feet wide. A note on this should be added to the Plant Notes.
3. Nannyberry can grow 10-18' tall with a spread of 6-12' as a multi-stemmed shrub, or up to 30' as a single trunk tree. A note on size control should be added to the plant notes.
4. Buttonbush is a wet area plant.
5. Shasta Viburnum will get a spread of 9-12 feet. Is spacing adequate?
6. Add notes referencing building and promenade planting plan sheets.

Landscaping Plan "C" – Parking Lot 2 & 3

1. See notes 2 and 5 above.
2. Redbud locations facing south or in parking lot beds may be problematic due to the exposure to sun, as this plant prefers a shady to semi shady location.

Landscaping Plan "D" – Parking Lot 4

1. See above comments

Landscaping Plan – Area "E & F

1. Plantings look good.

Landscaping Plan – Area "E & F

1. Plantings look good.

Landscaping Plan – Area "E & F

1. Plantings look good.

Landscaping Plan – Area 'I'

1. Tidal pools are a nice aesthetic feature but there is no indication of depth. Will small children be enticed to play here? Will there be supervision?
2. Will there be vegetation in the rip rap as was discussed in the past? None is shown on the plans.
3. Will salt spray in storms or flooding occur at the top of the rip rap embankment? Most of the plants shown here are not tolerant of these conditions.

Landscaping Plan – Area 'J & K'

1. See notes for Area 'I' above.
2. Add T-9 to the plant list.
3. See Planting Notes, 4.
4. Please review plants shown in the raingardens and confirm they will tolerate flooding and erosion from storm flows.

Landscaping Plan – Area 'L,M,N,O'

1. See notes for Area 'I' and Areas 'J & K' above.

DEIS

Generally, the DEIS is well organized and written, and adequately covers most of the information we would expect relative to the project being proposed and the limited scope (landscape concerns) of our review. The comments that follow address details that should be straightforward to respond to.

P 15. Under potential impacts please address the removal of numerous existing trees along the bulkhead, in the parking lot or other areas where construction will occur.

P 17. Provide details on how routine vegetation clearing will be accomplished, e.g. by physically removing plants, through the use of herbicides or by a combination of procedures. If herbicides are to be used describe how any negative impacts on water quality or fauna will be controlled.

p. 23. A map should be provided indicating where visual analysis points were located.

p. 27. Provide further details on the public access component, e.g. number of parking spaces and location, bicycle racks, hours of public access, if restricted, activities allowed such as picnicking, etc.

This concludes our review of the above referenced documents. We will be happy to discuss same if and as necessary with staff or Board members.

Sincerely,



Stephen Lopez, AICP, RLA
Director of Design and Development
TIM MILLER ASSOCIATES, INC.
Email: slopez@timmillerassociates.com

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October 16, 2019

Mr. William Sheehan, Building Inspector
Town of Stony Point
74 East Main Street
Stony Point, NY 10980

RE: Eagle Bay, SEQR Review - DEIS Ecology Section
Continued Completeness Review

Dear Mr. Sheehan:

We have received the SEQR documents for review relative to the Eagle Bay project under consideration by the Town of Stony Point. These documents include:

- Eagle Bay DEIS - September 2019
- Eagle Bay DEIS - Appendix Volume I, Appendix Volume II

The following are our review comments.

DEIS

The Ecology Section of the DEIS (Section 3.3) is well organized and written, but appears to exclude several of the items that are required by the Adopted Scope. In order to be considered ready for formal acceptance, the following comments should be considered:

Existing Conditions

P. 73. The scope (Item C.1.) requires that the applicant identify and catalog species of plants and fauna found on site. No such list is presented.

P. 73. The DEIS refers to declining fish populations, listing a number of species that the DEC has identified. A reference for this should be cited.

P. 73. The DEIS notes that there are known bald eagle nesting sites in close proximity, and no other nearby records of state listed species. Table 7 on the following page lists a number of species and habitats identified by the DEC. This should be clarified.

Figures 25 and 26 are confusing; one shows water depths at the site as being between 14 and 16 meters, the other indicates a depth of three feet. This should be clarified.

P. 74. The DEIS should refer directly to the correspondence with the DEC regarding the lack of suitable habitat for the wild potato vine. This was found in the appendix but should be referred to more directly in the DEIS.

P. 75. Include the species name of both the eelgrass and widgeon grass.

P. 75. There is no discussion of the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat as required by the scope (Item C.3.) If this discussion is only going to be provided in the appendix, it should be referred to in the DEIS and a brief summary provided.

P. 75. The discussion about submerged aquatic vegetation (SAV) is confusing. The text indicates that it is highly unlikely that SAV exists in the area of the marina, yet the mapping (Figure 27, dated January 2019) shows extensive areas on site. This should be clarified, otherwise a conclusion cannot be reached that there will be no impacts to SAV.

Potential Impacts

P. 76. The adopted scope (Item 1 under Potential Impacts) requires a discussion of impacts to plants and animal life. No such discussion is provided.

The scope (Item 3 under Potential Impacts) requires detailed discussion of site wetlands and watercourses, and the potential for impacts to these areas. There is no discussion of the wetlands on the site, and no specifics regarding the activities being proposed within the wetlands and in the river, and the potential impacts of those activities except to threatened or endangered species. A much closer look at all the sub-headings under Item 3 should be taken before the DEIS is accepted as complete. If this information is available elsewhere in the DEIS, reference should be made in this section as well.

P.76. If it is determined that there is SAV on the site, a discussion of the potential impacts should be included.

Proposed Mitigation

The DEIS addresses the scope items for this section.

This concludes our review of the above referenced documents for consideration of the acceptance of the DEIS as complete with regards to the adopted scope. We will be happy to discuss same if and as necessary with staff or Board members. A more substantive review of the project and the DEIS will follow after the acceptance and public distribution of the DEIS.

Sincerely,



Steve Marino, PWS
Senior Wetland Scientist
TIM MILLER ASSOCIATES, INC.
Email: smarino@timmillerassociates.com

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MEMORANDUM

To: Planning Board, Town of Stony Point

From: Stephen Lopez, AICP CE, RLA

Date: April 4, 2019

Subject: Eagle Bay, Preliminary Landscape Review

TMA received a set of landscape plans and a plant list from the applicant's Landscape Architect in connection with the proposed Eagle Bay project on April 2, 2019. The following are our preliminary comments.

Plant List

We have several recommendations for alternative plant selections that will require some discussion between professionals. We suggest that it is probably most productive if we have this detailed discussion between Landscape Architects off-line as plant attributes - aesthetic, environmental, etc. - are probably not of paramount interest to non-professionals. However we will summarize our collective reasonings for the record when finalized.

Tree types are shown grouped as alternatives from which final selections are proposed to be made after plan approvals. However within these groups are trees that would work better or worse with associated shrub and perennial plantings. We do not see the value of this approach and so do not endorse it for site specific plans. Individual species should be specified for each tree. For instance in group "A", Honeylocust is a tall, open branched, open canopy tree, while Pagoda Tree is a small tree of wooded understories, and Lindens have dense crowns under which few things grow.

Plant sizes need to be discussed. In general we are concerned that sizes are too small to have an immediate impact on the site and scale of new buildings. We suggest plant sizes be increased across the board.

Sheet 11

Hudson Drive. Please clarify whether the overhead wires are to remain or put underground. If they remain then planting large trees under them is not recommended. If they are put underground we recommend a tree species other than Red Maple be specified in this location.

The proposed trees are shown within the road right of way. If Hudson Drive will be a Village maintained street, the Village should be aware that any trees within the road right of way will become the maintenance responsibility of the Village unless other arrangements are made.

Treatment of the ground plane under trees where not occupied by shrubs or perennials should be specified. If turf then species, whether seeded or sodded, should be identified.

The plans should address irrigation. If to be provided, source of irrigation water and controls (metering) for supplying it need to be specified. If sheet flow through open joint Belgium block curbs, please specify, and consider salt intrusion into plan beds in plant selection.

Building Plantings

(Relevant comments from Sheet 11 apply.)

AT&T easement limits along west property line are not shown, and restrictions to plantings within the easement are not detailed. Plantings along the west property line are intermittent and do not show a consistent screening, deciduous or evergreen.

Planting specification between curb and sidewalk is missing.

Planting areas adjacent to building are generally inadequate in number and size, and accordingly will be dwarfed by proposed buildings. Also most proposed plantings adjacent to buildings are deciduous shrubs and herbaceous perennials with no winter presence.

We noted in our previous review memo dated February 28, 2019, that planting details should be shown for areas over the infiltration units as these areas will vary significantly in moisture available for plants. During and immediately after rain events plants will be soaked. Between rain events plants will be extremely dry. Few plants can tolerate those extreme conditions especially when coupled with being in a parking lot that is very hot in the summer.

Waterfront Amenity

The waterfront amenity is largely occupied by a service road, extensive rip rap replacing the existing bulkhead, and retention basins. The remaining space is mostly planted with trees, shrubs and perennials. There is little lawn space.

A rectangular area in the rip rap without the rip rap symbol is shown in front of Building 1, but not identified as to finish, elevation, or use.

The impervious surface in the waterfront amenity is 50 to 65 feet in width. The rip rap varies in width between 30 and 45 feet. The road is 20 feet wide. In some locations impervious surface accounts for more than half of the open space. We suggest that restoring the bulkhead would be a better shoreline treatment than rip rap as it would retain a significant amount of usable open space for the amenity.

Since the proposed road occupies so much space a detail should be provided to show the surface treatment. Pavers would be a preferred option over asphalt, and a creative design in the pavers would add some visual interest.

More consideration should be given to accommodating active and passive uses of the park. We don't see any provision for seating, e.g. park benches, and very little lawn areas, outside the retention features, where park goers can throw a ball or frisbee or kick a soccer ball.

While we have not been tasked to comment on stormwater issues, we note that numerous retention areas are shown in the waterfront amenity. Public safety concerns with regard to retention areas should be addressed.

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MEMORANDUM

To: Planning Board, Town of Stony Point

From: Stephen Lopez, AICP, RLA
and Steven Marino, PWS

Date: April 1, 2019

Subject: Eagle Bay Conference Call

Discussion:

On April 1, 2019, Mr. Lopez and Mr. Marino held a conference call with several members of the development team representing the Eagle Bay project.

Attached is a review of recent SEQR materials submitted in support of the Eagle Bay application that was discussed in the conference call. While we found the write up was mostly ok factually, it was hard to review out of context with other closely related relevant sections. For instance a piece of construction equipment is mentioned with no description or picture of what it is to analyze what impacts its use might have on the river biota. Also mitigation measures are cited, but no list/description of what they are.

We appreciate the intent of the Town and applicant to attempt to resolve as many issues as possible prior to a formal DEIS submission, and we assume review of future sections will be more helpful as more of the document is available to cross reference.

Preliminary review of materials submitted by Normandeau Associates
Draft completeness comments - 3-29-19
Steve Marino, PWS - Tim Miller Associates

Page numbers? Section numbers? It is very important to remember that this is going to be reviewed by the general public, and they need to be able to understand it.

Marina improvements - hard to review without any plans. Discuss the existing conditions of the sea wall/sheet piling/riprap and why it needs to be replaced.

Phase 1

What is a PC220?

Will a turbidity curtain or other means of siltation prevention be installed before material removal?

How will the pilings be cut at the mudline if extraction doesn't work?

Can work be scheduled so that sturgeon are least likely to be in the area?

Phase 2

Describe location and purpose of wave screen.

What is an FRP sheet pile? The whole description seems to assume that the reader knows what all these components are. At a minimum, refer to a plan sheet and detail.

Paragraph 3

Describe in detail the "mitigation measures and bmps" and how they will be implemented.

State specifically what a SCFWH is and why it matters.

C. Ecology - Existing Conditions

Consistently italicize species names, in some places they're italicized and other places they're not

Aquatic species - SAV - Is there a habitat value difference between water celery and water chestnut?

Finfish - Typo, a minor point, but threatened is spelled incorrectly in the second paragraph.

Map of SAV - Typo, "Sunken" is spelled incorrectly on Figure 4-1

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MEMORANDUM

To: Planning Board, Town of Stony Point
From: Stephen Lopez, AICP, RLA
and Steven Marino
Date: February 28, 2019
Subject: Eagle Bay Meeting

Present:

Stephen Lopez, AICP, RLA
Steven Marino
Daniel Sherman, RLA

Discussion:

Site Plan. A meeting was held on February 13, 2019, at the office of Tim Miller Associates, Inc., with Stephen Lopez, Steven Marino and Dan Sherman to discuss landscape design concerns for the Eagle Bay project. A final site plan had not yet been provided to Mr. Sherman by his client but he had some preliminary discussions with his client's site design team regarding areas where he can develop additional landscape features. These areas may include rain gardens in the parking lots between buildings and expanded planting areas along the rail line.

Rain Gardens. Mr. Sherman showed photos of plants and arrangements that he was considering for the rain gardens in parking lots between buildings. While the plant options were interesting the larger concern is selecting plants for rain gardens that will withstand the extremes in moisture availability. Rain gardens can have flood conditions during storms until drainage conveys the water to a receiving water body (the Hudson River in this instance). The sand typically used to enhance drainage holds little moisture after draining leaving a very dry environment for extended periods of time. This flood/drought cycle can be very problematic for survival of many ornamental plant species. To offset this problem and allow a wider selection of plant material an alternative to the sand base should be considered. The article "Researching Soil Types for Rain Gardens" in the January 2019 issue of Landscape Architect and Specifier News discusses and rates alternatives.

Parking Lot Plantings. Plantings in parking lots outside the rain gardens also require careful thought, especially if contained in small islands where adequate moisture and soil mass for the roots are constrained. Not all plants are suited for this environment which is extremely hot and dry in summer when leaves which are necessary for sustaining the plants can be scorched. Planting islands the size of a full parking space should be a minimum size for any plantings of woody plant materials, and are far better for most

herbaceous plants as well. We hope to see a network of plantings in interconnected beds rather than disconnected islands.

Rip Rap Plantings. As with rain gardens the medium for establishing plants in the proposed rip rap shoreline treatment needs to be detailed. Simply placing plants between large rocks won't result in establishment of a root system to hold the plants in place. They will be washed out with wave action. A shoreline ecologically appropriate to the river edge would be comprised of river sediments and other materials left from erosion. This medium would support grasses and other hardy plants suited to daily tidal inundations. This natural ecosystem might be replicated if these same materials were held in place between the rip rap stones at a depth approximating the natural root elevation of plants tolerant of tidal flooding. Detail(s) must be provided.

Riverside Park Plantings. The riverside park has yet to be detailed. In preliminary drawings we have seen extensive lawns and pockets of small trees, shrubs, and herbaceous materials such as ornamental grasses, perennial flowers, ground covers, etc. Depending on elevations in the riverside park it may occasionally flood in storm surges. Proposed plants will need to be tolerant of flooding and potentially to erosive wave action.

Species Selection. There are at least four very different planting microenvironments that will require individualized attention to planting medium and species selection. We suggest the landscape design provide separate planting lists for each area with plants tolerant of the characteristics of each area, and details on the proposed planting mediums.

Mary Pagano

From: Dan Sherman [dan.danshermanlandscape@gmail.com]
Sent: Tuesday, February 19, 2019 11:41 AM
To: David Zigler; planning
Subject: Landscape meeting minutes
Attachments: Eagle Bay_Landscape Meeting Minutes_Tim Miller Associates_02-13-19.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Mary:

These are the minutes from the meeting I had last Wednesday the office of Tim Miller Associates regarding the landscape at Eagle Bay. I will check with Dave Zigler to copy the appropriate team members.

Dan Sherman

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Meeting Minutes

Date: 02-13-19

Time: 2:45pm - 3:30pm

Attendees:

Stephen Lopez, Tim Miller Associates

Steven Marino, Tim Miller Associates

Daniel Sherman, Daniel Sherman Landscape Architect

Angela Loffa, Daniel Sherman Landscape Architect

Dialog:

- Consultants would like to see specific plants labeled and laid out, and would prefer not to see areas of plantings with a list of possible plants for that area
- What type of soil mix will be used for the rain garden?
- How far up the slope near the railroad tracks can we plant?
 - The property line goes right to the edge of where slope begins, and screen trees are proposed to be placed there, is the railroad company allowing developer to plant on their property? If not, other planting areas along tracks will have to be designated to plant proper screening
- Need to see a detail / section of rain garden planting basins in the parking lot to determine what types of trees will be appropriate to plant there
- RiverWalk Area
 - It should be a naturalized area that transitions well from the parking lot area to the river
 - Plantings should be able to withstand damage from winds and waves
 - Area should contain clumps of trees along the RiverWalk to allow for shade and a diverse array of plantings
 - How are plants going to be planted in the riparian buffer
 - What will the plugs be planted into?
 - Look into the Cornell Soil Mix (Constructed Soil Mix)

Mary Pagano

From: Sarah Barnum [sbarnum@normandeau.com]
Sent: Tuesday, March 5, 2019 10:11 AM
To: planning
Cc: Adele Fiorillo
Subject: Normandeau Contact Info

Hello,

I just spoke with you about permission to speak with Tim Miller Associates, re: the Eagle Bay EIS. Here is Normandeau's contact info; note that Adele, cc'd above, is the project manager for Normandeau.

We will keep you informed as to when we will meet the Tim Miller, and provided you with notes from the meeting after it takes place.

Thanks,

Sarah

SARAH A. BARNUM, Ph.D., CWB®
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MEMORANDUM

TO: THOMAS GUBITOSA, CHAIRMAN
MEMBERS, STONY POINT PLANNING BOARD

FROM: MAX STACH, AICP

SUBJECT: EAGLE BAY DEIS COMPLETION REVIEW 1

DATE: OCTOBER 18, 2019

CC: MARY PAGANO - PLANNING BOARD SECRETARY
JOHN O'ROURKE, P.E. - VILLAGE ENGINEER
STEPHEN HONAN, ESQ. - PLANNING BOARD ATTORNEY
WILLIAM SHEEHAN - BUILDING INSPECTOR
STEPHEN LOPEZ, AICP, RLA – PLANNING BOARD CONSULTING LANDSCAPE ARCHITECT
STEVEN MARINO, PWS – PLANNING BOARD CONSULTING ECOLOGIST

We have reviewed the preliminary Draft Environmental Impact Statement (DEIS) for Eagle Bay, prepared by Atzl, Nasher & Zigler, P.C. and received by the Planning Department on September 11, 2019. We have reviewed the document for purposes of determining whether the requirements of 6 NYCRR 617.9(B) governing the contents of DEISs have been met, whether the information requested in the adopted scoping document dated September 27, 2018 have been provided, and whether the DEIS conforms with best practices and is sufficient for public review.

As agreed at the internal workshop meeting of December 20, 2018, we have limited our completion review to the following sections, other sections having been reviewed by the other retained consultants:

- Cover, list of consultants, etc.
- Executive Summary
- Description and Need
- Terrestrial Ecology and Wetlands
- Land Use and Zoning
- Historic and Archeological Resources
- Community Services
- Alternatives
- And Other Miscellaneous Chapters

The following constitute our comments on the DEIS:

GENERAL COMMENTS

1. The submitted document is closer to completion than is typical for a first submission and the project sponsor and its consultants deserve commendation.
2. Many maps in the document are difficult to read. Text on 11"x17" maps that is not legible as printed should be removed or resized. Where full size DEIS maps are provided, the smaller scale DEIS maps can reference them for the public and agency reviewers.
3. The authors should review the document to be sure that there is backup for all conclusions. Any conclusory comments without backup are attributed to the opinion of the project sponsor or if technical to an identified consultant.
4. We suggest that pages 1-3 replace the internal cover page and precede the table of contents.
5. We suggest more cross-referencing in the Executive Summary to reduce reviewer time in searching for material. See especially page 25, Emergency Services, as an example.
6. Page 8 of the scope references the prior negative declaration when the PW District was adopted, and when its thresholds were established. We did not find a discussion of how this proposal does or does not reflect those thresholds.

SPECIFIC COMMENT ON COMPLETENESS:

7. Page 11 – Reads that there are four-bedroom units proposed in the project. We do not believe this is the case. See page 34.
8. Page 26 – Here and in the Fiscal Impact analysis there should be a reference to an appendix where the calculations and input data (such as budget, district wide valuation and population data) are provided. The document references the Rutgers multipliers, which should also be included in the appendix along with population calculations.
9. Page 44 – The ATT easement should be more clearly identified on the plan map (figure 11).
10. Page 51 – The project description should reference a figure for readers to refer to.
11. Page 51 – First bullet - The width of the promenade should be discussed or a map identifying the publicly accessible area provided.
12. Page 52, Sections 2.4.2-5 – This section should refer the reader to a map that shows the described attributes of the project.
13. Figure 18 – It would help if the existing roadways and underpasses were more discernible on this map. It would also be useful if this information were overlain on the proposed site plan. If this is done elsewhere in the document, please reference this in the text on page 57 or thereabouts.
14. Page 59 – Construction trips should be discussed. It may be in the traffic analysis reviewed by others, but if so, should be cross-referenced here.
15. Page 70 – The Scope requires a discussion of rules and regulations pertaining to the importation of fill.
16. Section 3.3.1. The following scope item was not provided: *Identify and catalog species of plants and fauna found on site or potentially to be found on site, including those within the tidal area in the Hudson River.* Only protected species were disclosed.
17. Section 3.3.1 - An inventory of the terrestrial species of flora and fauna present or potentially present on the site should be included – typically this can be included as a list(s) within the text.
18. Section 3.3.1 - The habitat(s) present at the site should be identified and analyzed in comparison to the wildlife. Typically, this is accomplished with the "Ecological

Communities of New York State” (Edinger, 2014) guidebook. (https://www.dec.ny.gov/docs/wildlife_pdf/ecocomm2014.pdf)

19. Section 3.3.2. The following scope item was not provided: *Impacts to Plant and Animal life as a Result of the Proposed Construction Activity and Post Development Impacts on both a long-and short-term basis. Habitat loss, lighting and noise impacts, etc.*
20. Section 3.3.2 – The following scope item was not provided: Impacts to Regulated Wetlands and Watercourses:
 - a. *Site construction impacts including the amount of disturbance and whether disturbance will be temporary or permanent.*
 - b. *Address impact from lawn fertilizer, pesticides, and herbicides which might be applied to lawn areas, plus pool chemicals on wetlands and the Hudson River.*
21. Section 3.3.2 - An analysis of impacts on the terrestrial species of flora and fauna present or potentially present on the site should be included. Discussion can address groups of animals such as birds, mammals and herpetofauna as opposed to particular individual species.
22. Table 8.A – Clarify here or in the text whether species not specifically identified as native are non-native. Also verify that all species are non-invasive.
23. Page 73 – Reference where correspondence from NYS DEC Natural Heritage Program is provided (Appendix C). Typically, NYNHP responses are considered valid for one year. As such, the NYNHP requests, which are from 2016, should be updated to see if additional records have been added.
24. Page 75 – The DEIS states that SAV was “likely reduced or eliminated,” by Superstorm Sandy in 2012. Later, the DEIS concludes definitively, “no SAV is present.” The DEIS, however references a most recent revision date of 2014 for mapping data indicating the presence of SAV. The conclusion is not supported by the discussion or provided evidence. Additionally, the appendix refers to maps identified as “historic” and “present”, which are identical and show the same extent of SAV. Lastly, SAV could have been re-established in the seven years since Superstorm Sandy. The DEIS should provide a definitive statement attributed to Normandeau Associates regarding the presence and extent of SAV if any. This is somewhat beyond the scope of our review and defer to Tim Miller Associates on this matter.
25. Section 3.3.3- The site plans indicate maintaining an appropriate 100-foot non-disturbance buffer from the wetlands. However, language within the DEIS seems to suggest that this area will be improved as a result of the development. While the lack of disturbance in this area is beneficial, the non-disturbance of the wetlands and 100-foot buffer will not create a specific improvement as a direct result of the proposed action. Preservation by itself would not typically impact a change in ecological conditions. Details regarding proposed re-establishment of habitat in adjacent areas should be provided if proposed (design for restoration). Specific instances of this include:
 - “The Proposed Action would create a 100-foot wetland adjacent area to further protect the wetlands area and remove and radiate the development that currently encroaches into this adjacent area.” (Page 50, Paragraph1)
 - “The preservation of habitat in this wetland area of the subject site may enhance the food supply available for any Bald Eagles in the area.” (Page 76, Paragraph 1)

- “The Proposed Action preserves the wetland area and provides a 100-foot buffer around the portion of the wetland area on the site. This will expand the existing habitat at the north end of the site by an additional 100 ft to the south” (Page 77, last paragraph).
- 26. Page 86 – The scope requires a discussion on the ATT Easement.
- 27. Page 86 – The scope requires a discussion of affordable housing.
- 28. Page 88 – The table here should include reference to the need for a LWRP consistency letter (Section 4.1.2).
- 29. Page 98, 1st paragraph – The DEIS should identify which appendix contains the Archeological Investigation.
- 30. Section 4.2.2 – The applicant is advised that they will be expected to submit the Phase 1A/1B through the CRIS system and seek a recommendation of no impact or effect from the Office of Parks, Recreation and Historic Preservation. This letter will be required prior to issuance of State permits, and it would be advisable to submit this now, so the recommendation may be included in the FEIS, and referred to in the Findings Statement.
- 31. Page 99, Section 4.2.3 – We did not review the visual analysis, however, the DEIS should not make conclusions as to whether impacts will be significant or not. The determination of whether the portrayed impacts are significant are up to the Lead Agency, when findings are made.
- 32. Page 99, Section 4.2.2 – Construction noise analysis does not appear in Section 2.5 as indicated here.
- 33. Page 134 – It is suggested that a map illustrating location of police, fire and emergency facilities to aid discussion of access, response time, etc. be included.
- 34. Page 138 – As stated previously all fiscal cost and revenue calculations should be described and disclosed along with input data in an Appendix, which should be referenced here.
- 35. Pages 141-143 – Tables should not break across pages.
- 36. Page 142 – Table 2 is out of sequence and not listed in the list of tables.
- 37. Page 142 – The scope requires a discussion of any tax relief being sought by the applicant. A statement should be provided explicitly stating whether the applicant is seeking a payment in lieu of taxes for the project. If so, the revenue calculation should account for the proposed PILOT.
- 38. Page 143 – Width of the esplanade should be disclosed here. Alternatively, a map delineating publicly accessible spaces should be provided. Any limitations on hours of use should also be discussed.
- 39. Page 145 – Scope requires response time for fire, police, etc. including during floods.
- 40. Pages 146-7 – Scope requires a discussion of evacuation plans for flood prone areas (see E-4 of Scope)
- 41. Page 148, Alternatives – We suggest a table comparing highlights of alternatives such as number of units, auto trips, revenue & cost, water & sewer demand, etc.
- 42. Page 151 – Paragraph 4 – The first two sentences here appear to contradict. Additionally, calculations for alternatives should be disclosed in appendix and referenced here.
- 43. Page 151 - We do not believe that the 200-unit alternative presented is reasonable. The applicant has described a 200 unit reduced density alternative with the same footprint and a similar population to the preferred plan. The applicant must demonstrate reasons for increasing the unit size and bedroom count as opposed to just eliminating buildings or portions of buildings and attendant parking. If this was done for financial reasons, these should be described and disclosed. If such calculations are proprietary, they may be reviewed by the lead agency through the respective attorneys and consultant review of development proforma. The reduced

density alternative discussion should disclose whether such a reduced density development is feasible based on project economics.

If you have any comments or questions about our review, please contact us at your earlier convenience.

Memorandum

To: Mr. William Sheehan
Town of Stony Point

From: Carlito Holt P.E., PTOE
Partner/Senior Project Manager

Subject: DEIS Completeness Review
Eagle Bay Mixed-Use Development
Town of Stony Point, Rockland County, New York

Date: October 22, 2019

Project No.: 18-051

INTRODUCTION

Provident Design Engineering, PLLC (PDE), a licensed Professional Engineering Firm in the State of New York, has performed a completeness review of the Traffic Section, and associated Technical Appendix, contained in the Draft Environmental Impact Statement (DEIS), dated September 2019 for the Eagle Bay Mixed Use Development Project in the Town of Stony Point. It is important to note that PDE has coordinated with the Applicant's Traffic Engineering Consultant, Maser Consulting P.C. (Maser), leading up to the submittal the September 2019 DEIS. These coordination efforts more specifically included the following:

1. February 25, 2019 Meeting between PDE and Maser – Minutes of Meeting are included in Attachment A.
2. Review of Draft Traffic Impact Study Report dated February 15, 2019 – A copy of the April 19, 2019 PDE Review Memorandum for this Report is included in Attachment B.

The only comment not fully addressed from a completeness standpoint pertains the Right-Turn on Red (RTOR) Volumes at the intersection of Route 9W/Main Street. The Traffic Study was revised to exclude RTOR Volumes for the eastbound approach; however, information was not provided on how the other approach RTOR Volumes were determined.

Upon provision of the information noted above, it is PDE's opinion that the document could be accepted as complete. Upon completeness acceptance, PDE will perform a detailed Technical Review of the document and provide any substantive comments.

ATTACHMENT A

FEBRUARY 25, 2019 MINUTES OF MEETING

Minutes of Meeting

Project: Eagle Bay Traffic Study Meeting Meeting Date: February 25, 2019
Town of Stony Point, NY

Project No.: 18-051 Meeting Location: Maser Consulting,
Valhalla, NY

Prepared By: Carlito Holt, P.E., PTOE
Partner/Senior Project Manager

Participants: Ronald Rieman – Maser Consulting, P.C.
Nick Tortorella (partial attendance) – Maser Consulting P.C.

Purpose: Meeting to discuss key parameters of the Traffic Impact Study prepared for the Eagle Bay development project.

The following key items were discussed with respect to the Traffic Impact Study prepared for the Eagle Bay development:

1. All new traffic counts were performed, which included pedestrian counts.
2. Trip Generation conservatively excluded any internal capture.
3. There is a low clearance (9'11") due to the overpass on the Tomkins Avenue approach to Beach Road. This will affect larger vehicles arrival/departure patterns to the site.
4. Possibility of traffic signal install at Tomkins Avenue/ Route 9W was investigated. Analysis indicates LOS is acceptable without traffic signal installation.
5. Sight distance analysis was not performed at intersection of Tomkins Avenue/Beach Road/Spring Street.
6. Travel Time Runs were performed to develop the Origin/Destination patterns.
7. Accident Data was not included in the Traffic Impact Study but may be necessary to demonstrate level of safety at unconventional intersections. Accident data may need to include dates when the marina was in operation.
8. Discussion on roadway flooding on Beach Road and the signage that exists, which is hinged to indicate 'Road Closed' when road is flooded.

9. The Gypsum plant was included as an adjacent development in the background traffic.
10. Secondary access is provided through Hunter Place. The level of access will be restricted via a gate.
11. Alternatives or sensitivity analysis may need to analyze what happens if commercial use is all the highest generator (i.e. all restaurant/banquet facility).
12. Vehicle turning templates have not yet been prepared for truck and emergency vehicle access.
13. Subsequent to meeting, Maser provided a copy of Draft Traffic Impact Study and Overall Site Plan in email dated March, 1, 2019.

Q:\PROJECTS-18\18-051 Eagle Bay Traffic Review - Stony Point\Min\02.25.19 Maser Meeting Minutes.docx#

ATTACHMENT B

APRIL 19, 2019 PDE REVIEW MEMORANDUM

Memorandum

To: Mr. William Sheehan
Town of Stony Point

From: Carlito Holt P.E., PTOE
Partner/Senior Project Manager

Subject: Preliminary Review – Draft Traffic Impact Study
Eagle Bay Mixed-Use Development
Town of Stony Point, Rockland County, New York

Date: April 19, 2019

Project No.: 18-051

INTRODUCTION

Provident Design Engineering, PLLC (PDE), a licensed Professional Engineering Firm in the State of New York, has performed a preliminary review of the Draft Traffic Impact Study (DTIS) submitted by Maser Consulting dated February 15, 2019. This DTIS was prepared for the proposed Eagle Bay Mixed-use Development Project in the Town of Stony Point, Rockland County, New York. This review is a preliminary review of the DTIS prior to the Applicant finalizing the Report and including as a Technical Appendix to the Draft Environmental Impact Statement (DEIS) to be submitted.

The following are Technical Comments on the DTIS:

EXISTING TRAFFIC VOLUMES

The following study locations were analyzed:

1. Tomkins Avenue, Beach Road, and Hudson Drive
2. E Main Street/ Grassy Point Road and Beach Road
3. U.S. Route 9W and E/W Main Street
4. U.S. Route 9W and Tomkins Avenue
5. Tomkins Avenue and Farley Drive/Wood Avenue

The Applicant performed Manual Turning Movement (MTM) traffic counts at the study locations during four (4) different analysis periods as follows:

- | | |
|----------------------------|---|
| 1. Weekday AM Period | 6:30 AM – 9:30 AM (Peak Hour 8:15 AM – 9:15 AM) |
| 2. Weekday PM Period | 3:30 PM – 6:30 PM (Peak Hour 4:15 PM – 5:15 PM) |
| 3. Summer Friday PM Period | 4:00 PM – 7:00 PM (Peak Hour 4:00 PM – 5:00 PM) |
| 4. Summer Saturday MIDDAY | 10:00 AM – 2:00 PM (Peak Hour 12:30 PM – 1:30 PM) |

The Applicant also performed 24-hour Automatic Traffic Recorder (ATR) machine counts along the following roads within the Study Area:

1. Tomkins Avenue
2. East Main Street
3. Beach Road
4. Hudson Drive

The following are comments with respect to the traffic data collection.

1. The Summer Friday Peak Hour begins at 4:00 PM, which was the beginning of the count period. The Applicant should confirm whether the Peak Hour begins sooner than 4:00 PM.
2. A comparison of the ATR counts with the MTM counts was not provided. This should be performed to verify that the MTM counts represent typical conditions.
3. A discussion on the reasoning for the selection of the particular analysis periods should be provided.
4. Detailed backup should be provided with respect to the New York State Department of Transportation (NYSDOT) historical traffic count data referenced.

BACKGROUND TRAFFIC VOLUME DEVELOPMENT

The Applicant utilized a 0.5% growth rate per year to develop future No-Build Traffic Volumes for the Proposed Project Design Year of 2023. Additionally, traffic volumes from one (1) adjacent development were included in the future No-Build Traffic Volumes. The following are comments as they pertain to the development of the future No-Build Traffic Volumes:

1. The Applicant stated the Gypsum Manufacturing Plant located at 70 Grassy Point Road would potentially be reopening or be reoccupied and that the Plant used to employ 200-300 people. The Applicant utilized the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition to estimate the number of trips for the plant, based upon ITE Land Use Code 140 (Manufacturing) for 300 employees. No Trip Generation Summary Table or Trip Distributions were provided. Additional detail should be provided with respect to these items.
2. The Applicant utilized a 0.5% growth rate per year for a total background growth rate of 2.5% to 2023 Design Year. The Applicant stated that they reviewed the NYSDOT historical traffic

volume data for the U.S. Route 9W corridor and that there has been minimal traffic growth in the area. Back-up information should be provided to support the growth rate utilized.

TRIP GENERATION

The Applicant utilized the ITE Trip Generation Manual, 10th Edition to calculate the trip generation for the proposed Project. The following Land Use Codes were utilized:

1. ITE Land Use 221 – Mid-Rise Apartments	264 Units
2. ITE Land Use 820 – Shopping Center	3,200 S.F.
3. ITE Land Use 710 – General Office	7,200 S.F.
4. ITE Land Use 932 – High Turnover Sit Down Restaurant	3,100 S.F.
5. ITE Land Use 411 – Public Park	1.4 Acres
6. ITE Land Use 420 – Marina	100 Slips

The following are comments on the Proposed Project Trip Generation estimates:

1. The trip generation calculated for the sizes and land uses identified are consistent with the rates published in the ITE Trip Generation Manual.
2. No trip reduction credits were applied for the potential “interplay” between the mix of uses, which results in a more conservative analysis.
3. The Applicant identifies a mix of uses for the commercial portion of the Proposed Project. If the mix could potentially change to a more intense traffic generating use (i.e. all restaurant), then this should be considered in the traffic analysis.

TRIP DISTRIBUTION

The Applicant used existing traffic patterns and assumed travel patterns to determine the arrival and departure distributions among the roadway network. The Applicant created two separate trip distribution patterns. One pattern was for the residential component of the site and one pattern was for the commercial component of the site. The following are comments on the development of Proposed Project Trip Distributions:

1. US Census Journey to Work Data should be utilized to verify that the Trip Distributions utilized are appropriate for the residential and office uses.
2. A Retail Gravity Model should be utilized to verify that the Trip Distributions utilized for the Commercial Uses (except Office) are appropriate.

ANALYSES

PDE has reviewed the Synchro analysis worksheets provided and offers the following general comments regarding parameters utilized in the analysis:

1. The Applicant utilized measured lane widths in their analysis. Information should be provided on how the lane widths were determined.
2. Adjustments to intersection approach grades were made to the analysis, which influence the analysis results. The Applicant should clarify how the approach grades were determined.
3. Right Turn on Red (RTOR) Volumes were entered for the intersection of 9W/Main Street on all approaches; however, RTOR's are restricted on the eastbound Main Street approach. The analysis should be updated to reflect this RTOR restriction. Additionally, information should be provided with respect to how the RTOR volumes were determined for the other approaches.
4. Additional information should be provided with respect to how the Traffic Signal Timings utilized in the analysis were obtained.
5. Based upon a review of the Level of Service Summary Table, particular movements at the intersections of 9W/Main Street and 9W/Tomkins Avenue will deteriorate from a Level of Service 'C' to 'D' from No-Build to Build conditions, during certain Peak Hours. Attachment A to this Memorandum highlights the associated movements/time periods. The Applicant should explore mitigation that could maintain the Levels of Service at these locations. Additionally, a Traffic Signal Warrant Analysis should be performed for the intersection of 9W/Tomkins Avenue.
6. Lowland Hill Road intersects 9W immediately south of the 9W/Main Street intersection. The close proximity of this intersection should be considered in the analysis of the 9W/Main Street intersection.

OTHER CONSIDERATIONS

1. An accident analysis should be performed for the study area. The accident analysis should include a representative sample of accident data when the marina was fully active.
2. The roadway width under the CSX railroad overpass on Tomkins Avenue is narrower than a standard 24-foot width for two-way travel. The Applicant should provide additional analysis and discussion concerning this constrained area and its potential impacts with respect to increased traffic at this location.
3. Due to the frequency of flooding along Hudson Road and Beach Road, the Applicant should provide analysis/discussion concerning traffic impacts and travel routes in the event of flooding.
4. A concept plan should be prepared illustrating the proposed mitigation.

ATTACHMENT A

HIGHLIGHTED LEVEL OF SERVICE TABLE

TABLE NO. 2

LEVEL OF SERVICE SUMMARY TABLE

		2018 EXISTING				2023 NO-BUILD				2023 BUILD			
		AM	PM	SUMMER FRIDAY PM	SUMMER SAT	AM	PM	SUMMER FRIDAY PM	SUMMER SAT	AM	PM	SUMMER FRIDAY PM	SUMMER SAT
1	<p>TOMKINS AVENUE, BEACH ROAD & HUDSON DRIVE</p> <p><u>UNSIGNALIZED</u></p> <p>TOMKINS AVENUE EB L-T HUDSON DRIVE SB L-R</p> <p><u>W/ ALL-WAY "STOP" SIGN CONTROL</u></p> <p>TOMKINS AVENUE EB L-T BEACH ROAD WB T-R HUDSON DRIVE SB L-R</p> <p>OVERALL INTERSECTION</p>	A[7.3] A[8.9]	A[7.4] A[9.1]	A[7.4] A[9.0]	A[7.4] A[9.0]	A[7.3] A[8.9]	A[7.4] A[9.1]	A[7.4] A[9.0]	A[7.4] A[9.0]	A[7.4] B[10.0]	A[7.6] B[10.4]	A[7.6] B[10.3]	A[7.6] B[10.2]
2	<p>E. MAIN STREET/GRASSY POINT ROAD & BEACH ROAD</p> <p><u>UNSIGNALIZED</u></p> <p>E. MAIN STREET EB L-T-R GRASSY POINT ROAD WB L-T-R BA MAR DRIVE NB L-T-R BEACH ROAD SB L-T-R</p>	A[7.7] A[7.5] A[9.9] B[10.0]	A[7.8] A[7.4] B[10.5] B[10.8]	A[7.5] A[7.5] B[10.3] B[10.3]	A[7.5] A[7.5] B[10.9] A[9.9]	A[7.8] A[7.5] B[10.5] B[10.7]	A[7.9] A[7.4] B[11.0] B[11.5]	A[7.6] A[7.5] B[10.7] B[10.7]	A[7.5] A[7.5] B[11.0] B[10.0]	A[7.8] A[7.5] B[10.8] A[9.9]	A[8.0] A[7.4] B[11.6] B[11.0]	A[7.7] A[7.5] B[11.2] B[10.2]	A[7.5] A[7.5] B[11.5] A[9.6]
3	<p>U.S. ROUTE 9W & E./W. MAIN STREET</p> <p><u>SIGNALIZED</u></p> <p>E. MAIN STREET EB L EB T-R EB APPROACH</p> <p>W. MAIN STREET WB L WB T-R WB APPROACH</p> <p>U.S. ROUTE 9W NB L NB T-R NB APPROACH</p> <p>U.S. ROUTE 9W SB L SB T-R SB APPROACH</p> <p>OVERALL INTERSECTION</p>	B[19.5] C[24.7] C[23.4] B[19.4] C[21.6] C[20.4] B[13.4] B[18.2] B[17.7] B[12.0] B[16.9] B[16.8]	C[25.3] C[31.6] C[29.4] C[24.8] C[28.1] C[26.3] B[11.5] C[22.0] C[20.5] B[14.2] B[15.5] B[15.4]	C[25.6] C[30.8] C[28.8] C[25.0] C[27.8] C[26.0] B[12.1] C[25.8] C[24.2] B[15.4] B[16.0] B[15.9]	C[25.1] C[31.8] C[30.4] C[24.6] C[26.0] C[25.0] B[11.7] C[23.7] C[22.3] B[14.9] B[15.3] B[15.3]	B[19.9] C[26.2] C[32.7] C[24.1] B[19.7] C[22.2] B[13.7] B[18.8] B[18.3] B[12.6] B[17.5] B[17.3]	C[26.2] C[32.7] C[30.4] C[25.6] C[29.4] C[27.5] B[11.8] C[23.9] C[22.3] B[14.9] B[15.8] B[15.7]	C[26.5] C[32.7] C[30.0] C[25.8] C[29.1] C[27.2] B[12.4] C[25.2] C[23.7] B[16.2] B[16.3] B[16.3]	C[25.7] C[32.7] C[31.2] C[25.2] C[26.6] C[25.6] B[11.8] C[25.2] C[23.7] B[15.3] B[16.3] B[15.5]	C[22.1] C[27.9] C[26.5] C[21.2] C[23.1] C[21.9] B[14.4] C[20.2] B[19.7] B[13.7] B[18.3] B[18.0]	C[29.7] D[37.4] C[34.7] C[28.6] C[31.9] C[30.1] B[12.3] C[32.1] C[29.6] B[17.3] B[16.6] B[16.6]	C[30.1] D[36.6] C[34.2] C[29.0] C[31.8] C[30.0] B[12.9] D[37.3] C[34.7] B[18.7] B[17.1] B[17.2]	C[29.6] D[37.7] D[35.9] C[28.0] C[29.1] C[28.3] B[12.6] C[34.3] C[31.9] B[17.9] B[16.5] B[16.6]
4	<p>U.S. ROUTE 9W & TOMKINS AVENUE</p> <p><u>UNSIGNALIZED</u></p> <p>U.S. ROUTE 9W SB L-T TOMKINS AVENUE WB L-R</p>	A[8.1] C[17.7]	A[8.5] C[18.1]	A[8.5] C[18.9]	A[8.3] C[16.9]	A[8.1] C[19.0]	A[8.6] C[19.5]	A[8.6] C[20.4]	A[8.4] C[17.4]	A[8.2] C[22.3]	A[8.8] D[25.5]	A[8.8] D[26.2]	A[8.6] C[21.5]
5	<p>TOMKINS AVENUE & FARLEY DRIVE/WOOD AVENUE</p> <p><u>UNSIGNALIZED</u></p> <p>TOMKINS AVENUE EB L-T-R TOMKINS AVENUE WB L-T-R WOOD AVENUE NB L-T-R FARLEY DRIVE SB L-T-R</p> <p>OVERALL INTERSECTION</p>	A[7.7] A[7.7] A[8.1] A[7.1]	A[7.7] A[7.9] A[7.7] A[7.6]	A[7.6] A[7.6] A[7.5] A[7.1]	A[7.5] A[7.4] A[7.2] A[7.1]	A[7.7] A[7.7] A[8.2] A[7.1]	A[7.7] A[7.9] A[7.7] A[7.7]	A[7.6] A[7.6] A[7.6] A[7.2]	A[7.5] A[7.4] A[7.3] A[7.1]	A[8.2] A[8.5] A[8.3] A[7.5]	A[8.4] A[8.7] A[8.0] A[8.1]	A[8.3] A[8.4] A[7.8] A[7.6]	A[8.2] A[8.2] A[7.4] A[7.6]

THE ABOVE REPRESENTS THE LEVELS OF SERVICE AND VEHICLE DELAY IN SECONDS, B [13.2], FOR EACH MOVEMENT, FOR EACH APPROACH AS WELL AS FOR THE OVERALL INTERSECTION FOR THE SIGNALIZED INTERSECTIONS AND THE LEVELS OF SERVICE AND AVERAGE TOTAL DELAY IN SECONDS, B [10.9], FOR THE UNSIGNALIZED INTERSECTIONS.

Mary Pagano

From: Ronald Rieman [rrieman@maserconsulting.com]
Sent: Wednesday, February 20, 2019 10:51 AM
To: planning
Subject: Eagle Bay - Town of Stony Point

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Mary,

As per our call this morning, we will coordinate with the Town's Traffic Consultant (Provident Design Engineering) the review of our Draft Traffic Impact Study.

I will forward you any correspondence, reports submitted to PDE and meeting minutes.

Thank you, Ron

Ronald P Rieman
Project Manager

Connect with Us:



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Mary Pagano

From: Carlito Holt [cholt@pderesults.com]
Sent: Wednesday, February 20, 2019 11:42 AM
To: rrieman@maserconsulting.com
Cc: planning
Subject: Eagle Bay Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Ron,

This email is to confirm our meeting for 11:00am on Monday, February 25, 2018 at your office on the Eagle Bay DEIS.

PDE will prepare Minutes of Meeting and include attachments to the Minutes of any Exhibits presented at the meeting.

Thanks,

Carlito Holt, P.E., PTOE
Partner/Senior Project Manager



Provident
design engineering

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MEMORANDUM

TO: THOMAS GUBITOSA, CHAIRMAN
MEMBERS, STONY POINT PLANNING BOARD

FROM: MAX STACH, AICP
STUART TURNER, FAICP
RAYMOND MARINO

SUBJECT: EAGLE BAY DEIS COMPLETION REVIEW 2

DATE: NOVEMBER 26, 2019

CC: MARY PAGANO - PLANNING BOARD SECRETARY
JOHN O'ROURKE, P.E. - VILLAGE ENGINEER
STEPHEN HONAN, ESQ. - PLANNING BOARD ATTORNEY
WILLIAM SHEEHAN - BUILDING INSPECTOR
STEPHEN LOPEZ, AICP, RLA – PLANNING BOARD CONSULTING LANDSCAPE ARCHITECT
STEVEN MARINO, PWS – PLANNING BOARD CONSULTING ECOLOGIST

We have reviewed the resubmitted Draft Environmental Impact Statement (DEIS) for Eagle Bay, prepared by Atzl, Nasher & Zigler, P.C. and received by the Planning Department on November 7, 2019. We have reviewed the document for purposes of determining whether the requirements of 6 NYCRR 617.9(B) governing the contents of DEISs have been met, whether the information requested in the adopted scoping document dated September 27, 2018 have been provided, and whether the DEIS conforms with best practices and is sufficient for public review. We have reviewed this draft against our October 18, 2019 completeness memo.

As agreed at the internal workshop meeting of December 20, 2018, we have limited our completion review to the following sections, other sections having been reviewed by the other retained consultants:

- Cover, list of consultants, etc.
- Executive Summary
- Description and Need
- Terrestrial Ecology and Wetlands
- Land Use and Zoning
- Historic and Archeological Resources
- Community Services
- Alternatives
- And Other Miscellaneous Chapters

The following constitute our remaining comments on the resubmitted DEIS. Where a comment from our October 18 memo has been wholly addressed, we do not repeat it here:

COMMENTS

1. We suggest that the internal cover and pages 1-2 precede the table of contents.
2. Certain tables still break across pages. Please revisit the placement of tables to avoid confusion wherever possible.
3. Figure 18 – It would help if the existing roadways and underpasses were more discernible on this map. It would also be useful if this information were overlain on the proposed site plan. If this is done elsewhere in the document, please reference this in the text. Emergency access and flooding is a critical issue with this application, and it makes sense to accurately convey the ABFE information in relationship to site access (including at Tomkins Avenue) and the proposed layout.
4. Page 71 – A superficial construction noise analysis has been provided and is adequate for the purpose of commencing agency and public review. We may request additional analysis in our substantive review.
5. Section 3.3.1. The following scope item was partially provided: *Identify and catalog species of plants and fauna found on site or potentially to be found on site, including those within the tidal area in the Hudson River.* Please provide a brief statement of the presence of herpetofauna that may be tolerant of human environments.
6. Section 3.3.1 – Please check scientific names for formatting accuracy and consistency (Capital genus name, lowercase species name and completely italicized is suggested)
7. Table 7.B – “Species Identified On Site” includes three species that are incorrectly designated. Revisions should be as follows:
 - Robinia pseudoacacia* – Designated Native – Should be Non-native/invasive
 - Artemisia vulgaris* – Designated Non-native – Should be Non-native/invasive
 - Phragmites australis* – Designated Non-native – Should be Non-native/invasive
8. Table 7.B – Providing common names here would be beneficial for readability
9. Page 98, Paragraph 1- “The preservation of habitat in this wetland area of the subject site may enhance the food supply available for any Bald Eagles in the area.” - Please rephrase this as, “...of the subject site will continue to maintain this area as foraging habitat for any Bald Eagles in the area. If designed properly, the restoration of the adjacent area, could nominally enlarge this foraging habitat.”
10. Section 3.3.3, third bullet– Clarify that species to be utilized will only include species adapted to the given environment (hydrophytic or halophytic).
11. Page 111 – The scope requires a discussion of affordable housing, which has only partially been addressed. The EIS is adequate for public and agency review and we will repeat our request as a future substantive comment.
12. Pages 165 & 177 – A cursory discussion of evacuation plans for flood prone areas has been provided. A more detailed discussion may be requested in our substantive review.
13. Page 169 – Clarify last sentence of first paragraph, “will do so at relatively low rates compared to other development strategies.”
14. Page 170 Table 20A – This table contains a rounding error for One-Bedroom total residents. Please check and round all numbers over 0.5 up to the next whole number when rounding. It would also be adequate to leave the residents and school-age children as decimal numbers

rounded to the hundredth place in the component rows, and round to the nearest whole number in the "total" row.

15. Page 170 – "This is an increase of market value of nearly 4,300%." Please check this arithmetic.
16. Table 22A - If the units are to be rented, an income anticipation appraisal would need to be provided, which will result in a valuation significantly lower than a valuation based on sales price. This income anticipation method would need to make market-based assumptions for vacancy rates, operating expenses, and cap rates, which all should be verified with the Town Assessor. As currently presented this table significantly overstates the revenue that will be generated under the rental scenario. Please also verify the non-residential floor area per square foot and marina per slip valuations utilized with the Town Assessor.
17. Appendix P – Eagle Bay 264 Unit Proposal Worksheet – Please disclose calculation of value.
18. Table 23 A – Header seems to be missing.
19. Appendix P – Per Capita Cost Worksheet. It is not clear why approximately \$8.5M of the Town Budget is being categorized as "other" and excluded from the per capita cost. Per capita costs include, for example the cost of Town Employees, including their benefits. Likewise, it includes capital expenditures and equipment costs on a pro-rata basis. The rationale for excluding budgetary costs should be provided, or the total budget used to calculate per capita cost.
20. Section 4.5.2 – We suggest additional tables showing the calculation of net revenue to Town and School Districts under the owned and rental scenarios.
21. Page 183 – We are still awaiting a demonstration that a reduced density alternative with drastically reduced building coverages would not be viable based on project economics as is claimed.

If you have any comments or questions about our review, please contact us at your earlier convenience.

Memorandum

To: Mr. William Sheehan
Town of Stony Point

From: Carlito Holt P.E., PTOE
Partner/Senior Project Manager

Subject: DEIS Completeness Re-Review
Eagle Bay Mixed-Use Development
Town of Stony Point, Rockland County, New York

Date: November 26, 2019

Project No.: 18-051

INTRODUCTION

Provident Design Engineering, PLLC (PDE), a licensed Professional Engineering Firm in the State of New York, has performed a completeness re-review of the Traffic and Transportation Section, and associated Technical Appendix, contained in the Draft Environmental Impact Statement (DEIS), dated November 2019 for the Eagle Bay Mixed Use Development Project in the Town of Stony Point. The DEIS was revised based upon comments provided by PDE in the October 22, 2019 Memorandum. It is important to note that PDE has coordinated with the Applicant's Traffic Engineering Consultant, Maser Consulting P.C. (Maser), leading up to the submittal the September 2019 DEIS and the subsequent November 2019 DEIS. These coordination efforts more specifically included the following:

1. February 25, 2019 Meeting between PDE and Maser – Minutes of Meeting are included in Attachment A.
2. Review of Draft Traffic Impact Study Report dated February 15, 2019 – A copy of the April 19, 2019 PDE Review Memorandum for this Report is included in Attachment B.
3. Completeness Review of the September 2019 DEIS – A copy of the October 22, 2019 PDE Review Memorandum is included in Attachment C.

The only comment that had not been fully addressed from a completeness standpoint, in the September 2019 DEIS, pertained to the Right-Turn on Red (RTOR) Volumes at the intersection of Route 9W/Main Street. The November 2019 DEIS has been updated to clarify the methodology utilized with respect to the inclusion/exclusion of RTOR Volumes. PDE finds the additional information provided to be acceptable.

Based on the foregoing, PDE finds the Traffic and Transportation Section of the November 2019 DEIS to be complete. Upon acceptance of the DEIS as complete, a full Technical Review of DEIS will be performed.

ATTACHMENT A

FEBRUARY 25, 2019 MINUTES OF MEETING

Minutes of Meeting

Project: Eagle Bay Traffic Study Meeting Meeting Date: February 25, 2019
Town of Stony Point, NY

Project No.: 18-051 Meeting Location: Maser Consulting,
Valhalla, NY

Prepared By: Carlito Holt, P.E., PTOE
Partner/Senior Project Manager

Participants: Ronald Rieman – Maser Consulting, P.C.
Nick Tortorella (partial attendance) – Maser Consulting P.C.

Purpose: Meeting to discuss key parameters of the Traffic Impact Study prepared for the Eagle Bay development project.

The following key items were discussed with respect to the Traffic Impact Study prepared for the Eagle Bay development:

1. All new traffic counts were performed, which included pedestrian counts.
2. Trip Generation conservatively excluded any internal capture.
3. There is a low clearance (9'11") due to the overpass on the Tomkins Avenue approach to Beach Road. This will affect larger vehicles arrival/departure patterns to the site.
4. Possibility of traffic signal install at Tomkins Avenue/ Route 9W was investigated. Analysis indicates LOS is acceptable without traffic signal installation.
5. Sight distance analysis was not performed at intersection of Tomkins Avenue/Beach Road/Spring Street.
6. Travel Time Runs were performed to develop the Origin/Destination patterns.
7. Accident Data was not included in the Traffic Impact Study but may be necessary to demonstrate level of safety at unconventional intersections. Accident data may need to include dates when the marina was in operation.
8. Discussion on roadway flooding on Beach Road and the signage that exists, which is hinged to indicate 'Road Closed' when road is flooded.

9. The Gypsum plant was included as an adjacent development in the background traffic.
10. Secondary access is provided through Hunter Place. The level of access will be restricted via a gate.
11. Alternatives or sensitivity analysis may need to analyze what happens if commercial use is all the highest generator (i.e. all restaurant/banquet facility).
12. Vehicle turning templates have not yet been prepared for truck and emergency vehicle access.
13. Subsequent to meeting, Maser provided a copy of Draft Traffic Impact Study and Overall Site Plan in email dated March, 1, 2019.

Q:\PROJECTS-18\18-051 Eagle Bay Traffic Review - Stony Point\Min\02.25.19 Maser Meeting Minutes.docx#

ATTACHMENT B

APRIL 19, 2019 PDE REVIEW MEMORANDUM

Memorandum

To: Mr. William Sheehan
Town of Stony Point

From: Carlito Holt P.E., PTOE
Partner/Senior Project Manager

Subject: Preliminary Review – Draft Traffic Impact Study
Eagle Bay Mixed-Use Development
Town of Stony Point, Rockland County, New York

Date: April 19, 2019

Project No.: 18-051

INTRODUCTION

Provident Design Engineering, PLLC (PDE), a licensed Professional Engineering Firm in the State of New York, has performed a preliminary review of the Draft Traffic Impact Study (DTIS) submitted by Maser Consulting dated February 15, 2019. This DTIS was prepared for the proposed Eagle Bay Mixed-use Development Project in the Town of Stony Point, Rockland County, New York. This review is a preliminary review of the DTIS prior to the Applicant finalizing the Report and including as a Technical Appendix to the Draft Environmental Impact Statement (DEIS) to be submitted.

The following are Technical Comments on the DTIS:

EXISTING TRAFFIC VOLUMES

The following study locations were analyzed:

1. Tomkins Avenue, Beach Road, and Hudson Drive
2. E Main Street/ Grassy Point Road and Beach Road
3. U.S. Route 9W and E/W Main Street
4. U.S. Route 9W and Tomkins Avenue
5. Tomkins Avenue and Farley Drive/Wood Avenue

The Applicant performed Manual Turning Movement (MTM) traffic counts at the study locations during four (4) different analysis periods as follows:

- | | |
|----------------------------|---|
| 1. Weekday AM Period | 6:30 AM – 9:30 AM (Peak Hour 8:15 AM – 9:15 AM) |
| 2. Weekday PM Period | 3:30 PM – 6:30 PM (Peak Hour 4:15 PM – 5:15 PM) |
| 3. Summer Friday PM Period | 4:00 PM – 7:00 PM (Peak Hour 4:00 PM – 5:00 PM) |
| 4. Summer Saturday Midday | 10:00 AM – 2:00 PM (Peak Hour 12:30 PM – 1:30 PM) |

The Applicant also performed 24-hour Automatic Traffic Recorder (ATR) machine counts along the following roads within the Study Area:

1. Tomkins Avenue
2. East Main Street
3. Beach Road
4. Hudson Drive

The following are comments with respect to the traffic data collection.

1. The Summer Friday Peak Hour begins at 4:00 PM, which was the beginning of the count period. The Applicant should confirm whether the Peak Hour begins sooner than 4:00 PM.
2. A comparison of the ATR counts with the MTM counts was not provided. This should be performed to verify that the MTM counts represent typical conditions.
3. A discussion on the reasoning for the selection of the particular analysis periods should be provided.
4. Detailed backup should be provided with respect to the New York State Department of Transportation (NYSDOT) historical traffic count data referenced.

BACKGROUND TRAFFIC VOLUME DEVELOPMENT

The Applicant utilized a 0.5% growth rate per year to develop future No-Build Traffic Volumes for the Proposed Project Design Year of 2023. Additionally, traffic volumes from one (1) adjacent development were included in the future No-Build Traffic Volumes. The following are comments as they pertain to the development of the future No-Build Traffic Volumes:

1. The Applicant stated the Gypsum Manufacturing Plant located at 70 Grassy Point Road would potentially be reopening or be reoccupied and that the Plant used to employ 200-300 people. The Applicant utilized the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition to estimate the number of trips for the plant, based upon ITE Land Use Code 140 (Manufacturing) for 300 employees. No Trip Generation Summary Table or Trip Distributions were provided. Additional detail should be provided with respect to these items.
2. The Applicant utilized a 0.5% growth rate per year for a total background growth rate of 2.5% to 2023 Design Year. The Applicant stated that they reviewed the NYSDOT historical traffic

volume data for the U.S. Route 9W corridor and that there has been minimal traffic growth in the area. Back-up information should be provided to support the growth rate utilized.

TRIP GENERATION

The Applicant utilized the ITE Trip Generation Manual, 10th Edition to calculate the trip generation for the proposed Project. The following Land Use Codes were utilized:

1. ITE Land Use 221 – Mid-Rise Apartments	264 Units
2. ITE Land Use 820 – Shopping Center	3,200 S.F.
3. ITE Land Use 710 – General Office	7,200 S.F.
4. ITE Land Use 932 – High Turnover Sit Down Restaurant	3,100 S.F.
5. ITE Land Use 411 – Public Park	1.4 Acres
6. ITE Land Use 420 – Marina	100 Slips

The following are comments on the Proposed Project Trip Generation estimates:

1. The trip generation calculated for the sizes and land uses identified are consistent with the rates published in the ITE Trip Generation Manual.
2. No trip reduction credits were applied for the potential “interplay” between the mix of uses, which results in a more conservative analysis.
3. The Applicant identifies a mix of uses for the commercial portion of the Proposed Project. If the mix could potentially change to a more intense traffic generating use (i.e. all restaurant), then this should be considered in the traffic analysis.

TRIP DISTRIBUTION

The Applicant used existing traffic patterns and assumed travel patterns to determine the arrival and departure distributions among the roadway network. The Applicant created two separate trip distribution patterns. One pattern was for the residential component of the site and one pattern was for the commercial component of the site. The following are comments on the development of Proposed Project Trip Distributions:

1. US Census Journey to Work Data should be utilized to verify that the Trip Distributions utilized are appropriate for the residential and office uses.
2. A Retail Gravity Model should be utilized to verify that the Trip Distributions utilized for the Commercial Uses (except Office) are appropriate.

ANALYSES

PDE has reviewed the Synchro analysis worksheets provided and offers the following general comments regarding parameters utilized in the analysis:

1. The Applicant utilized measured lane widths in their analysis. Information should be provided on how the lane widths were determined.
2. Adjustments to intersection approach grades were made to the analysis, which influence the analysis results. The Applicant should clarify how the approach grades were determined.
3. Right Turn on Red (RTOR) Volumes were entered for the intersection of 9W/Main Street on all approaches; however, RTOR's are restricted on the eastbound Main Street approach. The analysis should be updated to reflect this RTOR restriction. Additionally, information should be provided with respect to how the RTOR volumes were determined for the other approaches.
4. Additional information should be provided with respect to how the Traffic Signal Timings utilized in the analysis were obtained.
5. Based upon a review of the Level of Service Summary Table, particular movements at the intersections of 9W/Main Street and 9W/Tomkins Avenue will deteriorate from a Level of Service 'C' to 'D' from No-Build to Build conditions, during certain Peak Hours. Attachment A to this Memorandum highlights the associated movements/time periods. The Applicant should explore mitigation that could maintain the Levels of Service at these locations. Additionally, a Traffic Signal Warrant Analysis should be performed for the intersection of 9W/Tomkins Avenue.
6. Lowland Hill Road intersects 9W immediately south of the 9W/Main Street intersection. The close proximity of this intersection should be considered in the analysis of the 9W/Main Street intersection.

OTHER CONSIDERATIONS

1. An accident analysis should be performed for the study area. The accident analysis should include a representative sample of accident data when the marina was fully active.
2. The roadway width under the CSX railroad overpass on Tomkins Avenue is narrower than a standard 24-foot width for two-way travel. The Applicant should provide additional analysis and discussion concerning this constrained area and its potential impacts with respect to increased traffic at this location.
3. Due to the frequency of flooding along Hudson Road and Beach Road, the Applicant should provide analysis/discussion concerning traffic impacts and travel routes in the event of flooding.
4. A concept plan should be prepared illustrating the proposed mitigation.

ATTACHMENT A

HIGHLIGHTED LEVEL OF SERVICE TABLE

TABLE NO. 2
LEVEL OF SERVICE SUMMARY TABLE

		2018 EXISTING				2023 NO-BUILD				2023 BUILD			
		AM	PM	SUMMER FRIDAY PM	SUMMER SAT	AM	PM	SUMMER FRIDAY PM	SUMMER SAT	AM	PM	SUMMER FRIDAY PM	SUMMER SAT
1	TOMKINS AVENUE, BEACH ROAD & HUDSON DRIVE <u>UNSIGNALIZED</u> TOMKINS AVENUE EB L-T HUDSON DRIVE SB L-R <u>W/ ALL-WAY "STOP" SIGN CONTROL</u> TOMKINS AVENUE EB L-T BEACH ROAD WB T-R HUDSON DRIVE SB L-R OVERALL INTERSECTION	A[7.3] A[8.9]	A[7.4] A[9.1]	A[7.4] A[9.0]	A[7.4] A[9.0]	A[7.3] A[8.9]	A[7.4] A[9.1]	A[7.4] A[9.0]	A[7.4] A[9.0]	A[7.4] B[10.0]	A[7.6] B[10.4]	A[7.6] B[10.3]	A[7.6] B[10.2]
		--	--	--	--	A[7.4] A[7.6] A[7.2]	A[7.3] A[7.5] A[7.2]	A[7.5] A[7.4] A[7.0]	A[7.5] A[7.3] A[7.0]	A[8.3] A[7.9] A[8.1]	A[8.6] A[8.0] A[7.9]	A[8.6] A[7.8] A[8.0]	A[8.6] A[7.7] A[7.9]
		--	--	--	--	A[7.4]	A[7.4]	A[7.4]	A[7.4]	A[8.2]	A[8.2]	A[8.2]	A[8.1]
2	E. MAIN STREET/GRASSY POINT ROAD & BEACH ROAD <u>UNSIGNALIZED</u> E. MAIN STREET EB L-T-R GRASSY POINT ROAD WB L-T-R BA MAR DRIVE NB L-T-R BEACH ROAD SB L-T-R	A[7.7] A[7.5] A[9.9] B[10.0]	A[7.8] A[7.4] B[10.5] B[10.8]	A[7.5] A[7.5] B[10.3] B[10.3]	A[7.5] A[7.5] B[10.9] A[9.9]	A[7.8] A[7.5] B[10.5] B[10.7]	A[7.9] A[7.4] B[11.0] B[11.5]	A[7.6] A[7.5] B[10.7] B[10.7]	A[7.5] A[7.5] B[11.0] B[10.0]	A[7.8] A[7.5] B[10.8] A[9.9]	A[8.0] A[7.4] B[11.6] B[11.0]	A[7.7] A[7.5] B[11.2] B[10.2]	A[7.5] A[7.5] B[11.5] A[9.6]
3	U.S. ROUTE 9W & E./W. MAIN STREET <u>SIGNALIZED</u> E. MAIN STREET EB L EB T-R EB APPROACH W. MAIN STREET WB L WB T-R WB APPROACH U.S. ROUTE 9W NB L NB T-R NB APPROACH U.S. ROUTE 9W SB L SB T-R SB APPROACH OVERALL INTERSECTION	B[19.5] C[24.7] C[23.4] B[19.4] C[21.8] C[20.4] B[13.4] B[18.2] B[17.7] B[12.0] B[16.9] B[16.8]	C[25.3] C[31.6] C[29.4] C[24.8] C[28.1] C[26.3] B[11.5] C[22.0] C[20.5] B[14.2] B[15.5] B[15.4]	C[25.6] C[30.8] C[28.8] C[25.0] C[27.8] C[26.0] B[12.1] C[25.8] C[24.2] B[15.4] B[16.0] B[15.9]	C[25.1] C[31.8] C[30.4] C[24.6] C[26.0] C[25.0] B[11.7] C[23.7] C[22.3] B[14.9] B[15.3] B[15.3]	B[19.9] C[25.3] C[24.1] B[19.7] C[22.2] C[20.9] B[13.7] B[18.8] B[18.3] B[12.6] B[17.5] B[17.3]	C[26.2] C[32.7] C[30.4] C[25.5] C[29.4] C[27.5] B[11.8] C[23.9] C[22.3] B[14.9] B[15.8] B[15.7]	C[26.5] C[32.0] C[30.0] C[25.8] C[29.1] C[27.2] B[12.4] C[23.9] C[26.3] B[16.2] B[16.3] B[16.3]	C[25.7] C[32.7] C[31.2] C[25.2] C[26.6] C[25.6] B[11.8] C[25.2] C[23.7] B[15.3] B[15.5] B[15.5]	C[22.1] C[27.9] C[26.5] C[21.2] C[23.1] C[21.9] B[14.4] C[20.2] B[19.7] B[13.7] B[18.3] B[18.0]	C[29.7] D[37.4] C[34.7] C[28.6] C[31.9] C[30.1] B[12.3] C[32.1] C[29.6] B[17.3] B[16.6] B[16.6]	C[30.1] D[36.6] C[34.2] C[29.0] C[31.8] C[30.0] B[12.9] D[37.3] C[34.7] B[18.7] B[17.1] B[17.2]	C[29.6] D[37.7] D[35.9] C[28.0] C[29.1] C[28.3] B[12.6] C[34.3] C[31.9] B[17.9] B[16.5] B[16.6]
4	U.S. ROUTE 9W & TOMKINS AVENUE <u>UNSIGNALIZED</u> U.S. ROUTE 9W SB L-T TOMKINS AVENUE WB L-R	A[8.1] C[17.7]	A[8.5] C[18.1]	A[8.5] C[18.9]	A[8.3] C[16.9]	A[8.1] C[19.0]	A[8.6] C[19.5]	A[8.6] C[20.4]	A[8.4] C[17.4]	A[8.2] C[22.3]	A[8.8] D[25.5]	A[8.8] D[26.2]	A[8.6] C[21.5]
5	TOMKINS AVENUE & FARLEY DRIVE/WOOD AVENUE <u>UNSIGNALIZED</u> TOMKINS AVENUE EB L-T-R TOMKINS AVENUE WB L-T-R WOOD AVENUE NB L-T-R FARLEY DRIVE SB L-T-R OVERALL INTERSECTION	A[7.7] A[7.7] A[8.1] A[7.1]	A[7.7] A[7.9] A[7.7] A[7.6]	A[7.6] A[7.6] A[7.5] A[7.1]	A[7.5] A[7.4] A[7.2] A[7.1]	A[7.7] A[7.7] A[8.2] A[7.1]	A[7.7] A[7.9] A[7.7] A[7.7]	A[7.6] A[7.6] A[7.6] A[7.2]	A[7.5] A[7.4] A[7.3] A[7.1]	A[8.2] A[8.5] A[8.3] A[7.5]	A[8.4] A[8.7] A[8.0] A[8.1]	A[8.3] A[8.4] A[7.8] A[7.6]	A[8.2] A[8.2] A[7.4] A[7.6]

THE ABOVE REPRESENTS THE LEVELS OF SERVICE AND VEHICLE DELAY IN SECONDS, B [13.2], FOR EACH MOVEMENT, FOR EACH APPROACH AS WELL AS FOR THE OVERALL INTERSECTION FOR THE SIGNALIZED INTERSECTIONS AND THE LEVELS OF SERVICE AND AVERAGE TOTAL DELAY IN SECONDS, B [10.9], FOR THE UNSIGNALIZED INTERSECTIONS.

ATTACHMENT C

OCTOBER 22, 2019 PDE REVIEW MEMORANDUM

Memorandum

To: Mr. William Sheehan
Town of Stony Point

From: Carlito Holt P.E., PTOE
Partner/Senior Project Manager

Subject: DEIS Completeness Review
Eagle Bay Mixed-Use Development
Town of Stony Point, Rockland County, New York

Date: October 22, 2019

Project No.: 18-051

INTRODUCTION

Provident Design Engineering, PLLC (PDE), a licensed Professional Engineering Firm in the State of New York, has performed a completeness review of the Traffic Section, and associated Technical Appendix, contained in the Draft Environmental Impact Statement (DEIS), dated September 2019 for the Eagle Bay Mixed Use Development Project in the Town of Stony Point. It is important to note that PDE has coordinated with the Applicant's Traffic Engineering Consultant, Maser Consulting P.C. (Maser), leading up to the submittal the September 2019 DEIS. These coordination efforts more specifically included the following:

1. February 25, 2019 Meeting between PDE and Maser – Minutes of Meeting are included in Attachment A.
2. Review of Draft Traffic Impact Study Report dated February 15, 2019 – A copy of the April 19, 2019 PDE Review Memorandum for this Report is included in Attachment B.

The only comment not fully addressed from a completeness standpoint pertains the Right-Turn on Red (RTOR) Volumes at the intersection of Route 9W/Main Street. The Traffic Study was revised to exclude RTOR Volumes for the eastbound approach; however, information was not provided on how the other approach RTOR Volumes were determined.

Upon provision of the information noted above, it is PDE's opinion that the document could be accepted as complete. Upon completeness acceptance, PDE will perform a detailed Technical Review of the document and provide any substantive comments.

PROJECT REVIEW SHEET

for

Town of Stony Point

REVIEWER: John O'Rourke, P.E.

PROJECT: Eagle Bay Mixed Use Development

REVIEW DATE: November 18, 2019

DATE OF DEIS: November, 2019

The following items are listed to assist you in completing your submission to the Planning Board.

This is only a guide and other items may be listed at future meetings. Please complete all items and supply the Planning Board with revised plans fourteen days prior to the next regularly scheduled meeting.

If you need further assistance please contact this office.

We have reviewed the Draft Environmental Impact Statement (DEIS) dated November 2019 for the Eagle Bay Mixed use development, prepared by Atzl, Nasher & Zigler, PC for completeness and consistency with the adopted scoping document. This review does not include any technical comments, site plan comments or review of the adequacy of the conclusions of any technical studies. These comments will be provided once the Planning Board determines the document is complete.

Based on the revised materials provided we believe the applicant has responded to our previous comments and the document provides all information requested in the approved scoping document. We believe the document is therefore ready for public and agency review.

The document will need to be circulated to various Involved and Interested Agencies with the required Notice of Completion and a date for a public hearing can be set. A notice is also required to the NYSDEC Environmental Notice Bulletin. Typically, a hearing is held on both the DEIS and the proposed Site Plan concurrently.

If you have any questions, or require any additional information, please do not hesitate to contact our office.

**TIM
MILLER
ASSOCIATES, INC.**

10 North Street, Cold Spring, NY 10516 (845) 265-4400 265-4418 fax www.timmillerassociates.com

November 27, 2019

Mr. William Sheehan, Building Inspector
Town of Stony Point
74 East Main Street
Stony Point, NY 10980

RE: Eagle Bay, SEQR Review - DEIS Ecology Section
Continued Completeness Review

Dear Mr. Sheehan:

We have received the SEQR documents for review relative to the Eagle Bay project under consideration by the Town of Stony Point. These documents include:

- Eagle Bay Preliminary DEIS - November 2019

DEIS: We have reviewed the changes made based on our previous memo and have the following remaining comments:

Existing Conditions

P. 73. The scope (Item C.1.) requires that the applicant identify and catalog species of plants and fauna found on site. No such list is presented. **Comment satisfied.**

P. 73. The DEIS refers to declining fish populations, listing a number of species that the DEC has identified. A reference for this should be cited. **Comment satisfied.**

P. 73. The DEIS notes that there are known bald eagle nesting sites in close proximity, and no other nearby records of state listed species. Table 7 on the following page lists a number of species and habitats identified by the DEC. This should be clarified. **Comment satisfied.**

Figures 25 and 26 are confusing; one shows water depths at the site as being between 14 and 16 meters, the other indicates a depth of three feet. This should be clarified. **Comment satisfied.**

P. 74. The DEIS should refer directly to the correspondence with the DEC regarding the lack of suitable habitat for the wild potato vine. This was found in the appendix but should be referred to more directly in the DEIS. **Comment satisfied.**

P. 75. Include the species name of both the eelgrass and widgeon grass. **Comment satisfied..**

P. 75. There is no discussion of the Haverstraw Bay Significant Coastal Fish and Wildlife Habitat as required by the scope (Item C.3.) If this discussion is only going to be

provided in the appendix, it should be referred to in the DEIS and a brief summary provided. **Comment satisfied.**

P. 75. The discussion about submerged aquatic vegetation (SAV) is confusing. The text indicates that it is highly unlikely that SAV exists in the area of the marina, yet the mapping (Figure 27, dated January 2019) shows extensive areas on site. This should be clarified, otherwise a conclusion cannot be reached that there will be no impacts to SAV. **Comment satisfied.**

Potential Impacts

P. 76. The adopted scope (Item 1 under Potential Impacts) requires a discussion of impacts to plants and animal life. No such discussion is provided.

The scope (Item 3 under Potential Impacts) requires detailed discussion of site wetlands and watercourses, and the potential for impacts to these areas. There is no discussion of the wetlands on the site, and no specifics regarding the activities being proposed within the wetlands and in the river, and the potential impacts of those activities except to threatened or endangered species. A much closer look at all the sub-headings under Item 3 should be taken before the DEIS is accepted as complete. If this information is available elsewhere in the DEIS, reference should be made in this section as well.

DEIS text under this heading is still inadequate. No mention is made of the extent, type or regulatory implications of the wetlands on the north end of the site. How large is the wetland? Is it regulated by the State, Army Corps or Town? The soils section describes this as an area of Ipswich soils, which are a hydric soil, but no other characterization of the vegetation, hydrology, function or potential impacts to the wetlands is made. An evaluation of the beneficial functions of the wetland and opportunities for mitigation/restoration should be discussed.

P.76. If it is determined that there is SAV on the site, a discussion of the potential impacts should be included. **Comment satisfied.**

Proposed Mitigation

The DEIS addresses the scope items for this section.

In summary, the majority of this portion of the DEIS is ready for public review. As noted, additional information regarding the site wetland should be provided as required by the Scoping Document. A more substantive review of the project and the DEIS will follow after the acceptance and public distribution of the DEIS.

Sincerely,



Steve Marino, PWS
Senior Wetland Scientist
TIM MILLER ASSOCIATES, INC.
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MEMORANDUM

To: Planning Board, Town of Stony Point
From: Stephen Lopez, AICP CE, RLA
Date: November 25, 2019
Subject: Eagle Bay, Continuing Landscape Review

TMA received a revised set of landscape plans and a plant list from the applicant's Landscape Architect in connection with the proposed Eagle Bay project on a base map last revised November 2, 2018. We have the following comments.

Previous Comments

Comments previously made on the landscape plan have been satisfactorily responded to.

Current Comments

1. Landscape Plans should be signed/sealed by the landscape architect.
2. Specify arrangement of riprap plantings, e.g. random or in groups by species, and if in groups how many in each grouping.
3. In fill beds noted with mulch with ground cover or lawn.
4. Add more varieties of groundcover e.g. Vinca, Juniper, Cotoneaster, for the increased areas of ground cover use.
5. Substitute Red Maple or Swamp White Oak for Sugar Maple along the edge of the wetland and riprap areas.
6. Specify lawn grass seed mix. The note on L-1 for seeding adjacent to the entrance drive could be a general seeding note. However the seed mix may vary from area to area, or sod may be used, so please differentiate to the extent possible.
7. Add a note regarding fall cleanup of perennials, i.e. cutback, removal of spent growth.