



April 25, 2023

Town of Deerpark Planning Board
420 Route 209
PO. Box 621
Huguenot, NY 12746

Re: New Century Film Site Plan, 517 Neversink Drive, Section 50 Block 1 Lot 38.23, Town of Deerpark, Orange County, NY

Dear Town of Deerpark Planning Board (“Planning Board”):

At the request of the Deerpark Rural Alliance (“DRA”) and NYenvironcom, SIMCO Engineering, D.P.C. (SIMCO), reviewed the Traffic Impact Study (January 25, 2023) prepared by Stephan A. Maffia, P.E. (consultant) for the proposed project located at 517 Neversink Drive (County Road 80) near Route 209. This traffic impact study analyzed improvements and the expansion of the existing site that included hotel rooms, a multi-purpose building, new restaurants, and film studios. Based upon a review of the available traffic reports and data provided, SIMCO offers the following observations:

Existing Condition

Traffic counts were conducted during the AM and PM peak periods at key intersections in the study area on Thursday, October 27, 2022. Based on the count results at the site driveway, only 7 vehicles entered, and 5 vehicles exited the site during the AM peak hour and only 3 vehicles entered, and 8 vehicles exited the site during the PM peak hour. This low level of traffic is indicative of a site that is **not currently operating with all approved land uses open for business**. Currently, the **site is gated and is closed to the public**. Therefore, projected traffic from the following approved land uses that would serve the public should be added to the 2025 No Build condition traffic volumes:

- Hotel (approved in 2021) - 22 rooms.
- Retail store (approved in 2021) – 1,650 square feet.
- Restaurant (approved in 2021) – 900 square feet.

In addition, the traffic counts were **conducted during a day when there were no events held** at the site. As a result, the full generation of traffic volumes are not represented in the existing traffic counts and the projected traffic from the following approved land uses that would serve the public should be added in some form to the 2025 No Build condition traffic volumes.

- Flea market/vendor area with temporary parking (approved in 2018) – 60 vendors.
- Multi-purpose building for film studio related activities (approved in 2017) – 3,556 seats.

2025 No Build Condition

According to the applicant, the project is scheduled to be completed and occupied by the year 2025. In the traffic report, a general background traffic growth of 4% over the three-year period was added to the existing traffic volumes to develop the base 2025 No Build traffic volumes. However, since the existing traffic counts were conducted when approved land uses were not operational and the site was closed to the public, projected traffic from these developments should be added to calculate the full 2025 No Build traffic volumes. In addition, traffic from reasonably foreseeable background projects in the area should also be included in 2025 No Build traffic volumes.

Latent Site Demand

As stated previously, existing counts collected at the site driveway were underrepresented as the site is currently closed to the public. The projected traffic from the following approved land uses that would serve the public should be added to the 2025 No Build condition traffic volumes during the PM Peak Hour.

**New Century Film Development (517 Neversink Drive)
Projected 2025 No Build Condition
PM Peak Hour Trip Generation**

Land Use	Development	Total Trips	In	Out
Hotel (Land Use 310)	22 Rooms	13	7	6
Restaurant (Land Use 932)	900 Square Feet	16	10	6
Retail (Land Use 937)	1,650 Square Feet	60	31	29
Total		89	48	41

Site Events

According to the applicant’s traffic study, “Building B-2 is proposed to accommodate multiple uses such as internal meeting space and film screenings on weekdays, and screenings, theatre shows, live events/festivals and conferences intended for larger attendance and held **primarily on weekends.**” The traffic study further states that “those larger events would be accommodated in ±3,500 seats and would be scheduled in advance and **held on Saturdays and Sundays.**” Currently, 3,556 seats have been approved for the multi-purpose building and there are **NO** restrictions in place for when these events could be held (including weeknights).

The traffic report claims that only 300 trips would be produced by an event at the multi-purpose building based on the following:

- The movie/live theater would provide a single screen/stage.
- Movie theater occupancy has rates averaging between 15% and 20% (There is no source for this statistic in the traffic study).
- The 3,500 seats would only have a maximum audience of ±700.

- Less than 300 trips are projected to be generated assuming each vehicle carries between 2 and 3 occupants (applicant's traffic study used 20% of full attendance and a 2.33 vehicle occupancy rate)

The multi-purpose building assumptions presented in the traffic study are flawed for several reasons:

- It is likely that the low average movie theater occupancy rate is for all showings (peak and non-peak times) during the week at movie theatres throughout the country.
- Although the multi-purpose building can be used for film screenings, this is not the worst-case traffic scenario.
- The multi-purpose building can be used as a performance venue with 3, 556 attendees. This would produce the highest number of attendees and would represent the worst-case traffic scenario.
- A total of 712 parking spaces have been dedicated to the multi-purpose building.
- The trips generated by an event at the multi-purpose building were not considered in the traffic study because the applicant assumes these events could only occur on Saturdays or Sundays.
- There are NO restrictions in place for when a major event could be held.

Alternatively, peak hour traffic volumes were estimated for a performance at the multi-purpose building with 3,500 attendees. Nationally, the vehicle occupancy rate for a performance/sporting event is typically between 2.5 and 3.0 persons per vehicle. In addition, typically 60% to 70% of the attendees at a performance/sporting event arrive during the hour prior to the start of the event. These statistics are corroborated in the *Federal Highway Administration, Managing Travel for Planned Special Events, Chapter Five. Event Operations Planning* and the *Final Environmental Impact Statement (FEIS): Belmont Park Redevelopment Civic and Land Use Improvement Project*. It was conservatively estimated that 3.0 attendees per vehicle would be used (as this accounts for several buses in the vehicle mix) and 60% of the attendees would arrive during the hour prior to the start of the event. This yields a total of 700 peak hour vehicles arriving at the event. Only peak hour traffic from the multi-purpose building was considered for an event as it is higher than what would be projected from a flea market. As a result, the projected traffic from the multi-purpose building should be added to the 2025 No Build condition traffic volumes.

Background Projects

The site plans for the development of Riverside Park Townhomes and 515 Plaza at 515 Neversink Drive (across from New Century Film) were submitted to the Town of Deerpark in July 2022. Though this project is currently on hold, the projected traffic from this development was not studied as part of the New Century Film traffic study. However, it is strongly recommended that traffic from this development be added to the 2025 No Build condition traffic volumes in the New Century Film traffic study for the following reasons:

- The proposed development is proximate (across Neversink Drive) to the New Century Film development (517 Neversink Drive).
- The potential traffic generated from this development would be substantial for the Town of Deerpark.
- The timeframe for the implementation of this proposed development would be similar to the New Century Film development.
- The net effect of both developments should be studied to determine the cumulative impacts on the Town of Deerpark roadway network.

Riverside Park Townhomes and 515 Plaza Development Projected 2025 No Build Condition PM Peak Hour Trip Generation

Land Use	Development	Total Trips	In	Out
Low-Rise Residential (Land Use 220)	100 Units	67	44	23
General Office (Land Use 710)	156,400 Square Feet	222	58	164
Total		289	102	187

2025 Build Condition

The trip generation factors used in the traffic study from the Institute of Transportation Engineers (ITE) Trip Generation, 11th Edition were examined for relevance to the proposed development. Based on the review, **all land use factors used for the 2025 Build condition were accepted except for the Fine Dining Restaurant – Land Use Code 931**. Based on the area, it does not seem plausible that 500 seats in this type of restaurant could be supported. It is more realistic that High Turnover Restaurant(s) – Land Use Code 932 could be supported by the area. As was the case in the traffic study, the total number of trips was reduced by 20% to account for internal site trips.

It should be noted that traffic to be generated by the proposed Costume workshop – 20 employees, Subterranean shooting range – 10 booths, and the Wastewater Treatment Plant – 2 employees were not included in traffic study. Also, it is not clear why 118 rooms were used for the hotel in the traffic study.

**New Century Film Development (517 Neversink Drive)
Projected 2025 Build Condition
PM Peak Hour Trip Generation**

Land Use	Development	Total Trips	In	Out
Hotel (Land Use 310)	85 Rooms	42	21	21
High Turnover Restaurant (Land Use 932)	11,400 Square Feet	198	125	73
Film Studio Warehouse (Land Use 150)	10,000 Square Feet	33	12	21
Film Studio Manufacturing (Land Use 140)	10,000 Square Feet	44	16	28
Screening Hall (Land Use 445)	1 Screen	25	14	11
Total		342	188	154
Total (20% Internal Trip Reduction)		273	150	123

Analysis

The intersection capacity and level of service (LOS) analysis was performed during the PM peak hour for the intersections in the vicinity of the proposed development including Route 209 at Neversink Drive and Neversink Drive and New Century Drive. The independent analysis was conducted using the same software (Synchro) and used the same traffic distribution, intersection inventories, heavy vehicle percentages and peak hour factors as in the applicant's traffic study. The LOS, delay (seconds), volume/capacity ratio, and 95% queue were provided for several No Build and Build condition scenarios.

The focus of the analysis was on the reasonable worst-case scenario for the New Century Film development based on previous approvals and the development proposed as part of the current application. This included a 3,500-attendee performance event in the multi-purpose building, the site would be fully open to the public, and 1,329 parking spaces would be provided. This scenario was analyzed both with and without the Riverside Park Townhomes and 515 Plaza Development as part of the No Build traffic volumes. It should be noted that during a 3,500-attendee performance event, it was assumed the screening hall would be closed.

Based upon the results of the analysis of the reasonable worst-case scenario, traffic from a 3,500-attendee performance event in the multi-purpose building and the development proposed as part of the current application **would cause poor LOS, extensive delays, and queuing at the Route 209 at Neversink Drive intersection and Neversink Drive and New Century Drive intersection** during the PM peak hour. In addition, this influx of traffic to the New Century Film site would adversely affect vehicles traveling on Neversink Road passing through the existing stop controlled one-lane railroad bridge tunnel located several miles to the southwest of the site. These poor results are projected on the local traffic network both with

and without the Riverside Park Townhomes and 515 Plaza Development as part of the 2025 No Build traffic volumes.

Not shown in the Synchro model would be extensive queuing that would emanate from the site as entering vehicles to the performance are processed and are assigned to a parking space. **This queuing would create hazardous conditions on Neversink Drive and Route 209 as traffic flow would be severely interrupted and vehicle conflicts would increase.** These hazardous conditions caused by a 3,500-attendee performance event held in the multi-purpose building **would also occur on Saturdays and Sundays.** Currently, there is no traffic management plan developed by the applicant that has been prepared to attempt to accommodate an event that is permitted on the New Century Film site.

New Century Film Development
Weekday PM Peak Hour
No Build Scenario: With Multi Purpose Event and With Riverside Park Development

INTERSECTION & APPROACH	Mvt.	Existing				No Build				Build				
		V/C	Delay (sec)	LOS	Queue (feet)	V/C	Delay (sec)	LOS	Queue (feet)	V/C	Delay (sec)	LOS	Queue (feet)	
Unsignalized														
Route 209 and Neversink Drive														
Route 209	EB	TR	0.15	0.0	A	0	0.30	0.0	A	0	0.33	0.0	A	0
Route 209	WB	LT	0.04	2.1	A	3	0.39	8.8	A	47	0.46	10.1	B	62
Neversink Drive	NB	LR	0.20	12.2	B	18	1.47	281.3	F	437	2.51	748.3	F	800
Overall Intersection		-	3.3		A	0	61.6		E		179.6		F	
Neversink Drive and New Century Drive														
Neversink Drive	SB	LTR	0.00	0.0	A	0	0.05	1.3	A	4	0.05	1.3	A	4
Neversink Drive	NB	LTR	0.00	0.1	A	0	0.24	7.2	A	24	0.32	8.5	A	34
New Century Drive	EB	LTR	0.01	9.4	A	1	0.37	46.7	D	39	1.65	404.8	F	330
Riverside Drive	WB	LTR	0.00	0.0	A	0	0.56	27.8	C	81	0.77	54.3	D	140
Overall Intersection		-	0.4		A		8.6		A		52.8		D	

**New Century Film Development
Weekday PM Peak Hour
No Build Scenario: With Multi Purpose Event and Without Riverside Park Development**

INTERSECTION & APPROACH	Mvt.	Existing				No Build				Build				
		V/C	Delay (sec)	LOS	Queue (feet)	V/C	Delay (sec)	LOS	Queue (feet)	V/C	Delay (sec)	LOS	Queue (feet)	
Unsignalized														
Route 209 and Neversink Drive														
Route 209	EB	TR	0.15	0.0	A	0	0.28	0.0	A	0	0.31	0.0	A	0
Route 209	WB	LT	0.04	2.1	A	3	0.34	8.0	A	38	0.41	9.1	A	51
Neversink Drive	NB	LR	0.20	12.2	B	18	0.64	44.0	D	97	1.29	216.9	F	330
Overall Intersection		-	3.3		A		9.3		A		41.2		D	
Neversink Drive and New Century Drive														
Neversink Drive	SB	LTR	0.00	0.0	A	0	0.00	0.0	A	0	0.00	0.0	A	0
Neversink Drive	NB	LTR	0.00	0.1	A	0	0.24	7.6	A	24	0.32	8.9	A	34
New Century Drive	EB	LTR	0.01	9.4	A	1	0.20	23.1	C	18	0.89	88.5	F	168
Riverside Drive	WB	LTR	0.00	0.0	A	0	0.00	0.0	A	0	0.00	0.0	A	0
Overall Intersection		-	0.4		A		3.7		A		14.3		B	

Despite these negative impacts to traffic, the applicant’s traffic report states: “It is concluded that the proposed project will not adversely impact traffic conditions on the adjacent streets and at intersections in the study area.” We strongly disagree with this conclusion.

Construction Traffic

The traffic study did not address construction conditions which could produce significant truck traffic and construction traffic for an extended period of time.

Conclusions

The following deficiencies have been identified after reviewing the consultant report:

- The existing traffic counts are low because the site is not currently operating with all approved land uses open for business and the site is gated and is closed to the public.
- Projected traffic from several approved land uses within the site that would serve the public should be added to the 2025 No Build condition traffic volumes.
- Based on the area, it does not seem plausible that 500 seats of Fine Dining restaurant(s) could be supported at this site. A high turnover restaurant(s) seems more appropriate.
- The traffic counts were conducted during a day when there were no events held at the site.
- The multi-purpose building should be analyzed as a performance venue with a maximum of 3,500 attendees representing the reasonable worst-case traffic scenario.
- There are **NO** restrictions in place for when a major 3,500 attendee performance event could be held (**including weeknights**).
- Traffic from reasonably foreseeable background projects in the area (Riverside Park Townhomes and 515 Plaza Development) should be included in 2025 No Build traffic volumes to fully understand the effect of these large developments on area traffic.
- Based upon the results of the analysis of the reasonable worst-case scenario, traffic

from a 3,500-attendee performance event held in the multi-purpose building and the development proposed as part of the current application would **cause poor LOS, extensive delays, and queuing at area intersections during the PM peak hour.**

- Extensive queueing would emanate from the site as entering vehicles to a performance are processed and are assigned to a parking space.
- This queueing would create **hazardous conditions** on Neversink Drive and Route 209 as traffic flow would be severely interrupted and vehicle conflicts would increase.
- These **hazardous conditions** caused by a 3,500-attendee performance event held in the multi-purpose building would also occur on Saturdays and Sundays.
- The traffic study did not address construction conditions.
- The traffic study analyzed the multi-purpose building used for small film screenings; but this does not represent the reasonable worst-case traffic scenario and **significantly underestimates** the effect of the New Century Film site on area traffic.
- The applicant should revise the traffic study to include the projected traffic from approved but unopened site developments, reasonably foreseeable background projects in the area, and a 3,500-attendee performance event held in the multi-purpose building.

If you have any questions or comments, please feel free to contact me at 347-366-1188.

Sincerely,

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