

D U T C H E S S
COMMUNITY COLLEGE

May 6, 2010

Ms. Virginia Buechele
P.O. Box 243
Pleasant Valley, NY 12569

RE: Freedom of Information Request (FOIL)

Dear Ms. Buechele:

On May 3, 2010, you sent by e-mail to Ms. Ann Winfield (no longer employed by DCC), Dr. D. David Conklin and Ms. Anne Marie Andrews, the following FOIL request:

“Any and all written correspondence relating to comments in regard to the DCC Draft Environmental Impact Statement for the Residence Halls/Dormitories Project which were due to the College by April 26, 2010.”

In response to your request, please find attached all written correspondence that DCC has received.

Sincerely,



George H. Buchanan
Records Access Officer

GB/ks

cc: Dr. D. David Conklin
Ms. Judi Stokes
Ms. Anne Marie Andrews

Att.

FREEINFO/BUECHELELET050610

FACSIMILE

SCICCHITANO & PINSKY, PLLC

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Syracuse, New York 13214-2807
Fax: (315) 475-8230
Phone: (315) 428-8344

PERSONAL & CONFIDENTIAL

Date: April 26, 2010
Fax No.: 845-454-4026
To: The Chasen Companies
From: Bradley M. Pinsky, Esq.
Pages: 3
Re: Dutchess Community College -- SEQRA APPLICATION

Please see the attached.

The information contained in this facsimile message is attorney privileged and confidential, intended only of use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that dissemination, distribution or copying of this information is prohibited. If you have received this communication in error, please notify us immediately by telephone.

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April 26, 2010

VIA FACSIMILE & FIRST CLASS MAIL

(845) 454-4026

The Chasen Companies
21 Fox Street
Poughkeepsie, New York 12601

Re: Dutchess Community College – SEQRA APPLICATION

To whom it may concern:

We represent the Fairview Fire District. The District opposes the grant of a negative declaration under SEQRA. We have reviewed the application and strongly disagree with the findings contained therein. We were instructed by your office to send in our opposition directly to you.

The project will result in an increased demand for fire and emergency medical services. The project will add a significant number of young adults living within the fire district. The district is confident that young adults will cause the setting of false alarms due to steam from showers, sprays and aerosols, and other typical causes of false alarms. The increased risk of true fires also significantly increases due to small appliances, candles, and other fire hazards. Moreover, young adults typically consume alcohol. It is widely known that emergency medical services which serve college campuses respond frequently for alcohol consumption related injuries/emergencies. This campus will be no different.

The combined impact of this project with the other multiple projects in the area is simply too much for the fire district to handle, unless the project is mitigated by adding at least one additional person to the fire district's manpower (discussed below).

The district disagrees that the entering into a "draft contract" (whatever that may mean) with a private ambulance service will in any way alleviate the need for the district's emergency medical services.

- (1) The district, and not the college, is in charge of which ambulance responds to emergencies in its 911 territory. The district has appointed itself as the primary provider of Basic Life Support services. Any calls made to 911 will result in the

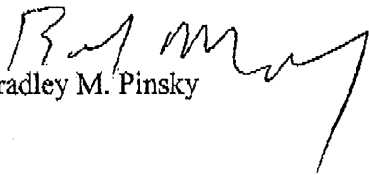
dispatch of Fairview Fire District's ambulance and not in any other transporting ambulance while the fire district's ambulance is available. General Municipal Law 122-b prevents a private party from entering into its own arrangement with an ambulance service in an attempt to circumvent the primary ambulance service chosen by the district. 911 will not dispatch another ambulance and is prevented from doing the same, by law.

- (2) Any arrangement with the students to call a private ambulance service directly, thus avoiding 911 is both futile and irresponsible. Persons are taught from grade school age to call 911 in an emergency. Urging students to call another number other than 911 is dangerous. It is also unlikely that students, who call on their cell phones for most emergencies, will call any other number other than 911.
- (3) Transcare is the advanced life support provider for the fire district's residence. The loss of Transcare's ambulance which responding to a medical emergency at the college directly impacts the ability of the residents to receive advanced life support care as that care is being rendered to a student. The resources available to the fire district's residents are being further taxed and again limited.
- (4) The ability to pay for ambulance services is not relevant to the fire district, as the fire district is presently unable to bill for ambulance services by law.
- (5) The college asserts that it is "open to future negotiations with the FFD to renegotiate a mitigation agreement". Being "open" to such a meeting is not mitigation. Moreover, despite the fact that the attorney for the fire district requested a meeting with the college, the college failed and perhaps refused to schedule a meeting. The college has not shown any willingness to enter into an agreement to mitigate any issues, though the district again makes such a request. Such mitigation might include a permanent agreement to pay for the cost of at least one additional firefighter/EMT, per year. Adding this firefighter/EMT permits the ambulance to treat a patient while leaving three (as opposed to the present two) firefighters remaining to staff a fire engine. This cost is projected at \$135,000 per year. Without providing at least this amount to the fire district, the fire district is unable to lessen the impact of losing two firefighter/EMTs to a medical emergency at the campus.
- (6) The cumulative impact of this project combined with other projects in the area is substantial. Each new project may have "minimal" impact by itself, but this project may be the straw that breaks the camel's back.

Very truly yours,

SCICCHITANO & PINSKY, PLLC

By:


Bradley M. Pinsky

Dutchess

April 26, 2010

To: Board of Trustees of Dutchess Community College
Re: SQ10-134 DCC Student Housing DEIS

The Dutchess County Department of Planning and Development has reviewed the SEQRA information submitted for this project and has the following comments.

The College proposes to relocate the existing track and soccer facility and construct a 4-story, 160,000 square foot dormitory building with 465 beds. The soccer field is proposed to be rebuilt on a currently vacant wooded parcel, across from Parking lot D on Cottage Road.

Alternative Locations

We note that the area of disturbance necessary to build the proposed soccer field is 8.34 acres and that stormwater improvements and wetland protections will be necessary as a result. In looking at the proposed site plan and the land already held by the College, it appears that other locations and layouts may be possible that might eliminate the use of the Cottage Road parcel altogether. Did the College evaluate alternate locations and layouts for the proposed dormitory that used the existing land held by the College and allowed the field and track to remain in its centrally located place?

Length of Building

The building, as proposed, is very large. According to the drawings the building's length will be approximately 585 feet, over 100 feet longer than Hudson Hall. Student housing on area educational campuses often use a grouping of smaller buildings or one building arranged in U-shaped or L-shaped layouts with courtyards and other site amenities to break up the bulk of one large structure.

Traffic and Pedestrians

The applicant has completed a traffic impact study (TIS) to determine the possible impacts to the surrounding road network. There are a few considerations we believe the Board should consider.

- o The PM peak hour was not included in the TIS, although it was identified to be studied in the Final Scoping Document. Traffic generated in the morning is different than that which is generated in the evening. Without a PM peak hour count and traffic analysis, these trips and their impact on the surrounding roadway network cannot be evaluated.
- o The traffic analysis did not include the Route 9G/Pendell Road intersection, although it was identified as needing study in the Final Scoping Document.
- o An analysis of pedestrian movements could help evaluate what other improvements may benefit connectivity throughout the College campus.

**Dutchess County
 Department of
 Planning and
 Development**

William R. Steinhaus
 County Executive

Kealy Salomon
 Commissioner

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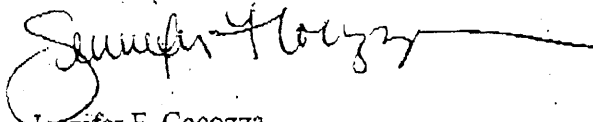
SQ10-134, DCC Student Housing DEIS; Page 2 Cont.

- o The DEIS indicates construction vehicles will access the site using Creek Road (page 19), which will force vehicles to make a left-turn from Creek Road to Cottage Road and could increase vehicle queues on Creek Road. Construction vehicles should be directed to use NYS Route 9G, which will allow vehicles to make right turns into the site. Using NYS Route 9G will also lessen the potential for vehicle conflicts with students crossing Creek Road from Parking Lot E.

We would be happy to discuss or clarify any of our comments with DCC representatives or consultants as you move forward with the SEQRA process.

Kealy Salomon, Commissioner
Dutchess County Department of Planning and Development

By



Jennifer F. Coccozza
Senior Planner