



August 7, 2015

Chairwoman Christine Kane  
Town of Red Hook Planning Board  
109 South Broadway  
Red Hook, NY 12571

**RE: Hoffman Property**  
Town of Red Hook

Dear Chairwoman Kane:

**Please accept this letter as our summary of responses to the Comments received from Greenplan, in a letter dated July 31, 2015:**

I. Issues Specific to Adjacent Properties:

- (a) A neighbor states that a legal agreement between the neighbor and the applicant encumbers one acre of the applicant's property. (Alexander Bulay, Jr., written comments)

*LRC Response: This concern has been resolved, documentation will be provided to the Town to verify.*

- (b) How will the project's stormwater management system impact the Hoopler property near where the Town's stormwater discharge currently terminates? Could the current drainage from Old Farm Road be reduced? (Steve and Diana Hoopler)

*LRC Response: While the current design does not increase the runoff from the Town system that will reach the Hoopler's property, we have met onsite with both the Hooplars and the Town Engineer and will investigate if a further reduction of the existing condition is possible.*

- (c) How will the applicant mitigate dust, noise and lighting impacts to adjacent neighbors during construction? The number of construction phases should be limited to reduce disturbances. (Gerald and Linda Gaumer, written comments; Kim Knapp)

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*LRC Response: The applicant will incorporate a number of standard construction practices to address fugitive dust and noise during construction as are described in the SWPPP document that governs these construction-period impacts. Construction will take place during daytime hours and will not create lighting impacts. Lighting which is part of the project has been designed to avoid off-site impacts. There is no direct correlation between the number of construction phases and the extent of construction. However, construction phasing has also been designed to assure appropriate access for construction vehicles and for new homes, and to limit repetitious construction traffic in any phase.*

- (d) How will views of the project from adjacent properties be minimized? (Gerald and Linda Gaumer, written comments; Kim Knapp) Will landscape buffers be planted between the project and adjacent neighbors? (Michelle Seko)

*LRC Response: There is a significant existing landscape buffer between the project and its adjoiners. Additionally, the applicant will augment this buffer with strategically placed landscaping as may be required. The additional landscaping will be shown on a future submission. It is also noted that the Zoning Law establishing the TND, and the proposed project to be built under these standards, were designed "to promote development in harmony with the goals and objectives of the Town of Red Hook Comprehensive Plan; to implement the recommendations of Greenway Connections; and to ensure that new development in the TND District will be compatible with historic village building patterns and will create a strong sense of community identity. [Zoning Law 143-49.1.A] There is nothing about the proposed project that constitutes a use or development style incompatible with its surroundings.*

- (e) An adjacent property owner requests that the developer be required to plant a mature stand of conifers along their entire abutting property line to prevent trespassing on their property beyond the proposed walking trails. They also request that the developer be required to install a minimum of four (4) no trespassing signs on the property boundary. (Gerald and Linda Gaumer, written comments)

*LRC Response: There is a minimum of 400' of wooded wetland to remain between the project site and the subject property, providing an adequate deterrent to trespassers. The applicant will however install no trespassing signs as requested.*

## 2. Water Usage:

- (a) What is the total anticipated water usage per day (Cathy Stoppenbach)?

*LRC Response: per the agreed-to water rates, the capacity to be allocated to the project from the Village Water Supply will be an average of 24,000 gallon per day at the completion of the full project build out.*

- (b) Does the Village water system have the capacity to serve the project? (Bruce Williams)

*LRC Response: The Village has the capacity and has provided the project with an "intent to serve" letter, included in a previous submission to the planning board*



### 3. Wetlands:

(a) A permanent fence should be required to delineate the 100' adjacent area to the wetland. (Gerald and Linda Gaumer, written comments)

*LRC Response: The proposal includes the construction of vegetated bioswales behind the proposed lots just outside the 100' adjacent area. These bioswales will provide an adequate delineation between the private yard area and the 100' wetland adjacent area, while still maintaining open vistas in the area.*

(b) The HOA should state that no pesticides or other harmful chemicals are to be used that could negatively impact the wetland, and that no disturbance to the wetland and 100' adjacent area is permitted. (Gerald and Linda Gaumer, written comments)

*LRC Response: The HOA documents will include language addressing the use of pesticides or other harmful chemicals and the limitation of disturbance of the wetland and 100' adjacent areas.*

(c) Could the Town's CAC advise the HOA and monitor its practices to address concerns about impacts to wetlands and the 100' adjacent area due to pesticide use and encroachments? (Sarah Imboden, CAC; Gerald and Linda Gaumer, written comments)

*LRC Response: The applicant welcomes the input of the CAC on the same basis as the CAC advises other residential property owners in the Town.*

(d) The Town must ensure that the HOA's maintenance of the stormwater practices does not result in a negative impact on the wetland. (Gerald and Linda Gaumer, written comments)

*LRC Response: The HOA will be directly accountable to the DEC for continued conformance with the SWPPP.*

### 4. Recreational Facilities:

(a) Which recreational facilities will be open to the public? (Gerald and Linda Gaumer, written comments)

*LRC Response: The applicant has offered to open the following amenities to the public;*

- *Walking trails (inclusive of any extension of the Hucklebush Trail)*
- *Picnic Areas*
- *Environmental Study Area*
- *Multi-purpose field*
- *Passive park areas*

*Construction of these amenities will be the responsibility of the project sponsor and maintenance will be the responsibility of the HOA.*



- (b) How will the HOA communicate with the Town so Town residents know which recreational amenities are open to the public? (Sarah Imboden, CAC)

*LRC Response: The details of any public access to recreation amenities will be discussed with the Planning Board as part of the project approvals. Any dedication of public access will be subject to acceptance by the Town Board. Notice to the public would be effectuated by appropriate signage, and potentially by announcements on the Town Recreation Department website.*

- (c) The HOA agreement must be specific regarding the amenities that are open to the public and the developer should install signage about such amenities. (Gerald and Linda Gaumer, written comments)

*LRC Response: See 4.(a) & (b) above. Small, unobtrusive signs at the trailheads can be installed if the Town desires them.*

- (d) The dog park, soccer fields, playground, picnic areas, and pavilions will generate significant noise. (Gerald and Linda Gaumer, written comments)

*LRC Response: The use of the amenities will be subject to the provisions of the Town Code, inclusive of Chapter 92: 'Noise'. The provision of civic and recreation spaces as part of a TND was one of the purposes of creation of this district (see response to another comment by the same parties, item (e) below).*

- (e) The Town already has plenty of soccer fields. The Town should reject this amenity and have the developer pay some share of the recreation fee. (Gerald and Linda Gaumer, written comments)

*LRC Response: This comment expresses the writers' opinion. The Town will evaluate the proposed recreational uses on the site, and the lands specifically discussed for opening to public access, in light of its evaluation of the present and anticipated future needs for park and recreational facilities in the town based on projected population growth, Town Law 277 (4)(b) and the applicable standards for requiring recreation facilities, whether public or private, in new developments. Among the purposes of the creation of the TND District was "to extend greater opportunities for ... recreation to residents of the town." [143-49.1.A(b)]; "to distribute a range of civic functions and open spaces within neighborhoods to enhance community identity and social interaction" [143-49.1.A(d)]. The field area is not just a "soccer field," as noted in the comment, but is intended as a multi-use field and can serve any number of organized field sports (soccer, lacrosse, field hockey, football, etc.). These activities would all be in keeping with the purposes of the TND District. Availability of this field could serve both existing and future needs of the Town. Should the Planning Board make a determination either determining that the existing recreational facilities in the Town are sufficient, or determining to decline the proposal to offer the field for public use, the Multi-Purpose field would nonetheless continue to serve the needs of the project residents for recreation, even if unavailable to the public. The applicant is proposing numerous*



recreational amenities in various locations within the site to meet the demand of residents of this community, which have been discussed and reviewed in prior submissions.

- (f) Sidewalks will not serve as a viable connection to the Hucklebush Trail since the Town Code prohibits riding a bicycle on a sidewalk and the trail is intended as a shared use trail for bicycling and hiking. (Gerald and Linda Gaumer, written comments)

*LRC Response: Should the Hucklebush Trail ever be created and extended to this community, the applicant has offered to provide an easement through the open space to provide access to the Trail. Pedestrian access to this future Trail extension can be accommodated through the network of sidewalks and bicycle access can be accommodated through the neighborhood streets.*

#### 5. Sewage Disposal System:

- (a) Is the septic system far enough away from the NYS DEC wetland? (Sarah Imboden, CAC)

*LRC Response: Yes, all required separation distances specified in the County Health Code and applicable DEC regulations are met or exceeded with this design.*

- (b) Will there be any above-ground septic features? (Linda Gaumer)

*LRC Response: All system processes are below ground. Electrical controls and a maintenance building will be above ground.*

- (c) Will there be any audible noise from the pumping chamber? (name not heard). The Town must ensure there will be no noise or smell resulting from the system. (Gerald and Linda Gaumer, written comments)

*LRC Response: Submersible pumps are proposed so there will be no noise associated with the system. As all processes are located below ground, no odors are expected from the system. Pump chamber ventilation will be designed such that it can be fitted with carbon filters.*

#### 6. Traffic:

**\*\*\* ALL TRAFFIC RESPONSES ARE AUTHORED BY THE PROJECT TRAFFIC ENGINEER, MASER CONSULTING, AND ARE PROVIDED VIA SEPARATE RESPONSE LETTER DATED AUGUST 6, 2015 AS ATTACHED \*\*\***

#### 7. Fire Access.

The narrower roads may result in ladder trucks blocking the road during a fire, and the ladder trucks will not be able to access the lane ways. (Fire Chief Richard Hilbrandt)

*LRC Response: The project is served by multiple points of access and there are no dead end streets. Should a ladder truck block a roadway during an emergency event, alternative points of access are still available.*



*The lane ways are not intended to be accessed by the ladder truck. All of the homes proposed in the community are located close to the streets facilitating access to the structures during an emergency event.*

8. Outdoor Lighting. The Town should not grant an approval unless the outdoor lighting conforms to the Town's Zoning Law. (Gerald and Linda Gaumer, written comments)

*LRC Response: The project proposes the use of street lighting located key intersections throughout the community and meet the intent of the Town Zoning Law. There will be no 'light trespasses onto adjoining properties.*

9. Energy.

- (a) The Town must work with Central Hudson to ensure the power grid is upgraded to handle the increased electrical load resulting from the project to reduce incidents of brownouts. (Gerald and Linda Gaumer, written comments)

*LRC Response: As a new-construction project, the developer works with Central Hudson to properly design the power delivery to the project.*

- (b) The applicant should maximize the efficiency and minimize the energy use of the new homes. For example, alternative sources of energy, such as solar electric and solar hot water heating, could be used. (Frank Stoppenbach, written comments)

*LRC Response: The applicant will be offering solar power options and home designs that will be energy efficient.*

10. Municipal Costs.

- (a) The Town should not assume any costs for this development. (Gerald and Linda Gaumer, written comments)

*LRC Response: All costs of the design, permitting and construction of the project are to be borne by the Project Sponsor. Following construction, the main roads throughout the community will be offered to the Town for dedication, in the same manner as other residential developments. The HOA however will be responsible for the maintenance of the sidewalks, tree lawns, street lighting, lanes and all amenities within the community. All homes in the project will also be subject to taxation in the same manner as all other residential property in the Town.*

- (b) What are the tax implications of this development for both the Town and the Village (in terms of use of Village water and Village roads such as Amherst)? (Catherine Viega)



*LRC Response: The property will be subject to taxation as all other properties in the Town. Water supplied from the Village will be purchased by a newly formed Dutchess County Water District Zone of Assessment at a rate that is expected to result in a reduction in the cost to the existing Village water users.*

- (c) Will the project drive down existing home prices and assessments in Red Hook Estates and therefore reduce Village taxes?

*LRC Response: New housing stock does not decrease existing property values. It is widely accepted that properly designed new home communities will rejuvenate interest in the existing housing stock. It is noted that the Town, in consultation with the Intermunicipal Task Force comprised of officials of both the Town and the Village of Red Hook, developed the Zoning to implement this type of development, finding that it would "promote development in harmony with the goals and objectives of the Town of Red Hook Comprehensive Plan and Open Space Plan," and would be "compatible with historic village building patterns and...create a strong sense of community identity and neighborhood feeling experienced in traditional rural settlements." [Zoning Law 143-49.1(A) (i) and (m)]*

We appreciate your efforts to review our revised plans, and look forward to satisfying any outstanding concerns as soon as possible. Thank you for your time and effort.

Sincerely,  
**The LRC Group**

A handwritten signature in black ink, appearing to read "Rodney Morrison", written over a horizontal line.

By: \_\_\_\_\_  
Rodney Morrison, P.E.



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August 6, 2015

**VIA EMAIL AND UPS**

Mr. Richard Rang P.E.  
Kirchoff Properties LLC  
199 West Road, Suite 101  
Pleasant Valley, NY 12569

Re: Hoffman Development  
Old Farm Road  
Town of Red Hook, New York  
MC Project No. 12100092A

Dear Mr. Rang:

The following items are in response to comments received from the public hearing as summarized by the Town Consultant, Greenplan in their memo dated July 31, 2015

**Memorandum from Michele Robinson Greig, Ph.D., AICP of Greenplan, dated July 31, 2015**

6. Traffic:

- (a) It is often difficult to exit Old Farm Road onto Route 9. (Betty Valente; Bob Desmond; Catherine Viega) This is especially a problem when the Lyceum Theatre movies let out. (John Odendahl; Michele Seko) The developer should be required to make improvements to Old Farm Road, such as providing a turn lane (Bill Boyd) or a traffic signal. (Catherine Viega)

***Response: Traffic increases at Old Farm and Route 9 were evaluated in detail (see discussion and analysis on Page 35 of the Traffic Study). As summarized in Table No. 2 of the Study, the increases in average vehicle delays due to the project are expected to be less than 5 seconds per vehicle at this intersection during peak hours.***

***It was determined from a review of the traffic volumes, that the intersection does not meet warrants for a traffic signal. When the theater traffic exits, it is not unusual to experience long delays due to the peaking of the exiting traffic leaving from the theater, however, this typically does not coincide with the peak traffic generation from the project and the project traffic will not significantly impact this condition.***

- (b) Are there any alternative traffic routes that could be created from the project? (Bob Desmond) For example, could the project be connected to Rokeby Road to reduce traffic impacts at Amherst and Old Farm Roads? (Bill Boyd; Catherine Viega)

**Response:** *The project does not have frontage on Rokeby Road or any other road so no other traffic routes are available. The amount of additional peak hour traffic from the project on the area roads is shown on Figures No. 12 and 13 from the Traffic Impact Study. Based on the analysis, these added site generated volumes are not expected to significantly increase delays for vehicles exiting Amherst Road with average vehicle delay increases of 5 seconds or less (see Table No. 2 from the Traffic Study) as a result of the project.*

- (c) Does the traffic study take into account vehicles that use side roads to avoid the traffic signal in the Village? (Michael Roomberg; Gerald and Linda Gaumer, written comments)

**Response:** *The existing conditions data contained in the Traffic Study include existing traffic volumes which reflect current traffic patterns based on the results of the actual traffic counts. The future distributions also take into account current patterns as well as patterns expected for the new site generated traffic volumes based on the site location and access.*

*The base traffic counts reflect current traffic patterns including any bypass traffic which may avoid the Route 9 and Route 199 intersection. Traffic volume increases from the project are shown on Figures No. 12 and 13 from the Traffic Impact Study. During the PM peak hour, the project is projected to add approximately 30 vehicle trips to the intersection of 9/199. During this time period the intersection is projected to have approximately 1700 vehicles passing through the intersection without the project traffic. Based on the 30 car increase, this represents less than a 2% increase.*

*The PM peak covers several hours of traffic counts and the time periods analyzed were the highest combination of traffic volumes during a one hour period. The five (5) year projections in the study accounts for background traffic increases. As mentioned on Page 15 of the Study, traffic from other developments proposed at the time of the Study were also included.*



- (d) The traffic study underestimates the impact the development will have on local traffic as this section of Route 9 is not able to adequately manage current traffic from Amherst Road, Firehouse Lane and Old Farm Road. (Catherine Viega)

**Response:** *The traffic study analyzed the area intersections using accepted traffic engineering standards. The study was reviewed by the Town's Traffic Consultant to ensure that it followed these standards.*

*The Traffic Study included base traffic conditions which reflect current traffic patterns. While traffic at lunch time and when school releases are also time periods that experience increases in volumes, the AM and PM peak hours that were analyzed in the report represent the time periods with the highest volumes due to background conditions and the added traffic expected from the project and were analyzed as the most critical time periods. Traffic volume increases on Amherst Road from the project are shown on Figures 12 and 13 in the report. Accident data from the area intersections was compiled and summarized in the report.*

- (e) Questions are raised about the methodology of the traffic study. The commentator states that: the peak hours used in the study (4:30 to 5:30 PM) are incorrect and the traffic counts are understated; the look back period included the great recession and this skewed the growth rate; the look forward period is just a few years after the project is scheduled to be completed; the Town highway network will be stressed and motorists and pedestrians will be endangered by the underestimated increase in traffic. (Michael Roomberg)

**Response:** *The Traffic Study was based on traffic counts collected between 6:30 and 9:30 AM and 3:30 and 7:00PM. The time periods analyzed are based on the highest observed total one hour volumes for the AM and PM peak periods. A background growth factor of 1% per year or 5% total was added to the existing volumes to obtain the background No-Build Volumes. This rate is higher than the historical rate and likely accounts for more years of growth. The peak hour traffic volume from the project, shown on Figures No. 12 and 13 of the Traffic Study, were estimated based on the ITE standards and then added to the background traffic to obtain the total expected future traffic volumes for the area intersections to represent conditions with the project which are based on standard procedures. The analysis demonstrates that the project will not have a significant negative impact on overall traffic conditions.*

*A new sidewalk along Old Farm Road has been offered by the Project Sponsor to accommodate pedestrians.*

- (f) The developer should be compelled to make roadway improvements to accommodate the additional traffic. (Michael Roomberg)

*Response: Comment noted. No other roadway improvements are warranted based on the results of the Traffic Study.*

- (g) Did the traffic study consider accident history on Amherst and Old Farm Roads? (Bill Boyd)

*Response: Accident data were obtained, summarized and considered in the analysis for Amherst and Old Farm Road at the intersections with Route 9 and these are shown in Table A. This information is also discussed on Page 15 of the Traffic Study.*

- (h) Did the traffic study consider additional trucks from the Ruges' auto parts addition, and additional traffic anticipated from the Hardscrabble Center? (Gerald Gaumer)

*Response: See previous responses. Yes, the existing conditions include current traffic patterns based on the result of the traffic counts as well as projections for future growth.*

- (i) Have delivery trucks been included in the traffic study? (Betty Valente)

*Response: The traffic volumes for the project include all vehicle movements to and from the project during peak hours including any delivery trucks to and from the development.*

- (j) How will construction traffic be controlled? (John Odendahl)

*Response: A Maintenance and Protection of Traffic Plan including appropriate signing and flagmen during peak periods (if necessary) will be developed and coordinated with the town as part of any final site plan approvals to ensure that construction traffic will function adequately during construction of the project.*



- (k) The Walk Bike Dutchess Plan recommends installing a high-visibility crosswalk at Old Farm Road across Route 9 to increase pedestrian safety, along with signage to encourage drivers to yield to pedestrians crossing the road. (Gerald and Linda Gaumer, written comments; Betty Valente)

***Response: Comment noted. This should be pursued regardless of the proposed development.***

- (l) The Walk Bike Dutchess Plan recommends possibly converting the intersection of Fire House Lane/Amherst Road at Route 9 to a standard four-way intersection by moving Fire House Lane to the north and installing a traffic signal at the intersection. (Gerald and Linda Gaumer, written comments)

***Response: Comment noted. This should be pursued by the Town regardless of the proposed development.***

- (m) The Town should require the developer to extend the sidewalk to Route 9 to minimize traffic impacts. (Gerald and Linda Gaumer, written comments)

***Response: The Project Sponsor has offered to construct a new sidewalk along Old Farm Road from the site frontage and connecting to the existing sidewalks on Route 9, as part of the project.***

If you have any questions regarding the above, please do not hesitate to contact us.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in black ink, appearing to read 'Philip J. Grealy', is written over a circular stamp or seal.

Philip J. Grealy, Ph.D., P.E.

Principal Associate/Department Manager

PJG/jr  
Enclosures