

G. VEHICULAR TRAFFIC AND ROADWAYS

Comment G-1

My second concern is regarding the traffic that will come with the construction of new homes. Presently, Lake Walton stands as a very congested road, filled with heavy traffic that even I fell victim to. Two years ago, I was hit from behind in front of my home while trying to pull into my driveway. These road conditions make it extremely hard to see both oncoming and leaving traffic. I think that the proposed bus turn around behind my home will only aggravate my situation even more. I do not understand why the existing side road, Cottage Drive can be utilized to clean up this dilemma. With the construction of the new road, that is said to run between my home and Mr. Vitek, will raise other issues concerning the safety of my home. Not only will my privacy be interrupted, but this will complicate and obstruct my view when leaving my driveway.

(Letter from Mr. Edvige DiDato, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-1

In discussions with the School District on 05/24/2005 and subsequently on 06/16/2005, the District indicated that three school buses will access the site during the morning and the afternoon during the school year. These vehicles will turn off of Lake Walton Road onto Homestead Drive and into the proposed Road B site access from Homestead Drive and proceed ± 500 feet to the proposed school bus stop roundabout (Figures II.I-1C and II.G-1).

A meeting was held with the Wappingers Central School District on 12/12/2006 to give an update on the project and the plans for the school bus service. A confirmation letter approving the proposed site plans and school bus service is forthcoming.

This is a different location than that proposed in the DEIS, which had the school bus pickup/drop-off along Road A. The relocated pickup/drop-off is integrated into the recreational

parcel, is considered somewhat less trafficked than the Road A entryway, and is internally located within the site, away from existing residences along Lake Walton Road. Should parents wait with their children until the school bus arrives, overflow standing could be accommodated by vehicles pulling off along the side of the road for the 10-15 minute (or less) wait for the school bus. If waiting cars standing along the roadways becomes an issue, the HOA will develop the necessary measures to deal with this.

Discussions with the Town indicate that there are no objections to Road B and the rotary becoming public roads, in conformance with School District policy that all roads utilized by school buses be public roads.

As discussed in the Traffic Study within Appendix II.L of the DEIS, the proposed site access Road A has improved sight distance compared with Cottage Drive. Therefore, avoiding general use of Cottage Drive by the new Lake Walton Park residents may help enhance traffic safety in the applicant's opinion.

As requested during the November 21, 2006 Planning Board Completeness Review of the Lake Walton Park FEIS submission, the applicant has presented three options for evaluation by the Town Board to address the Cottage Drive / Proposed Road "A" issue. Specifically, Proposed Road "A", as shown on the plans, would cause the Vitek home to be bounded by three streets; Cottage Drive to the north, Lake Walton Road to the west and Proposed Road "A" to the south.

To mitigate this issue, the applicant has proposed the following options for evaluation.

- *Option #1: Leave the current road configuration as is shown on the plans and provide landscaped buffer along the Vitek property to provide screening between the Proposed Road "A" and the existing home.*
- *Option #2: The Town Board can consider discontinuing the public portion of Cottage Drive and provide a cul-de-sac at the end of Orchard Lane. This would eliminate one of the three streets that would surround the Vitek home. This also would eliminate the poor site condition presently existing as you turn left from Cottage Drive on to Lake Walton Road.*

The majority of the cul-de-sac can be created from the existing intersection of Orchard Lane and Cottage Drive. Any additional land required for the cul-de-sac can be dedicated to the Town from the Lake Walton Park property. In addition, the applicant is willing to establish an escrow account to fund the construction of this cul-de-sac.

- *Option #3: The Town Board can consider providing a connection from Orchard Lane to Proposed Road "A" in lieu of the cul-de-sac in Option #2. The connection would be an extension of Orchard Lane and would become a Town road. In addition, the portion of Proposed Road "A" west of the intersection of the Orchard Lane extension would also become a Town Road. In order for this scenario to have any practical impact, the Town would also have to pursue discontinuing the public portion of Cottage Drive.*

Option #3 would substantially reduce the size of Lot 17 and create a new substandard lot that is disconnected from the rest of the development. In addition, this would still effectively leave the Vitek home surrounded by three roads. Option #3 is the least preferred option.

Comment G-2

The DEIS states that there were "56 year round trailer homes" occupied on or about September 2001. As the secretary of the homeowners association both currently and in 2001, I must dispute that figure. After checking my records, it appears that the number of year round families residing at Lake Walton during that time were 39. This number consist of 33 manufactured homes, 2 single family homes occupied by the Brinkerhoff family, 1 rental cottage, and 3 recreational vehicles. There have been additional recreational vehicles on a transient basis but not as permanent residents.

(Letter from Ms. Kim Feltham, Secretary of the Homeowners Association, to the Town of East Fishkill Planning Board, dated April 4, 2005)

Concerning traffic, you said earlier that it would only be an increase of thirty-eight residents. When the traffic study was done, there was thirty mobile homes occupied at the time, but it said throughout the DEIS, you have the numbers as fifty-six being reduced from ninety-four, and we are only at thirty-eight. We really should be using the number thirty.

(Statement at Public Hearing, Mr. Koch, dated February 22, 2005)

Response G-2

Unlike many proposed residential development projects where the subject property is vacant land, Lake Walton Park has operated as a manufactured home and RV park as a prior non-conforming use for many years, and continues to do so today. At its highest capacity, Lake Walton Park can accommodate 60 units at any given time. In addition, as noted in Comment J-5 by the same person, there are in that person's observation approximately 50 existing septic tanks in the former campground, presumably for use by transient users of the property.

However, in light of the proposed change in use, tenancy at the Park has steadily decreased since the proposed development was announced in September 2001.

SEQRA requires that each EIS describe the "environmental setting" of a proposed action, otherwise known as the baseline condition. ECL § 8-0109(2)(a). Projections of future conditions stem from an analysis of the baseline condition. It's fairly easy setting the baseline for vacant land (where the baseline is essentially zero), but more difficult when the land is in varying levels of occupancy.

In September 2001 the proposed development project was made public. It is the applicant's record that at that time there were 56 occupied units in occupancy at Lake Walton Park, and this formed the baseline condition which could have been set as high as 60 units had the baseline analysis been computed using maximum capacity rather than actual capacity at that point in time. That baseline reflects an actual snapshot in time, although it is less than the site's full capacity. Given that 56 units in occupancy can be documented as an actual and recent level of tenancy, this figure in the applicant's opinion provides a rational basis for comparing the conditions of the existing use against the potential impacts of the proposed use.

Comment G-3

What was the criteria used to determine "reasonable proximity" to the site? The loop bus stop listed is approximately 2 miles from the proposed development. How is a request made to have the bus come to the proposed development to obtain transportation from the development on the LOOP bus?

(Memorandum from Mr. & Mrs. Vitek, residents, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-3

A request for a LOOP bus to stop at the site would be made by contacting the Dutchess County Division of Mass Transit, 14 Commerce Street, Poughkeepsie, NY, who manages and determines the LOOP bus routes. It is anticipated that the proposed development will be automobile commuter based and would not rely to any significant degree on the LOOP bus transportation system.

Comment G-4

The report fails to mention the intersection of Lake Walton and Rickey Court. This latter road is located just south and opposite of the proposed "Road A" of the development.

(Memorandum from Mr. & Mrs. Vitek, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-4

Rickey Court (Figure II.G-2) is situated approximately 150 feet south of the proposed Road A, on the opposite (western) side of Lake Walton Road, and this DEIS figure has been so revised to clarify this location.

Comment G-5

Please note that Cottage Road will continue to be used as an access road to Lake Walton Road by the residents residing on Cottage and for some on Orchard Drive. In addition, depending on traffic conditions on Homestead, the Orchard/Cottage combination would be used as a "shortcut" for traffic exiting the proposed development. Are sightline improvements planned for Cottage Road?

(Memorandum from Mr. & Mrs. Vitek, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-5

See Response G-1.

No sightline improvements are proposed for Cottage Drive because Cottage Drive will not provide site access. It is therefore not anticipated to be significantly negatively impacted by the proposed development.

Comment G-6

Proposed roads are misidentified (See "A" and "H"). There is no notation showing Rickey Court on the westerly side of Lake Walton Road south of the intersection with Cottage Road. This is a bus stop.

(Memorandum from Mr. & Mrs. Vitek, residents, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-6

See Response G-4.

Comment G-7

The town should consider closing off Cottage Drive completely from Lake Walton Road if the proposed "Road A" is built. This would eliminate what has been termed a limited sight road with no easy way of improving sightlines.

(Memorandum from Mr. & Mrs. Vitek, residents, to the Town of East Fishkill Planning Board, dated March 21, 2005)

Response G-7

See Response G-1.

Road A is proposed to be a private roadway. Abandoning the public portion of Cottage Drive is a Town decision because Cottage Drive is a Town road, and is not under the control of the applicant.

Comment G-8

Cottage Drive is listed as a construction entrance; yet Cottage Drive is repeatedly referred to as a "poor sight distance"--what effect will having construction equipment going in and out of the area have on traffic in the area, particularly around the time school buses are using Lake Walton Road?

Road "A", as proposed, will have a limited sight distance of northbound traffic on Lake Walton Road; trees blocking the view are on a private property not part of the Lake Walton Park parcel.

(Memorandum from Mr. & Mrs. Vitek, to the Town of East Fishkill Planning Board, dated April 4, 2005)

Response G-8

Construction entrances off of Lake Walton Road may be limited to Homestead Drive and the proposed Road A if the Town so desires.

Comment G-9

Also in the EIS, you said that you would be willing to contribute to the intersection of 82 and 31 expending your fair share, but you don't stipulate that as far as 376 and Robinson Lane. You just stipulate that there is federal monies from the 2004 highway bill for improvements in that intersection. My understanding is that I believe they have, what, a half million dollars, if my memory serves me right, for a study, but I would like that a little more elaborated on and the possibility of also paying your fair share for any impact in that intersection.

(Statement at Public Hearing, Mr. Koch, dated February 22, 2005)

Response G-9

Discussions with the NYSDOT on 09/22/2006 indicate that Federal monies improvements to Route 376 and Lake Walton Road/Robinson Lane have been earmarked and set aside. Approximately \$400,000 has been allocated for this work, and the project is classified as "high priority". The NYSDOT anticipates that the improvements will be made within the next couple of years. These monies will not cover all of the improvements planned for this intersection.

The applicant has not been requested to contribute towards improvements to this intersection. The net additional traffic that Lake Walton Park contributes to this intersection is +0.7%. The NYSDOT will determine the contribution required by all developments affecting the intersection.

Comment G-10

Under the public transportation area, it says that the loop bus service is within reasonable proximity to the site mentioning that the only bus stop that was listed was two miles from the proposed development. That was the one that was located at the 376 and 82 intersection.

It was stated that a request can be made to have the bus go to a different location. That may be fine if you're already on the bus, but how would someone get to the bus to begin with if they're living in the development of this application?

(Statement at Public Hearing, Mr. Vitek, dated February 22, 2005)

Response G-10

See Response G-3.

Comment G-11

Well, that is something that we need to get in writing from the school district saying that it is going to go down Road A and down to the loop bus stop.

That would cover all ninety units in here; that one bus stop?

(Statement at Public Hearing, Mr. Staudohar, dated February 22, 2005)

Response G-11

See Response G-1.

In discussions with the School District on 05/24/2005 and subsequently on 06/16/2005, the School District agreed that school children from all Lake Walton Park homes will be picked up and dropped off by the school district buses at the proposed bus stop location.

A meeting was held with the Wappingers Central School District on 12/12/2006 to give an update on the project and the plans for the school bus service. A confirmation letter approving the proposed site plans and school bus service is forthcoming.

Comment G-12

Are there any improvements required to Homestead Road? As far as Cottage, you're cutting off your exits to it and you have a new road coming in and Homestead Road is a visible road at this point and you potentially have ninety-four houses.

(Statement at Public Hearing, Mr. Staudohar, dated February 22, 2005)

Response G-12

No improvements are proposed for Homestead Drive, for the roadway functions reasonably well under existing and future proposed conditions, as discussed in the Traffic Impact Study contained within the DEIS.

Comment G-13

She said she wonders how much time was really spent on looking at the traffic on that road and that it is very dangerous. She showed on the map where she felt there would be a better view going in and out. Mr. Staudohar asked if she meant the sight line at Cottage. He said that should be addressed in the FEIS and also Route 82.

(Statement at Public Hearing, Ms. Edvige DiDato, dated 03/22/2005)

Response G-13

See Response G-1.

The sight distance at the intersection of Cottage Drive and Lake Walton Road is currently limited for vehicles exiting Cottage Drive and looking to the right due to a vertical curve in Lake Walton Road. The existing private access into Lake Walton Park from Cottage Drive is proposed to be closed, and a new access Road A with improved sight distance is proposed south of Cottage Drive.

With regard to Route 82, as discussed in the DEIS, the SR 82 and CR 31 (Palen Road) intersection will operate with lengthy delays during the Peak PM Hour for vehicles making left turns from Palen Road onto Route 82. This intersection is proposed to be rebuilt by the NYSDOT, with funding contributions from benefited developments such as Hopewell Glen. If in advance of the NYSDOT improvements, temporary improvement measures are needed at the existing intersection, the applicant will perform these improvements along with Hopewell Glen at their sole combined expense, with the "fair share" allocation with Hopewell Glen to be determined by the NYSDOT. Such improvements may include temporary signalization. Discussions with

NYSDOT revealed dual left turns will be provided from Palen Road onto Route 82, which would improve conditions.

Comment G-14

Donna Kosaa, a resident from Radcliff Drive spoke. She said there are about 13 houses and 16 children and her concern is the traffic. She said there are people coming down Radcliff Drive at an excessive speed and she showed on the map the location of the bend in the road. She said that she does not allow her children to ride anywhere other than her driveway and with all the houses going in the project, she does not feel that it is fair because of how it affects the rest of the people in the area. She said they have nowhere to take children in the park. She knows they can ride their bikes on the trail and enjoy the scenic area, but they are impacted by the amount of traffic. Her idea for a solution was to make a cul de sac, where Radcliff and Homestead connect, and showed on the map a wooded area where a loop could be made if possible. She asked who would need to be contacted, town-wise, to ask about this, or would speed bumps be considered, even for those who live on Homestead, to minimize the speed of those coming in and out.

Ms. Kosaa said in the summer more people are at the lake and there is more traffic then and she lives at the turn. She had to cut some of her trees back for sight of her driveway, but it doesn't stop people from whipping around there, and her concern is her children.

(Statement at Public Hearing, Ms. Donna Kosaa, dated 03/22/2005)

Response G-14

Radcliff Drive and Homestead Drive are both Town roads, and hence any modifications to these roadways would need to be decided by the Town. In addition, enforcement of posted speed limits is under the jurisdiction of the Town Police Department.

Road B will continue to provide site access to Homestead Drive and hence to Lake Walton Road. Because Homestead Drive provides a straight access to Lake Walton Road, it is anticipated that the majority of trips northbound from the proposed Lake Walton Park will utilize Homestead Drive rather than Radcliff Drive.

Comment G-15

He asked if the intersection at Radcliff and Homestead was going to be a controlled stop on the exit from the project.

(Statement at Public Hearing, Mr. Staudohar, dated 03/22/2005)

Response G-15

Radcliff and Homestead are both Town roadways and any additional would require authorization by the Town.

Comment G-16

Mr. Staudohar asked if that intersection would be a controlled 3-way stop.

(Statement at Public Hearing, Mr. Staudohar, dated 03/22/2005)

Response G-16

Authorizing a controlled 3-way stop at this location would be a Town decision because these are Town roadways.

Comment G-17

Mr. Staudohar would like the 3-way stop, exiting the development, and asked if it would be more advantageous for people to go out Radcliff as opposed to going straight out.

(Statement at Public Hearing, Mr. Staudohar, dated 03/22/2005)

Response G-17

See Response G-16 and G-14.

Comment G-18

Mr. Staudohar reiterated that the intersection should be controlled and to look into Ms. Kosaa's stated concerns and that an alternative could be come up with to eliminate the stop. Mr. Koch said that 3-way stop sign would also go for the intersection of Cottage Drive and Orchard. Mr. Staudohar agreed that they should take a look at controls for that intersection also.

(Statement at Public Hearing, Mr. Staudohar and Mr. Koch, dated 03/22/2005)

Response G-18

Authorizing controlled stops at these locations is a Town decision because these are Town roadways.

Comment G-19

He showed that he lives in the corner house and his concern is having roads on two sides of their house. He asked why Cottage Drive could not be closed off entirely to the entrance of Lake Walton and suggested that people would then go around Orchard to Homestead.

(Statement at Public Hearing, Mr. Vitek, dated 03/22/2005)

Response G-19

See Response G-1.

A decision to close Cottage Drive, a Town road, would need to be made by the Town.

Comment G-20

Ms. DiDato spoke that she is against closing Cottage Drive and does not agree with a new road. She asked why a new road should be cut when it makes other people have to go out of their way to get

out. Ms. DiDato said she also does not agree that there should be a new road. Ms. Kosaa asked why a new road had to be created and why the existing road could not be used. Jeff Savino asked what is the probability of closing Cottage Drive and not putting in a new road.

(Statement at Public Hearing, Ms. Edvidge DiDato, Ms. Kosaa, and Mr. Savino, dated 03/22/2005)

Response G-20

See Response G-19. The proposed Road A is proposed to provide access only to Lake Walton Park and is proposed to be private. Cottage Drive is not anticipated to be significantly utilized by the residents of Lake Walton, because it is not proposed to provide access into Lake Walton Park.

Comment G-21

Mr. Savino asked the legal sight distance that they have to have. Mr. Staudohar said it should be at least 250 feet. Mr. Savino said they don't have that now. Mr. Staudohar said that they would have to prove to the Board whether or not they have that. Ms. Drummond said that for any proposed road, they have to show that they have that.

(Statement at Public Hearing, Mr. Savino, Mr. Staudohar, and Chairperson Drummond, dated 03/22/2005)

Response G-21

As discussed in the DEIS, the discontinuation of access to the site via Cottage Road and construction of a new access driveway will, with the removal of existing vegetation, have superior sight distances as compared to the Cottage Road access. This will improve the safety and efficiency of vehicles traveling through the intersections.

Comment G-22

Preston Morton spoke that he agrees with the people that have concerns and that he strongly agrees that to block off Cottage from the rest of the development that is going in would be greatly appreciated by him and his neighbors.

(Statement at Public Hearing, Mr. Morton, dated 03/22/2005)

Response G-22

See Response G-20.