

FERRY LANDING AT BEACON, LTD.

DEVELOPERS - DESIGNERS - BUILDERS

Post Office Box 294

Beacon, NY 12508

845-464-0460

VIA HAND DELIVERY

May 28, 2019

Beacon City Planning Board
1 Municipal Center
Beacon, NY 12508

Re: Ferry Landing at Beacon
Beekman Street
Beacon, NY 12508
Parcel Grid # 5954-33-556840

Dear Members of the Beacon City Planning Board:

Enclosed please find the following documents:

- Five (5) folded paper copies of architectural rendered elevations and perspective drawings (Page 1 of 1)
- One (1) electronic copy of the above items on USB flash drive

The above listed items are being submitted for the Planning Board's review and consideration at your next available regularly scheduled Planning Board meeting.

Historical Context of Planning Board Review Since July 2017

The subject property is one of the last few remaining undeveloped properties that was bought from the City by way of its Urban Renewal Agency circa 1981. We commenced this Planning Board review in July 2017 seeking to develop 8 units on the subject property. During that year, the number of units decreased to 6 units. The project intensity was further reduced during the 2018 review as to height from 48 feet to 45 feet even though the building is being constructed at grade fronting along Beekman Street as opposed to fronting along Bayview Avenue, which is approximately 40 feet higher above grade level. Please also note that the fourth story under

the zoning code is required to be a partial story set back 15 feet behind the facade, and here with Beekman Street the road and right-of-way is wider than local streets such as Ferry Street or Bayview Avenue; thereby, affording a further setback of that 4th story. Further, we spent time this Spring 2019 reviewing a scaled, architect prepared Virtual Reality model of the project with surrounding topography and buildings incorporated. That VR Model prepared by Tinkelman Architecture, using nationally recognized software, substantiated that there were no significant or materially adverse impacts associated with the architecture and height of the project and that the project was consistent with the surrounding context as well as other approvals granted in the vicinity including those across Ferry Street fronting on both Beekman Street and more recently Wolcott venue. We have attached not only an Axonometric Diagram, but also photo rendered views and a virtual reality visualization to further substantiate this fact. Even though empirically there is no evidence or data in the record of this proceeding controverting our position of "no effect" associated with the project including the 4th story, we are hereby once again reducing the project size and intensity, this time to 3 stories for a project that requires neither a special permit nor a variance, just Site Plan Approval. Indeed, we also hereby withdraw our subdivision application. We have taken this extraordinary and unnecessary step in order to conclude this review process on or before its two year anniversary in July 2019 so that we can be building this Fall 2019 with sufficient time to advance the work such that it can continue during the winter and we can meet the market a year from now with pre-sales. We are too concerned by macro-economic issues such as materials costs, tariffs, and recessions to vindicate the propriety of our entitlement to that 4th story.

The Revised Three Story Design on the Identical Footprint

The architectural rendered elevations and perspective drawings (Page 1 of 1) provided in this submission illustrate a revised building concept. This revised concept modifies the former four (4) story gable roof building design by decreasing the building elevation to only three (3) stories and providing a flat roof design. This alteration to the building plan provides a significant reduction in building height without any other proposed changes to the building footprint, overall building dimensions, or building location. There are no changes to the Site Plan with this revised building concept.

Response to City Consultant's April 2019 Memoranda

Regarding the comments received from the City of Beacon's consultants, please note that that these responses are based on the former 4 story design but the 3 story design is either equivalent or lesser in effect. Kindly also find the following responses:

Lanc & Tully Engineering and Surveying, P.C. missive dated April 3, 2019:

1. Comment Noted.
2. Comment Noted.

3. Based on several meetings with the Dutchess County Department of Behavioral & Community Health, the issue regarding the sanitary sewer is the County of Dutchess adaptation of the NYS 10NYCRR Appendix 75-A, regarding "Direct Service Connection". In accordance with your previous missive dated May 3, 2018, your comment concerning Sheet 5 of 9 (Site Utility Plan), #3, states "There is currently an existing 8" sanitary sewer line that extends into the site from the sewer manhole located on the north side of Beekman Street, to service this parcel only. It should be noted on the plan that this is a private line and shall be owned and maintained by the HOA." Therefore, to avoid having the City of Beacon own and maintain this sewer service, and to comply with the DCDBCH "Direct Service Connection" issue, the proposed HOA will own and maintain this appurtenant in accordance with Article 9-B of the New York Real Property Law.

John Clark Planning and Design missive dated April 4, 2019:

1. An Axonometric Diagram annexed to this correspondence as "Exhibit A" (page 1 of 1) indicates a definitive building height, floor to floor heights, and a peak roof elevation of the former four (4) story proposed building.
A photo rendered view of the former four (4) story proposed building from the Bayview Avenue cul-de-sac is annexed to this correspondence as "Exhibit B" (page 1 of 1).
A photo rendered view of the former four (4) story proposed building from approximately 100' south of the cul-de-sac on Bayview Avenue is annexed to this correspondence as "Exhibit C" (page 1 of 1).
A virtual reality visualization of the former four (4) story proposed building from the house at the end of Bayview Avenue is annexed to this correspondence as "Exhibit D" (page 1 of 1).

It should be noted however that the data provided in "Exhibit A", "Exhibit B", "Exhibit C", and "Exhibit D" is no longer relevant given the change in the building concept to the reduced three (3) story design.

2. Comment Noted.
3. A single ADA compliant parking space is not provided since every person or entity that becomes an owner of a fee or undivided fee interest in any proposed townhouse shall automatically be deemed to be a member of the Homeowners Association and therefore will be provided and assigned a single designated surface parking space for their use in accordance with the Covenants of Record.
4. Question C.3.b. of the EAF is answered "No" since the proposed activity does not require obtaining a special use permit or a conditional use permit.
Question D.1.d. of the EAF is answered "No" since the proposed project does not include a subdivision.

Question D.2.m. of the EAF is answered "No" since the proposed project will not produce noise levels during construction that are declared to be a violation of the City of Beacon Noise Control Law.

5. Comment Noted.

Conclusion

We look forward to appearing before the Planning Board in June 2019. Our goal is to conclude the SEQRA process and the site plan application on or before the two year anniversary of this project review in July 2019. We have modified the design in order to reach that conclusion for the business reasons noted above, notwithstanding and without prejudice to our position that approval of a site plan for the 4 story design is fully warranted. Should the Planning Board or City staff have any questions or comments relative to this application, please feel free to contact me.

Sincerely,

Thomas Elias

cc: Neil J. Alexander, Cuddy & Feder LLP

EXHIBIT A
PAGE 1 OF 1
DATED: May 28, 2019



AXONOMETRIC DIAGRAM OF FORMER FOUR (4) STORY PROPOSED BUILDING

EXHIBIT B
PAGE 1 OF 1
DATED: May 28, 2019



PHOTO RENDERED VIEW OF THE FORMER FOUR (4) STORY PROPOSED BUILDING FROM THE BAYVIEW AVENUE CUL-DE-SAC

EXHIBIT C
PAGE 1 OF 1
DATED: May 28, 2019



PHOTO RENDERED VIEW OF THE FORMER FOUR (4) STORY PROPOSED BUILDING FROM APPROXIMATELY 100' SOUTH OF THE CUL-DE-SAC ON BAYVIEW AVENUE

EXHIBIT D
PAGE 1 OF 1
DATED: May 28, 2019



VIRTUAL REALITY VISUALIZATION OF THE FORMER FOUR (4) STORY PROPOSED BUILDING FROM THE HOUSE AT THE END OF BAYVIEW AVENUE