



## Town of East Fishkill

Dutchess County, New York

330 Route 376

Hopewell Junction, New York 12533

**John A. Morabito, Planner**

Telephone 845-226-6836

Fax 845-226-1924

Morabitoj@eastfishkillny.org

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June 23, 2005

Mr. Joseph Kelley, P. E.  
Dutchess County Department of Public Works  
626 Dutchess Turnpike  
Poughkeepsie, NY 12603

Dear Joe,

I write in response to our June 22nd telephone conversation in regard to the proposed emergency access from the Lake Walton Park property to the Dutchess County Rail Trail. As I mentioned to you over the phone, the Town of East Fishkill has maintained a position that such an emergency access is necessary.

Pursuant to our initial conversation, I spoke with Supervisor Peter Idema, who told me that the Town Board and the Planning Board, early on in the process, indicated their collective interest in an access. The reason is to allow emergency vehicles to enter the Lake Walton Park site from the trail in the event that Lake Walton Road is blocked due to an accident or other emergency situation. Discussion about the access is reflected in the Planning Board minutes, the scoping document, and the Draft Environmental Impact Statement. There are two access points shown on a small-scale map of the project in the DEIS.

The Town is aware that the County will not be responsible for maintenance of the trail and is fully prepared, in the event of an emergency during a snow event, for example, to send its plow trucks through ahead of an ambulance or other vehicle. I trust this letter serves to clarify the issue. Please do not hesitate to contact me if you have any additional questions or concerns.

Sincerely,

John A. Morabito

cc: Supervisor Peter Idema

June 27, 2005

**DRAFT**

Joseph J. Sarchino, RLA  
Associate  
John Meyer Consulting  
120 Bedford Road  
Armonk, NY 10504

**RE: LAKE WALTON PARK  
TOWN OF EAST FISHKILL, NEW YORK**

Dear Mr. Sarchino:

As requested at our June 3, 2005 meeting, this office has reviewed your request for permission to grant emergency access for the subject project from the proposed Dutchess Rail Trail located adjacent to the proposed development. Pursuant to your request, the Dutchess County Department of Public Works (DCDPW) received a letter dated June 23, 2005 from John A. Morabito of the Town of East Fishkill, a copy of which is attached, stipulating the Town's requirement that emergency access to the proposed development be provided from the Dutchess Rail Trail. Therefore, the DCDPW will grant emergency access to the subject project from the Dutchess Rail Trail subject to the following conditions:

1. The Town of East Fishkill shall provide a letter to the DCDPW stating that the emergency access to the project will be used for emergency purposes only. No private vehicles shall be permitted on the Rail Trail and no drills or exercises will be performed on the Trail.
2. A maintenance agreement stipulating that the Town of East Fishkill will be responsible for snow removal on the Trail along the entire portion required for emergency access will be prepared and executed prior to construction of the proposed development.
3. A plan shall be provided to the DCDPW showing the location and design of the proposed access points, including access control, landscaping and material details, and the limits of the Trail which will be utilized for emergency access. A maximum of two access points will be permitted.
4. Funds shall be provided to the DCDPW for installation of a heavy-duty pavement section during the construction of the Rail Trail project along the portion of the trail required for emergency access to the subject project prior

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to the County granting access approval. The funding amount and mechanism will be determined after review of the submitted plan.

5. A Highway Work Permit, renewable annually, will be required prior to construction and maintenance of the proposed emergency access.

Please submit an emergency access plan for our review. If you should have any further questions, please contact me at (845) 486-2925.

Sincerely,

Gregory V. Bentley, P.E.  
Director of Engineering

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Enclosure

- c:   Bridget Barclay, DCWWA  
      Carol Bogle, Dutchess County Attorney's Office  
      Norma Drummond, Chairperson, Town of East Fishkill Planning Board  
      Peter Idema III, Supervisor, Town of East Fishkill  
      John Morabito, Town Planner, Town of East Fishkill  
      Michael P. Murphy, Commissioner of Public Works