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August 27, 2019

**BY HAND DELIVERY**  
**AND E-MAIL**

Hon. John Gunn, Chairman  
And Members of the Planning Board  
City of Beacon  
1 Municipal Plaza  
Beacon, New York 12508

Re: Applications for Site Plan & Subdivision Approval – Beacon Views Townhouses  
Premises: Conklin Street, Beacon, New York  
Tax Parcel ID: 6055-03-331123

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Dear Chairman Gunn and Members of the Planning Board:

On behalf of Beacon Views LLC (the “Applicant”), the Contract-Vendee of the above-referenced Premises, we respectfully submit this letter and the referenced enclosures in support of the enclosed Applications for Site Plan and Subdivision Approval proposing to develop the Premises into a for-sale townhouse Project with 42 townhouse units (4 of which are Below-Market-Rate (“BMR”)) units (the “Project”).<sup>1</sup> The proposed for-sale townhouse Project will involve individually-owned townhouses and common lands, including the parking areas and passive recreation trail area, which will be owned by a property’s owner’s association. Townhouses are a principally permitted use on the Premises and the Project *does not* require any variances from the Zoning Ordinance. The Applicant respectfully requests that this matter be placed on the Planning Board’s September 10, 2019 meeting Agenda for preliminary review.

**BACKGROUND - THE BEACON VIEWS PROPERTY**

The presently vacant 8.6+/- acre Premises is located northwest of Conklin Street and northeast of Delevan Avenue and Hastings Drive. The Premises abuts improved real properties including the 160-bed Wingate at Beacon skilled nursing facility and the 68-unit Highland Meadows senior, affordable housing development (the former Saint Francis Hospital) to the southwest. The Premises also adjoin the Meadow Ridge I and Meadow Ridge II multi-family residential developments to the northwest and the 25 Townsend Street property (formerly the Knights of Columbus property) that was recently approved for a 13-lot residential subdivision to the northeast. See **Exhibit A** – Images of Premises.

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<sup>1</sup> Note: In accordance with City of Beacon Zoning Code Article IVB, ten percent (10%) of all projects containing ten (10) or more units shall consist of BMR units.

The Premises was previously subdivided by the former Saint Francis Hospital (and then owner, Hudson Valley Properties & Rentals, Inc.) in the late 1990s, which subdivided the Premises from the properties that now comprise the Meadow Ridge I & II residential developments.<sup>2</sup> Indeed, as this Board may be aware, a prior proposal for the Premises involved a multi-family development consisting of 72 total residential units and related off-street parking.

The Applicant believes that they have developed a reduced density proposal that will be a positive addition to the neighborhood and is compatible with existing development in the area. Located outside of the City's downtown, northwest of the expanded Fishkill Creek Greenway & Heritage Trail (the "Greenway Trail"), the Project will also allow for potential future pedestrian connections to the Meadow Ridge and Fishkill Correction Facility properties, as well as potential pedestrian linkages to the Beacon Correctional Facility property that is being considered for redevelopment through a Request for Proposals (RFP) process with NYS Empire State Development.<sup>3</sup> Together, the enclosed drawings document that the proposed development is compatible with the existing scale and density of surrounding development.

### **THE PROPOSED TOWNHOUSE DEVELOPMENT PROJECT**

After reviewing the Premises in the context of the existing and future development around the site and prior to submitting these Applications, the Applicant and its consultants met with the Building Department and the City Planner for two (2) pre-submission conferences in order to discuss the nature of the proposed Townhouse development and its potential interconnectivity with existing and proposed developments in the area. As detailed herein, and as more fully shown in the enclosed Site Plans and renderings, the Applicant proposes to consolidate the development footprint and create 42 individual for-sale lots, one (1) lot for each Townhouse.<sup>4</sup> The common amenity and service areas of the site (including a gazebo and passive recreation area and trail) will be managed by the property's owner's association.

The proposed townhouses are arranged in groups of four (4) and five (5) units, with distinct

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<sup>2</sup> See Filed Map 10853, filed in the Dutchess County Clerk's Office on August 11, 1999 (Note: The Premises comprising Meadow Ridge I and II would later be further subdivided into two (2) separate lots).

<sup>3</sup> Note: As this Board is aware, the former Beacon Correctional Facility recently considered development proposals for the redevelopment of the Beacon Correctional Facility premises.

<sup>4</sup> Note: Located in the RD-5 District, the Planning Board has authority review the applications for Site Plan and Subdivision approval for the townhouse development, which townhouses are considered a permitted principal use in the RD-5 District in accordance with Zoning Code Section 223-17C – Schedule of Regulations for Residential Districts. See Schedule of Use Regulations for Residential Districts, footnote "l" and principal permitted use "18.", which permits "[a]ttached or semiattached singlefamily dwellings (townhouses) on separate building lots in an RD District only, provided that a subdivision plan and a site development plan... are approved the Planning Board."



designs for the inside units and the ends in order to avoid repetition along the façade. The end units are set forward by two feet to add depth to the groups. Units may also be staggered vertically within the groups to follow the proposed grading. The main entrance and single-width garage door on the inside units are at the front. The end units have a double width garage door on the front face, and the main entrance at the side. The Project will include 157 parking spaces (where 84 spaces are required), including two (2) parking spaces per unit located within the respective unit's garage, as well as between one (1) and (2) parking spaces available per unit within the driveway, together with 13 visitor parking spaces. *See* enclosed Site Plans. The provision of sufficient on-site parking for the residents and visitors ensures that on-street parking will not be used for this development.

Regarding the building design, the first floor exterior finish is brick similar to the color mix on Beacon's Main Street. A precast water table separates the brick from the siding above. The inside units have a brick tower up to a gable dormer at the roof level. The vinyl clapboard siding above the brick is a sandstone color on the inside units, and a golden tan color on the end units. The end units have a matching color fish scale shake at the gable to differentiate the finish texture from the clapboard below. Windows are clad double hung, with decorative shutters. The roofs are architectural asphalt shingles, and the level of the exterior finish of the townhouses is consistent with similar developments in the area.

Rendered elevations have also been submitted which show the Project within its neighborhood setting. Proposed floor plans are also enclosed herein, and the preliminary subdivision layout is also shown on the Site Plan. Together, the drawings document that the proposed development is compatible with the existing scale and density of surrounding development and is therefore consistent with the character of the neighborhood.

#### **AFFORDABLE-WORKFORCE HOUSING ANALYSIS**

As noted above, the proposed number of townhouse units is 42 units in total, four (4) of which are BMR units. The provision of the BMR units results in two (2) density bonus units, however, the Applicant *will not* be constructing the maximum 52 developable units on the Premises and instead proposes 42 units. The proposed Project meets the requirements of the City's Affordable-Workforce Housing Law (the "AWHL"). The four (4) BMR units are townhouse units, the same unit type as the remainder of the Project. They meet the requirements of 223-41.10.D as to comparable size. They are not less than seventy-five percent (75%) of the size of the standard units. The lot size of the BMR units is similar to the market rate units and will be "mixed through" the development as required. They will be constructed in conjunction with the market-rate units. The BMR units will be rented or sold in full conformance with the applicable provisions of the City's AWHL.

## **STATE ENVIRONMENTAL QUALITY REVIEW**

The proposed Project is classified as a Type I Action for a Coordinated Review pursuant to the State Environmental Quality Review Act ("SEQRA") Regulations. A copy of the Applicant's Full Environmental Assessment Form ("EAF") for the Project is enclosed as **Exhibit B**.

In further support of the Applicant's Site Plan and Subdivision Application submissions, and in connection with the SEQRA review of the Project the Applicant retained Maser Consulting P.A. in order to review any potential traffic impacts from the Project. Additionally, the Applicant retained Hudson Valley Cultural Resource Consultants, Ltd., in order to complete a Phase 1A Literature Search and Sensitivity Assessment and a Phase 1B Archaeological Field Reconnaissance Survey of the Project, as well as AKRF Environmental, Planning, and Engineering Consultants ("AKRF") to analyze the potential for public school-age children to live in the proposed townhouse development. See **Exhibits C, D & E**, discussed below herein.

Additionally, as noted in the EAF, as site disturbance will exceed 1-acre, environmental water management practices engineered by Insite Engineering will process stormwater on the property as detailed in the enclosed preliminary Stormwater Pollution and Prevention Plan ("SWPPP"). The Project will be supplied by public water and sewer. Accordingly, enclosed for this Board's consideration is the Applicant's Preliminary Water and Wastewater Engineering Report for the Project. See **Exhibit J**.

### ***A. Traffic Analysis and Project Site Circulation & Access:***

While the Premises has frontage along Conklin Street, as is more fully detailed on the enclosed Site Plans, the Project proposes to be accessed from the southwest, via an extension of Hastings Drive, which connects south to Delevan Avenue and out to Fishkill Avenue (NYS Route 52). Sheet 3 (SP-1) of the enclosed Site Plans details the proposed driveway extension and sidewalk over the Highland Meadows property utilizing the existing Access Easement and Maintenance Agreement over the Highland Meadows property,<sup>5</sup> together with the proposed extensive landscaping and improvement plan contemplated in the Easement Agreement. The enclosed Site Plans also show the proposed emergency access at the northeast end of the site, through the existing access easement over the 25 Townsend Subdivision property.

As noted above, the Applicant's traffic consultant also reviewed the potential traffic generation

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<sup>5</sup> See **Exhibit I** - Copy of the Correction Access Easement and Maintenance Agreement by and between Saint Francis' Hospital and Highlands at Beacon LLC, recorded in the Dutchess County Clerk's Office on November 19, 2013 as Document #: 02-2013-6208 (the "Easement Agreement"). The Original Access Easement Agreement was recorded in the Dutchess County Clerk's Office on June 19, 2007, as document No. 02-2007-4290.



from the proposed Project. Enclosed as **Exhibit C**, please find a copy of the Traffic Impact Study dated August 16, 2019 (the “TIS”), which provides in relevant part that: “... similar Levels of Service and delays will be experienced at the area intersections under the future No-Build and future Build Conditions [and] [t]hus, the Beacon Views development traffic is no expected to cause any significant impact in overall operation.” See TIS at page 8. As confirmed in the TIS, it is respectfully submitted that the proposed Project will not have any significant adverse traffic impacts.

### **B. School District Study:**

As will be more fully discussed with the Planning Board during the SEQRA Public Hearing regarding the Project, it is respectfully submitted that the potential number of school children that *may* be generated by the Project *will be minimal*. The Applicant’s Planning Consultant, AKRF, analyzed the potential for the Project to result in school-age children attending the Beacon City School District (“Beacon CSD”) and whether the 42-unit owner-occupied three (3)-bedroom attached townhouse units would have any potential impacts on the Beacon CSD.

As is more fully detailed in the enclosed School Impact Analysis, which is enclosed as **Exhibit D**, AKRF used two (2) primary methods to estimate potential school-age children (“PSAC”) – including the conservative “Rutgers multipliers” as well as case study data from the Beacon CSD.<sup>6</sup> Based on the Rutgers multipliers, the School Impact Analysis concludes in relevant part that:

It can therefore be concluded that the conservative estimate of twelve (12) PSAC that might be generated from the Proposed Project would not result in a significant adverse impact, and the Project will generate a substantial annual tax revenue surplus for the District.

See **Exhibit D** - School Impact Analysis, at page 6. It is respectfully submitted that the proposed Project will not have any significant adverse environmental impacts on the school district.

### **C. Phase 1A & Phase 1B Reports:**

Additionally, in connection with the review of the Premises, Hudson Valley Cultural Resource Consultants, Ltd. (“HVCRC”) completed a Phase 1A Literature Search and Sensitivity Assessment and a Phase 1B Archaeological Field Reconnaissance Survey (collectively the “Archaeological

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<sup>6</sup> Note: At this time, AKRF has requested data from the Beacon CSD to augment the Rutgers multipliers, which enrollment data we understand is forthcoming as noted in the School Impact Analysis. Once the Beacon CSD data is available the School Impact Analysis will be updated in connection with the SEQRA review of the Project.

Reports”) of the Project and the Premises. *See Exhibit E.*

Following literary and onsite investigations of the history and environmental conditions at the Premises, the Archaeological Reports confirm that:

No significant cultural material was identified during the Phase 1 Cultural Resource Survey. Therefore, the proposed undertaking will not affect any potentially significant cultural resources. In the opinion of HVCRC that no additional cultural resources investigations are warranted for the proposed Project...

*See Exhibit E.* Accordingly, while the site investigations find that there will not be an impact to cultural resources, as noted in the Archaeological Reports, the recommendations in the report are subject to concurrence by the NYS Office of Parks, Recreation and Historic Preservation, which will be considered in the SEQRA review of the Project.

As noted above, the proposed Project is designed to be consistent with the existing character of the neighborhood and surrounding properties, both visually and functionally, and the proposed Project will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. In addition, the proposed Project not adversely impact the environment.

#### **CONCLUSION:**

For the foregoing reasons, and as will be further discussed at this Board’s September 12<sup>th</sup> Regular Meeting and the subsequent SEQRA, Site Plan and Subdivision Public Hearings on this Project, the Applicant respectfully submits that the proposed Project satisfies the purposes of the RD-5 District and the City’s Zoning and Subdivision Regulations in consideration of the instant Applications for Site Plan and Subdivision Approval. The principally permitted townhouse Project on this large property limits the density to nearly twenty percent (20%) below the permitted residential density, while providing four (4) BMR units and developing zoning-compliant, handsome architectural features on an underutilized property.

In support of this Application, please find enclosed five (5) copies of the instant letter with the following documents:<sup>7</sup>

- Exhibit A:** Google Map Aerials and Images of the Premises;
- Exhibit B:** Full Environmental Assessment Form (EAF);
- Exhibit C:** Traffic Impact Study prepared by Maser Consulting P.A., dated August 16, 2019;
- Exhibit D:** Beacon Views Development School District Impact Analysis, prepared by AKRF Environmental, Planning, and Engineering Consultants, dated August 21, 2019;
- Exhibit E:** Phase IA Literature Search and Sensitivity Assessment & Phase IB Archaeological Field Reconnaissance Survey, prepared by Hudson Valley Cultural Resource Consultants, Ltd., dated August 2019;
- Exhibit F:** Application Form for Site Plan Approval;
- Exhibit G:** Application Form for Subdivision Approval;
- Exhibit H:** Contract of Sale and Assignment of Contract;
- Exhibit I:** Correction Access Easement and Maintenance Agreement by and between Saint Francis' Hospital and Highlands at Beacon LLC, recorded in the Dutchess County Clerk's Office on November 19, 2013 as Document#: 02-2013-6208; and
- Exhibit J:** Preliminary Water and Wastewater Engineering Report dated August 27, 2019, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.

In further support of this Application, we respectfully submit five (5) copies of the Site Plans entitled "Beacon Views", prepared Insite Engineering, dated August 27, 2019, consisting of eleven (11) sheets, as well as rendered images and floor plans entitled "Beacon Views Townhouse Development – Site Plan Application", prepared by Aryeh Siegel Architect, dated August 27, 2019, and consisting of three (3) sheets.

Please also find enclosed five (5) copies of the Preliminary Stormwater Pollution and Prevention Plan ("SWPPP"), dated August 27, 2019, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C.

Additionally, this submission includes a check made payable to the City of Beacon in the amount of \$15,000.00, representing the Site Development Plan & Subdivision Application filing fee, as

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<sup>7</sup> Note: Pursuant to our communications with the City of Beacon Building Department, five (5) copies of this submission will be delivered to the Building Department, together with an electronic copy of the same.





well as a second check payable to the City of Beacon in the amount of \$11,000.00 for the establishment of an escrow for professional fees.

We look forward to appearing at this Board's regular meeting on Tuesday, September 10<sup>th</sup>, in order to initially review the proposed Project. In the meantime, should this Board or City Staff have any questions or comments with regard to the foregoing, please do not hesitate to contact me.

Very truly yours,



Taylor M. Palmer

Enclosures

Cc: Jennifer L. Gray, Esq.  
David Buckley, Building Inspector  
Aryeh J. Seigel Architect  
Insite Engineering Surveying & Landscape Architecture, P.C.  
Maser Consulting P.A.  
AKRF  
Hudson Valley Cultural Resource Consultants, Ltd.  
Beacon Views LLC