



300 Westage Business Center, Suite 380  
Fishkill, New York 12524  
T 845 896 2229  
F 845 896 3672  
cuddyfeder.com

September 26, 2017

Jennifer L. Van Tuyl  
[Jvantuyl@cuddyfeder.com](mailto:Jvantuyl@cuddyfeder.com)

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

Re: River Ridge – Application materials for October 10<sup>th</sup> meeting

Dear Chairman Sheers and Members of the Planning Board:

Attached please find five copies of the following information:

1. Site Plan (sheet 1 of 11)
2. Landscape & Lighting Plan (Sheet 3 of 11)
3. Grading and Utility Plan (Sheet 7 of 11)
4. Sketches showing 2 units being relocated to eliminate the need for an area variance for building separation
5. Revised LWRP Consistency Report, adding a photo-simulation showing the location of the project in the view of the City from the Hudson River.
6. Cut sheets illustrating style and color of proposed retaining wall (see discussion on page 9)

A CD with copies of the above materials is also submitted herewith.

**Project Layout Considerations:**

The City's comments on the last submission raise some important questions regarding the project layout, including the Building Inspector's determination that the current layout requires a building separation variance, the City Engineer's comments about the nature and number of walls separating the project from Hammond Plaza, and the City Planner's comments relating to access to garages. It makes sense to address these issues prior to proceeding to the more detailed design/engineering responses, which may change if the layout is modified. Accordingly,



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our submission is focused on these layout issues and our responses to the consultant comments includes detailed responses to the layout questions relating to the wall and garage access.

The applicant's design team has also spent substantial effort to examine alternate layouts that would avoid the need for an area variance for separation of the buildings north of the entrance drive. This submission includes sketches showing these possible reconfigurations, for discussion at the Planning Board meeting. We emphasize that we do not believe that these alternatives are desirable, and do not wish to implement them. Avoidance of the building separation variance would require moving two units to another location on the site. Our review discloses that there is no viable location on the site that does not either (1) impair the viewshed from Wolcott Avenue, or (2) disturb the area designated on our proposed plan as a pocket park along Beekman Street. Although this street was developed with houses in the early 20<sup>th</sup> century, we strongly believe that it is important to keep this area as part of the important open space between Hammond Plaza and the View. The other fundamental problem with the non-variance plan is that it removes the unified and finished architectural elevation facing the Reformed Church, and substitutes an open view into parking areas of the project. This does not serve the interests of the Church, pedestrians or drivers on Wolcott Avenue, or project residents. Accordingly, we believe that the initially proposed plan is the plan that is most compatible with the neighborhood, and most consistent with good planning and the Comprehensive Plan, even though it requires a variance.

We would like to discuss these important layout issues at the Board meeting on October 10<sup>th</sup>, as they are a predicate to allowing us to develop more detailed plans. If the City consultants are available for a working session to discuss these options in advance of the Planning Board meeting, we would be happy to set such a meeting.

### **Response to Comments by City Consultants:**

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

### **JOHN CLARKE COMMENT MEMO DATED SEPTEMBER 8, 2017:**

#### **Comments and Recommendations**

1. **Comment:** The applicant has provided an LWRP consistency justification for the project that addresses the significant issues, but the river view on page 4 should locate the project site in the photo. The Planning Board will need to issue an LWRP Consistency Determination for the project.



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**Response:** The project was included in the photo for the August submission. The location is highlighted in the present (September 26) resubmission of the LWRP consistency report. It is acknowledged that an LWRP Consistency Determination is required.

2. **Comment:** Existing major trees over eight inches in diameter that will be removed should be marked on the plans. There are large trees along the south Wolcott Avenue frontage that, if healthy, could be integrated into the site plan. The Landscape Plan Plant Schedule is not completed.

**Response:** The Survey locates major trees over twelve inches in diameter, and those that will be removed have been marked on the Landscape Plan. Although not located on the survey, the applicant's landscape designer Karen Quiana has assessed the existing trees 8"-12" in diameter within the area of disturbance:

- (3) Alanthus (along north property line) to be removed, weed species
- (6) Catalpa – (along north property line and Wolcott frontage) to be removed
- (1) Choke Cherry (along north property line) – to remain
- (6) Cottonwood (in area of proposed retaining wall, along north property line & Wolcott frontage) to be removed. Three of these are in serious decline
- (1) Eastern Pine (along Wolcott frontage) sparse foliage, to be removed
- (5) Locust (in area of proposed retaining wall & along Wolcott frontage) to be removed. Two of these are in serious decline
- (1) Norway Maple (at northeast corner of site) – to remain
- (1) Slippery Elm (growing on fill pile along north property line) that will be regraded, to be removed
- (1) Sycamore (along Wolcott, north of curb cut) – to remain
- (2) Walnut (in area of proposed retaining wall) to be removed

The removal of 54 trees [(27) 12"+ and (27) 8-12" trees], a number of which are in serious decline, will be offset by the planting of 55 new trees.



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In response to the comment regarding potential large trees along south Wolcott Avenue, the project landscape designer has examined the trees in this area and determined that it was possible to incorporate two large Locust trees into the site plan. See amended plans.

In response to the comment about the Landscape Plan Plant Schedule, it has now been completed and is included with this submission.

3. **Comment:** 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.

**Response:** The Building Inspector's office has determined that the building south of the entrance exceeds the 150 foot length solely by reason of the bonus unit in the building. Zoning Law section 223-41.10 (M) provides that the Planning Board may modify the 150 foot requirement to accommodate the bonus unit(s). The bonus unit is 19 feet wide, and the applicant has requested that the Planning Board exercise its discretionary authority to modify the permitted building length to accommodate this unit.

4. **Comment:** The parking and landscaping layout is much improved. Access to the garage for Unit 11 will be too difficult because of the rear deck posts. It will also be very difficult to back out of the garage for Unit 1. The Unit 1 garage also seems to be represented differently on Sheets 1 and 4.

**Response:** The deck and column locations have been revised to eliminate columns within the driveways. A bump-out has been provided for the Unit 1 driveway to provide additional area in the driveway. The intent is to have a 1-car garage for Unit 1, and this will be reflected on the updated building plans for future submittals.

5. **Comment:** The 34 wall-mounted lighting fixtures are frosted, but do not appear to be dark sky compliant or shielded to avoid direct view of the light source.

**Response:** The wall mounted light fixture has been replaced with a shielded fixture. Updated specifications are on the Lighting and Landscaping Sheet.

6. **Comment:** To maximize the public views of the river from the Rombout Avenue intersection, the proposed monument sign should be turned perpendicular to the street and the Landscaping Plan should be designed to enhance the view corridor.

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**Response:** The monument sign has been turned perpendicular to the street. To enhance the view corridor, the Landscape Plan utilizes a low-growing palette of meadow grasses and flowering perennials flanking the entrance drive to allow pedestrians to view through the site. The sides of the buildings parallel to the entrance drive are softened with shrubs and small trees that do not encroach on the viewshed. The central green space is a lawn to provide both unimpeded views and useable outdoor space for the residents. The central green is bounded, on the north side by a grove of Amelanchier trees which serve to screen the parking area to the north, and on the South by a Shade tree, an small ornamental flowering tree, and flowering shrubs which serve to buffer the green space from the parking area to the south. We have added additional shrubs along the north and south edges of the planting beds that flank the entrance drive to provide additional visual screening of the parking areas beyond.

7. **Comment:** Building elevations will need heights, colors, and materials noted. The renderings on Sheet 6 shows a tower element that may exceed the district's maximum height limit.

**Response:** Comment acknowledged. Detailed building elevations will be submitted once the building layout and design has been finalized with the Planning Board, and any potential required variances have been resolved. It is acknowledged that the building inspector has determined that the tower element is an accessory building that requires a height variance.

8. **Comment:** The Traffic Impact Study should be reviewed by the City's consulting traffic engineer.

**Response:** Comment acknowledged.

9. **Comment:** Since this application involves alterations to a property in the Historic Overlay Zone, the Board will need to approve a Certificate of Appropriateness under Chapter 134, Historic Preservation.

**Response:** Comment acknowledged.



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**LANC & TULLY COMMENT LETTER DATED SEPTEMBER 8, 2017:**

As stated in the introduction of this letter, this submission focuses on layout considerations for the site. It is acknowledged that there are a number of technical comments made by the City Engineer that will be addressed as the site plan is refined.

**General Comments:**

1. **Comment:** The project consultant submitted a stormwater pollution prevention plan (SWPPP) which we have reviewed and provided comments to the project consultant. The applicant has noted that revised SWPPP will be submitted once the required soil testing at the site has been performed.

**Response:** Comment acknowledged. Soils testing has been completed. There will be no changes to the upper infiltration area as preliminary testing matched the testing recently performed by HLD and observed by the city engineer's office. The area near the pocket park was recently tested for the first time and observed by the city engineer's office (this area did not have preliminary testing completed as we waited on authorization from the archaeological subconsultant to do so). There will be minor changes to the stormwater management practice in this area. The SWPPP is accordingly being revised and will be included in a future submittal, as the site plan is refined.

2. **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 have frontage on a street, and are therefore land-locked parcels. These parcels are proposed to have access to the street across a 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. The applicant notes that this is currently under review.

**Response:** The City Building Inspector has determined that the layout is consistent with the City Code and past practice, subject to the provisions of appropriate HOA documentation to be reviewed by the Planning Board Attorney.

3. **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. The applicant notes that this is currently under review by the Zoning Administrator.



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**Response:** The Building Inspector has determined that the building south of the entrance exceeds the permitted length solely by virtue of the BMR bonus unit. The Planning Board may authorize this pursuant to section 223-41.10 (M). See Response to John Clarke comment 3 above. The Building Inspector has determined that there are two separate buildings north of the entrance, separated by an accessory building. Both buildings are compliant in length. The most northerly building (on the east-west axis) is 125 feet long. The building on a north-south axis is 140 feet long. The two buildings north of the entrance require a variance of the requirement of separation of buildings. The accessory building with the tower element requires a height variance.

4. **Comment:** The applicant has submitted a Traffic Impact Study for the project, as prepared by Maser Consulting. We would recommend that the Planning Board pass this study to the City's Traffic Consultant for review and comment.

**Response:** Comment acknowledged.

5. **Comment:** A cut & fill analysis plan should be provided for the project. The applicant notes that this will be provided with a future submission.

**Response:** Comment acknowledged. This will be provided upon refinement of the project layout.

6. **Comment:** Profiles shall be provided for the water, sewer and storm drainage utilities proposed. The applicant notes that this information will be provided with a future submission.

**Response:** Comment acknowledged. The profiles will be provided upon refinement of the project layout.

7. **Comment:** We would recommend that the applicant's consultant look at providing a 3-tiered retaining wall system along the rear of the project site in place of the 2-tiered wall currently proposed. A 3-tiered wall will allow for additional plantings between walls, further reducing the visual impacts of the wall system. This will also reduce the possible injury that could be sustained if a person were to fall from one of the walls.

**Response:** The layout of the site prevents the third wall from being placed on the Route 9D side (or closer to the proposed buildings). Specifically, the offset distance is approximately 9 feet. This impacts:



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- a. The area on the south side of unit 1 (wall would be very close to the building)
- b. The drainage system on the south side of the site
- c. The driveway for Unit 1 and the ability to add a small turnaround area for the Unit 1 driveway (as recently brought up by the City Planner)
- d. The southern end of the access road
- e. The refuse enclosure area on the southwest side
- f. The stormwater conveyance system on the west side
- g. The green area (by reducing its size) for the residents and the main view into the site
- h. The building, access road, drainage system and the refuse enclosure area on the northwest side of the site
- i. The separation distance between the proposed underground infiltration system and the upper wall

Based on the above, we believe that the only option is pushing the third wall away from the main area of development. However, in doing this, there is an average of approximately 2 feet in height added to the overall height of the retaining wall. For example, at the point where the wall system is highest currently (21 feet), the new overall height of the wall would be 24 feet as the grade drops off a bit steeper in that area, resulting in three 8-foot high walls. So, each wall would be reduced by only 2 or 3 feet in height, but then an entire third wall is added. If this third wall is added, then the existing vegetated buffer between River Ridge and Hammond Plaza, that the applicant would like to keep as a buffer, is reduced by approximately 20%. The applicant has also had a conversation with the board at Hammond Plaza, and has gained their support in the two-wall system, based on the same premise as above (two walls overall results in less height and more of a buffer between the project and their development). We also understand that safety is a concern; however, there is a fence that will be placed along the entire top of the wall. Finally, we have consulted with the project's licensed professional





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landscape designer, who has provided an aggressive planting plan to screen the wall in addition to the existing vegetated buffer. The block itself is proposed to be by Redi-Rock, and (see attached cutsheets) will use either the *Cobblestone* design with a darker pigment added to closely replicate the color scheme of the *Ledgestone* design, or the *Ledgestone* design in its standard color scheme. Screening also considers wintertime conditions, and includes evergreen hedge. The landscape designer has selected a hedge of native, evergreen shrubs, Leatherleaf Viburnum, in front of each wall, which will provide visual screening. The shrubs will be planted at 5 feet o.c. At maturity, the shrubs will reach 10 to 15 feet high and 8-10 feet wide, effectively blocking the walls from view. The plants will reach their mature height in four growing seasons. In the context which includes the existing vegetative buffer, this is a reasonable time period to develop effective screening coverage of the wall.

8. **Comment:** Fencing shall be provided along the top of the retaining walls to prevent people from going over the wall. Construction details for the fencing shall be provided on the plans.

**Response:** Fence construction detail has been added to the Landscape Plan.

**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. The applicant notes that this should be a condition of Final Approval.

**Response:** Comment acknowledged.

2. **Comment:** Additional easements may be necessary the running of utilities between the HOA parcel and the individual parcels being created. The applicant notes that this should be a condition of Final Approval.

**Response:** Comment acknowledged.

**Sheet 1 of 11:**

1. **Comment:** The "Index of Drawings" should be revised to eliminate the last line which calls for Sheet 15 of 11.



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**Response:** The Index of Drawings has been corrected.

2. **Comment:** The sign located at the left side of the entrance should be called out on the plan as the "Monument Sign", so it is clear as to what is represented by this symbol.

**Response:** The monument sign has been clearly identified on the Site Plan.

3. **Comment:** The location of proposed light poles shall be shown on the plan.

**Response:** The location of proposed light poles is now shown on the plan.

**Sheet 3 of 11:**

1. **Comment:** We would recommend lighting be provided along the proposed walkway between Ferry Street and Route 9D. This information will be provided by the City Engineer to the applicant for addition to the plans in a future submission.

**Response:** Lighting has been located along the proposed walkway and stair between Ferry Street and Route 9D. The specifications for these fixtures will be included on the drawings when received by the City Engineer.

2. **Comment:** Additional construction details should be provided on the plans for light poles and associated bases.

**Response:** Construction details for light poles and associated bases are now included on the plans.

**Sheet 6 of 11:**

1. **Comment:** The "View from Below Retaining Wall" is misleading, as the area below the wall is not a flat open area as shown, but rather a sloped area. Furthermore, the top wall as depicted extends above the final proposed grade which is not representative of the proposed grading plan. The rendering should be revised to accurately reflect what is proposed.

**Response:** The renderings are presently being updated, and should be available by the date of the Planning Board meeting. The rendering was designed to highlight the overall wall system, and did not include either the slope or the extensive existing vegetation in the foreground, which tends to limit views of the



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wall. The updated renderings will show the effects of the landscape plantings on the wall.

**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. Soil testing was scheduled for September 11th 2017 with the City Engineer's office, and the results will be submitted with the revised SWPPP.

**Response:** The soil testing took place on September 11<sup>th</sup> in the presence of the City Engineer. Test pit and infiltration test logs will be provided in the updated SWPPP.

2. **Comment:** Water and sewer service connections for each of the proposed units should be shown on the plan. The applicant notes that this information will be provided on a future submission.

**Response:** Comment acknowledged.

3. **Comment:** The lowest sewerable elevation (LSE) be provided for each unit. The applicant notes that this information will be provided on a future submission.

**Response:** Comment acknowledged.

4. **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. The applicant notes that this information will be provided on a future submission.

**Response:** Comment acknowledged.

5. **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. A note shall be added to the plans and the retaining wall construction detail noting this.



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**Response:** Comment acknowledged. Such a design report and plans will be submitted after the discussions in General Comment 7 are complete, and the requested note and retaining wall construction detail will be added to the plans.

**Sheet 9 of 11:**

1. **Comment:** The pavement restoration details shall be revised to have a minimum of 1 V-f of top course, 3" binder course, and 3" of base course, unless otherwise approved by the NYSDOT.

**Response:** An existing watermain stub into the property from the main between Route 9D and Ferry Street has been traced. We are in the process of locating the stub, which we believe will eliminate the need for a new service line from the main in Route 9D, which would eliminate the need for the pavement restoration detail.

**Sheet 11 of 11:**

1. **Comment:** Although the "Meter Pit Detail" does not call for a RPZ, we would recommend that a drain from the pit to daylight be provided.

**Response:** If the meter pit is to be relocated as anticipated based on the previous response, we will take a hard look at a potential drain and discharge location for the meter pit.

**Conclusion:**

We look forward to discussing these issues with the Board on October 10<sup>th</sup>. We respectfully request that at that meeting the Planning Board confirm its lead agency status.

We also believe that the project has moved to the point where it will be helpful to obtain public comment. Accordingly, we request that the Board consider setting a public hearing on the proposed site plan which will also consider comments on SEQR and environmental factors. It is noted that the project also requires a subdivision but, since the SEQR determination of significance must precede the opening of the public hearing on the subdivision, it appears premature to set the subdivision hearing at this time.



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Very truly yours,

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

Jennifer L. Van Tuyl

cc: Aryeh Siegel  
Dan Koehler  
Karen Quiana