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August 29, 2017

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Hon. Jay Sheers, Chairman
And Member of the Planning Board
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: River Ridge – Response to comments from John Clarke, and Lanc & Tully

Dear Chairman Sheers and Members of the Planning Board:

The following are our responses to John Clarke's comments memo and Lanc & Tully comment letter:

JOHN CLARKE COMMENT MEMO DATED AUGUST 4, 2017:

1. **Comment:** The proposal is located in the Coastal Management Zone as defined in the City's Local Waterfront Revitalization Program (LWRP). The applicant has provided an LWRP consistency justification for the project that appears to address the significant issues, but the river view on page 4 should locate the project site in the photo and include the rendered view mentioned in the text. The Planning Board will need to issue an LWRP Consistency Determination as part of the SEQRA determination for the project.

Response: Comment acknowledged. The LWRP Consistency Report has been updated to include the rendered view referred to in the text. The updated report is part of this submission.

2. **Comment:** The survey needs to be stamped and signed. Existing major trees over eight inches in diameter that will be saved or removed should be marked on the plans. For example, there are two large locust trees and a 16-inch elm along the south Wolcott Avenue frontage that, if healthy, could be integrated into the site plan.

Response: The survey will be stamped and sealed. The Landscape Plan has been updated for this submission and calls out existing trees to be saved or removed. Please note that the existing 16" tree was misidentified on the previous plan set as "Elm." It is correctly identified on the updated Landscape Plan as a Catalpa.

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3. **Comment:** The Schedule of Regulations for the RD-7.5 district has a building length limit of 150 feet. Both rows of townhouses exceed that length and may need an area variance. The table and notes on Sheet 1 should provide the lengths for both buildings.

Response: Comment acknowledged. The Zoning Administrator is reviewing the compliance of the building length. The table and notes on Sheet 1 now show the lengths for both buildings.

4. **Comment:** The applicant should be commended for offering to build a concrete stairway on adjacent City property to connect Wolcott Avenue with the end of Ferry Street and the Train Station. Details for the proposed stairway and safety lighting should be provided on the plans. A private internal path and pocket park open to the public is also being proposed near Beekman Street, as well as an offer to work with the adjacent church to clean up the overgrown cemetery.

Response: Comment acknowledged. Typical concrete stair details have been added to the Site Plan. Light fixtures have been located on the plan adjacent to the stairs. We understand that Lanc & Tully will specify the lighting fixtures to be used in this location.

5. **Comment:** The code requires two spaces per unit or 36 total spaces. The plan has an extraordinary 80 spaces, including 30 in garages, 27 outside the garages, and 23 additional surface spaces. I recommend that at least the 14 spaces in line with the entrance drive be converted to a central green with river views and the relocated gazebo as a main feature. This landscaped green for the residents would be in direct line with the significant view from the Rombout Avenue intersection identified in the LWRP, so instead of overlooking parked cars the public would have a landscaped view toward the river.

Response: The parking area has been reconfigured to eliminate spaces and increase the size of the landscaped area to create a central green, in which the relocated gazebo becomes a central feature in the view toward the River. Surface parking has thus been reduced. There are now 12 surface parking spaces and 30 garage spaces for a total of 42 spaces. The spaces outside the garages block access to the garages, and therefore should not be counted as parking spaces; although they can function as overflow parking for unit owners and their guests when required for temporary usage.

6. **Comment:** The applicant should complete a traffic impact analysis for the project, building on recent traffic studies in the area.

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Response: The Traffic Impact Analysis prepared by Maser Associates is submitted herewith.

7. **Comment:** The applicant will need to provide more information and follow-up with state agencies for additional archeological investigations and EAF question E.2 O regarding endangered species.

Response: The applicant has retained Hartgen to continue archaeological studies per the Phase IA report that was previously submitted. The Phase IB field study is currently being completed, and the results will be forwarded to the Planning Board with the next submittal. In addition, the applicant has retained Ecological Solutions to prepare a Threatened and Endangered Species Habitat Suitability Assessment Report, copies of which are submitted herewith.

8. **Comment:** Sheet 3 needs to include lighting fixture specifications and to clearly mark and number the landscaping species. The existing street lights along Wolcott Avenue should also be shown on the lighting plan.

Response: Comment acknowledged. The existing street lights along Wolcott Avenue are now shown on the lighting plan. Sheet 3 includes lighting fixture specifications. The landscaping plan has been updated to indicate number and species of plantings. The landscape plan will continue to be refined as design of site features becomes more detailed.

9. **Comment:** The proposed monument sign should be located on the plans and integrated with the landscaping.

Response: Comment acknowledged. The monument sign is now located on the plans and integrated with the landscaping.

10. **Comment:** The Board should refer the design of the buildings to the Architectural Review Subcommittee. They will need elevations with floor heights, building heights, and materials noted. The renderings on Sheet 6 shows a tower element that may exceed the district's maximum height limit.

Response: The Planning Board reviewed the matter to the architectural subcommittee at the August 8th Planning Board meeting. The issue of compliance with height regulations is being reviewed by the Zoning Administrator.

11. **Comment:** Since this application involves alterations to a property in the Historic Overlay Zone, the Board will need to consider compatibility with the surrounding neighborhood and historic Old Dutch Reformed Church, designed by Frederick Clarke



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Withers in the 1850s, to approve a Certificate of Appropriateness under Chapter 134, Historic Preservation.

Response: Comment acknowledged.

12. **Comment:** The number of below-market-rate (BMR) and bonus units complies with the Article IVB Affordable Workforce Housing provisions, but the applicant should provide square foot calculations to confirm that the BMR units meet the size standards. The Board should consider whether the two BMR units without garages qualify as having comparable amenities to the market rate units, one of which has no garage. The floor plans show BMR Unit 1 with a garage, but not the site plan.

Response: The BMR units meet the requirements of 223-41.10.D as to comparable size. They are not less than 75% of the size of the standard units. The square foot areas of the BMR units exceed the requirements for the largest unit size listed in the BMR regulations. Therefore, the BMR units meet or exceed the size and relative area requirements. The workforce housing provisions allow the units to be smaller than other units. The site plan was revised to include a garage for one of the BMR units. The two BMR units are townhouses, the same unit type as the remainder of the project. The lot size of the BMR units is similar to the market rate units. Both BMR units are “end” units, which are in desirable locations with additional windows on a side elevation. The units are located at the north and south end, thus are “mixed through” the development as required. They will be constructed in conjunction with the market rate units.

LANC & TULLY COMMENT LETTER DATED AUGUST 4, 2017:

General Comments:

1. **Comment:** A stormwater pollution prevention plan (SWPPP) should be submitted for the project.

Response: We are in receipt of comments on the SWPPP that was submitted with the original submittal. We have scheduled additional soil testing for the proposed stormwater management practices with the City Engineer’s office. Upon completion of the soil testing, and continued progress in terms of layout acceptance, the SWPPP will be revised and resubmitted in future submittals. It should be noted that the site impervious cover has been reduced since the first SWPPP submittal, and that the practices shown on the plan are based on the original layout. Future submittals may show reduced stormwater management practice footprints based on the revised layout.



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2. **Comment:** Question E.I .h.iv. of the EAF should be completed.

Response: The disposition of the identified spills within 2,000 feet of the site has been provided in the revised EAF submitted herewith.

3. **Comment:** Section 195-20, Paragraph B(4), of the City Code requires that "The area to be subdivided shall have frontage on and direct access to a street. The proposed subdivision shows 5 parcels to be created (Lots 14 through 18), that will not frontage on a street, and are therefore land-locked parcels. These parcels are proposed to have access to the street across an Homeowners Association (HOA) parcel, which we defer to the City's Planning Board Attorney as to whether or not this is the appropriate ownership for the parcel to allow for the development of these land-locked parcels and allowing for access to the street.

Response: The issue of code compliance is being reviewed by the Zoning Administrator.

4. **Comment:** Based upon the provided Zoning Bulk Table, the overall length of the building will exceed the maximum length of 150 feet and may require variances.

Response: Please see response to John Clarke comment number 3 above.

5. **Comment:** We would recommend that a traffic study be conducted for the project, and that the traffic study be coordinated with those that have been completed for the West End Lofts and Edge water projects.

Response: As noted above (Response to John Clarke comment #6) a Traffic Study has been prepared and is submitted herewith. The traffic study also addresses the West End Lofts and Edgewater projects.

6. **Comment:** A cut & fill analysis plan should be provided for the project.

Response: As the layout is further refined and advanced at the planning level, a cut and fill analysis will be provided with a future submittal.

7. **Comment:** A construction phasing plan should be provided for the project showing how the project will be constructed.

Response: A preliminary construction schedule has been added to Sheet 7.

8. **Comment:** Profiles shall be provided for the water, sewer and storm drainage utilities proposed.



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Response: As the layout and design advance, utility profiles will be provided in future submittals.

Preliminary Subdivision Plat:

1. **Comment:** An easement will be required across the common HOA parcel allowing for ingress and egress to each of the 18 proposed residential lots.

Response: Comment acknowledged. This should be required as a condition of final approval.

2. **Comment:** Additional easements may be necessary the running of utilities between the HOA parcel and the individual parcels being created.

Response: Comment acknowledged. This should be required as a condition of final approval.

Sheet 1 of 11:

1. **Comment:** It is unclear as to what the large black rectangular blocks represent to the east of building 18. The plan should clarify what these represent.

Response: The block represents a retaining wall.

2. **Comment:** Snow storage areas should be noted on the plan.

Response: Snow storage areas are now shown on the plan.

3. **Comment:** A sewer manhole appears in front of Units #2 and #7. Are these active sewer manholes? Do these structures exist, as they do not appear on the "Survey & Existing Conditions Plan"?

Response: The sewer manholes in this area were part of the cursory design, which changed prior to the first submittal, and have, therefore, been removed from the plan.

Sheet 3 of 11:

1. **Comment:** We would recommend lighting be provided along the proposed walkway between Ferry Street and Route 9D.



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Response: Comment acknowledged. Light fixtures have been located on the plan adjacent to the stairs. We understand that Lanc & Tully will specify the lighting fixtures to be used in this location.

2. **Comment:** The types of lights to be used where called on the plan should be shown on the drawings.

Response: The type of lights to be used where called on the plan is now specified on Sheet 3 – Lighting and Landscape plan.

3. **Comment:** At the bottom of the "Plant Schedule" on the right side of the sheet, what is to be planted in the "Bioretention/Bio-infiltration Area" is noted, but the plans do not show where this area is proposed. The plans should be revised to call out the location of any proposed bioretention or bio-infiltration areas.

Response: The project does not include a "Bioretention/Bio-infiltration Area" and Planting Schedule has been revised accordingly.

Sheet 7 of 11:

1. **Comment:** The plan calls for multiple underground stormwater infiltration areas to be developed. Soil testing will need to be conducted for these proposed structures, and will need to be witnessed by the City Engineer.

Response: Hudson Land Design performed cursory soil testing in support of the infiltration practice design, and as mentioned above, has scheduled formal soil tests to be observed by the City Engineer.

2. **Comment:** Water and sewer service connections for each of the proposed units should be shown on the plan.

Response: Comment noted. As the layout is generally accepted at the planning level, more detailed design including water and sewer services will be provided in future submittals.

3. **Comment:** We would recommend that the water meter pit at the entrance to the project be shifted slightly to the north away from Unit #7.

Response: The meter pit location has been shifted slightly north from the previous location.

4. **Comment:** The lowest sewerable elevation (LSE) be provided for each unit.



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Response: So noted. Please see the response to comment 2 above.

5. **Comment:** We would recommend that sleeves be provided on the sanitary sewer line between SMH-4 and SMH-5 where it crosses under the proposed retaining walls.

Response: As the layout is advanced, and the retaining wall is designed, special consideration for the sewer line beneath the wall will be included on the plan.

6. **Comment:** Proposed grading in the vicinity of the proposed stairwell between Ferry Street and Route 9D should be provided on the plan.

Response: We do not anticipate any grading based on the stair layout, although there may be some very slight smoothing in very limited areas adjacent to the stairway, therefore no grading has been shown in this area.

7. **Comment:** Given the height and tiering of the proposed retaining walls, the design of these walls shall be prepared by a licensed professional engineer registered in the State of New York, and a design report and plans for these walls should be submitted for review.

Response: A licensed engineer will provide the final design of the retaining wall as the plan advances and the layout is generally accepted.

Sheet 9 of 11:

1. **Comment:** A pavement restoration detail should be added for the restoration of Route 9D since it will be disturbed for the connection to the existing water main.

Response: A pavement restoration detail has been provided on the plan (refer to Sheet 7).

Sheet 11 of 11:

1. **Comment:** The "Meter Pit Detail" calls for the meter pit to drain to day-light. The utility plan should be revised to show this drain line.

Response: The drain line has been removed as the pit does not include a RPZ.

2. **Comment:** The water line trench details shall also note that the trench shall be backfilled with NYSDOT Item No. 304.12 within the NYSDOT right of way.



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Response: The detail has been revised to show item 304.12 backfill within the right of way.

DUTCHESS COUNTY DEPARTMENT OF PLANNING REFERRAL DATED AUGUST 16 2017:

1. **Comment:** The site plan Indicates that 53 (23 surface and 30 garage) parking spaces are proposed, when only 36 are required. In addition, we note that some (not all) of the units maintain sufficiently long enough driveways that actually accommodate additional parked vehicles, as depicted on sheet 1 (see the asphalt area in front of unit #4). To reduce the amount of asphalt on site, we suggest that the 13-space parking area located at the end of the access drive be removed and replaced with landscaping. In addition to less impervious surface, this would also allow residents to enjoy the gazebo without being in dose proximity to vehicles.

Response: Comment acknowledged. The suggested changes have been made in the site plan. Please see Response to John Clarke comment number 5 (page 2 of this letter).

2. **Comment:** If inclined, the Board may want to investigate whether there would be any reduction in asphalt if all of the driveways were designed to a sufficient length that would allow visiting vehicles to park. As many of the driveways are not quite long enough, there may be a benefit to making this adjustment and eliminating the 10 spaces at the south of the site.

Response: The spaces outside the garages, if used randomly by visitors, would block owner access to garage spaces. Accordingly, they can't really be considered as visitor parking spaces, although they can function as overflow parking for unit owners themselves, and their guests.

TRAVIS FISHER COMMENT EMAIL DATED JULY 31, 2017:

- (1) **Comment:** What will be done with the three grave markers found on the property? Will there be any investigation whether there are corresponding graves on the property, and any attempt to relocate these?

Response: There are no grave markers on the property. It appears that the comment may be referring to survey monuments shown on the plans ("Monument Found").

- (2) **Comment:** As part of the linkage zone, it is important that this development serve to help link the riverfront to the downtown. The pathway linking to Beekman street should

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be required to be open to the public, and this should be made clear by signage and ergonomic design. This pathway would be routed to Wolcott Avenue between the development and the Church (continuing the front walkway of those townhouses) rather than requiring three parking-lot-crossings at awkward angles as currently shown.

Response: The development does serve to help link the riverfront to the downtown. A public stairway is being provided to Ferry Street that does not require crossing the private parking areas of the River Ridge townhouses. Another public stairway linkage from Wolcott to Beekman is being constructed on the West End Lofts property that connects to the pedestrian path at The View near City Hall. We do not believe that the area immediately adjacent to the Church is an appropriate location for a public pathway.

- (3) **Comment:** The lighting design should include lights for the pathway and the stair between Wolcott Avenue and Ferry St.

Response: Light fixtures have been located on the plan adjacent to the stairs. We understand that Lanc & Tully will specify the lighting fixtures to be used in this location. (See Response to John Clarke Comment number 4 (page 2 of this letter).

- (4) **Comment:** The preservation of the gazebo is very weak. It is moved to a back location squeezed between parking and the retaining wall, near the trash bin. QUESTION: is preservation of the gazebo required by the historical overlay district? If so, I think it would be fair for the committee to require that this be done in a better way.

Response: Please see Response to John Clarke Comment number 5 (page 2 of this letter. At the City Planner's suggestion, the gazebo is now located in a prominent location within a central green on the property, overlooking the River. The gazebo is thus a central feature of the view from Wolcott Avenue and Rombout Avenue, as well as views from within the site.

COMMENTS AT PLANNING BOARD MEETING:

- Comment:** ART TULLY: Please examine the appearance for the building from Wolcott Avenue. There seems to be quite a number of steps to enter the unit. Re-examine site grading to investigate whether these steps are necessary and evaluates impacts on retaining wall height.



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Response: There have been grading changes, in combination with a reduction in the basement/garage floor ceiling height and stepped foundation, that result in fewer steps. We believe that these changes result in a uniform appearance from Wolcott Avenue and provide a better site design. However, this has not resulted in any significant retaining wall height reduction.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'J. Van Tuyl'.

Jennifer L. Van Tuyl

Enclosures:

Five (5) copies of the following documentation:

1. Site Plan set prepared by Aryeh Siegel and Hudson Land Design;
2. Signed Survey by TEC Land Surveying, P.C. ;
3. Revised EAF ;
4. Threatened and Endangered Species Habitat Suitability Assessment Report dated August 29, 2017 by Ecological Solutions, LLC;
5. Traffic Impact Study dated August 2, 2017 by Maser Consulting, P.A.;
6. Revised LWRP Consistency Statement; and
7. CD containing all of the above documents.