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November 28, 2017

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

Re: River Ridge – Submission cover letter and response to written comments from John Clarke and Lanc & Tully, and comments presented at the public hearing.

Dear Chairman Sheers and Members of the Planning Board:

This letter responds to comments of City consultants presented at the public hearing session on November 14, 2017, and to comments made by the public at the public hearing.

Attached please find five copies of the following documents, which have been updated in response to the comments:

- Updated Sheet 1—Site Plan.
- Updated Sheet 7: Grading and Utility Plan
- Updated EAF Part 1

As a further update, the Applicant's architect met with the Architectural Review Committee on November 20<sup>th</sup>, and is preparing design changes to respond to their comments. Elevations showing these changes will be submitted as soon as they are complete.

**JOHN CLARKE COMMENT LETTER DATED NOVEMBER 9, 2017:**

**Comments and Recommendations**

1. **Comment:** The applicant is requesting the following modification by the Planning Board of the building length limitation. The RD-7.5 district has a building length limit of 150 feet. The row of townhouses south of the entrance exceeds that length by 19 feet. However, the Affordable Workforce Housing provisions in Section 223-41.10 M allow the Planning Board to modify such dimensional standards to accommodate the permitted

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bonus unit, which is 24 feet wide. I recommend that the Planning Board approve this reasonable modification.

**Response:** Comment noted.

2. **Comment:** The applicant is requesting the following modification by the Planning Board of the building length limitation and two area variances from the ZBA. The Planning Board will need to issue recommendations to the ZBA on the variances. The district requires a minimum separation between buildings of twice the average height of the facing buildings, or 70 feet. The two townhouse rows north of the entrance are proposed to be only 18.9 feet apart. At the October meeting I provided a sketch layout that would comply with the separation requirement, but the applicant prefers to request the variance.

**Response:** Please see summary of discussion at public hearing of these issues, located below, beginning on page 7.

3. **Comment:** The accessory structure linking the two northern rows has a tower element that is proposed to be 50 feet tall, exceeding the district's maximum height limit of 35 feet and requiring a variance. The applicant should further explain the purpose of the tower, its interior functions, and why it needs to be 50 feet high, especially given its close proximity to the historic church.

**Response:** The applicant has revised its proposal to eliminate the need for this height variance. The architectural review committee requested that the design of the tower be modified to allow more natural light into the tower stairs. This work is in progress.

4. **Comment:** The East Elevation and View from Rombout Avenue renderings on Sheet 6 and other documents should depict an open view through the entrance drive towards the river, consistent with the recommendations in the LWRP, not a wooded backdrop.

**Response:** Comment acknowledged. The applicant is revising the renderings in response to comments by the Architectural review subcommittee. These revised drawings will also include a more accurate depiction of the view through the site.

5. **Comment:** The proposed red maple and sugar maple shown on the Landscape Plan to the west of the gazebo should be relocated to the east side of the central green to avoid blocking the river view from the Rombout Avenue intersection.

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**Response:** The Red Maple has been moved to the east, to avoid blocking views of the river from the Rombout Avenue intersection. The sugar maple has been moved south of the retaining walls and replaced with additional native Summersweet shrubs. See updated site plan. The details will also be placed on the Landscape Plan.

6. **Comment:** There are at least seven large trees outside the proposed path in the western woods that are marked for removal without stated reasons.

**Response:** The reasons for the proposed removal of the identified trees are as follows: The four maple trees and the 20" locust are in decline, with branches dying and showing signs of disease. The walnut tree is in the proposed pathway. The 16" Locust tree is located close to the proposed path and will be impacted by construction and grading.

7. **Comment:** Before meeting with the Architectural Review Subcommittee, building elevations will need to be prepared with heights, colors, and materials noted.

**Response:** Comment noted. The applicant met with the Subcommittee on November 20<sup>th</sup>, and plans are being revised to incorporate their comments.

8. **Comment:** The City's consulting traffic engineer suggested a crosswalk at Rombout Avenue. I agree, especially considering that the neighborhood to the east should have direct access across Wolcott Avenue to the new stairs at Ferry Street down to the Train Station. The next crosswalk to the north will be 600 feet or two football fields out of the way.

**Response:** The Applicant is willing to apply to DOT for the crosswalk, and to construct it if DOT approves it. However, the crosswalk is not shown on the plans because the applicant cannot guarantee that DOT will approve the crosswalk. The approvals for the project can therefore not be dependent upon DOT approval of the crosswalk.

9. **Comment:** The Land Use Compliance table on Sheet 1 should show 31 garage parking spaces.

**Response:** The table has been updated to show this information.

10. **Comment:** Since this property is in the Historic Overlay Zone and within the LWRP boundary, the Board will need to approve a Certificate of Appropriateness and LWRP Consistency Statement.

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**Response:** Comment noted.

**LANC & TULLY COMMENT LETTER DATED NOVEMBER 10, 2017:**

**General Comments:**

1. **Comment:** Exhibit "A" of the Project Narrative is not referenced within the document itself. The document should be updated so that a reference to Exhibit "A" is included.

**Response:** The Project Narrative references Exhibit "A" on page 1, second paragraph, beginning of 4<sup>th</sup> line.

2. **Comment:** The Phase I archeological report notes the existence of a brick lined well located in the wooded area along Beekman Street. The applicant should note what the proposed disposition of this well is? Furthermore, the location of this brick-lined well should be shown on the plans.

**Response:** The well has been shown on the plans since the initial submission. It is located on the south side of the walking path to the pocket park, just before the turn. The well is a brick and stone lined hand dug well. It contains no water. While it is mentioned in the Hartgen report, there were no recommendations to preserve it, and the Applicant is not proposing any use of this small former well.

3. **Comment:** The anticipated period for construction of the project should be addressed in question D. 1 .e.i. of the SEQRA form.

**Response:** The EAF has been updated to show the anticipated duration of construction as 24 months. The Applicant expects a duration of between 18 and 24 months, and so has included the more conservative figure.

4. **Comment:** The bedroom count should be provided to verify the proposed water usage noted in question D.2.c.i. of the SEQRA form. We would also recommend that the bedroom count be added to the plans.

**Response:** The bedroom count information has been added to the plans, and incorporated in responding to question D.2.c.i of the EAF: There are 16 3-bedroom units (48 bedrooms). There are 2 2-bedroom units (4 bedrooms), or 52 total bedrooms.

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5. **Comment:** The project consultant submitted a storm water pollution prevention plan (SWPPP) which we have reviewed and provided comments to the project consultant. *The applicant has noted that a revised SWPPP will be submitted in the future.*

**Response:** Comment noted.

6. **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 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.*

**Response:** Comment noted.

7. **Comment:** The sight distance to the right and left, for vehicles leaving the site, shall be provided on the plans. The sight distance shall take into account the proposed tree plantings along the front of the project site on Route 9D, as the proposed trees may impact the actual sight distance that can be achieved.

**Response:** Sight distance calculations were provided in the Maser Traffic impact Study, page 10, and have also been added to the Grading and Utility sheet included in this submittal.

8. **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 noted.

9. **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 noted.

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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 noted.

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 noted.

Sheet 7 of 11:

1. **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 noted.

2. **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 noted.

3. **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 noted.

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

**Response:** Comment noted.

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5. **Comment:** The location of roof leaders should be shown on the plan, along with where the roof leaders will drain to.

**Response:** Upon acceptance of the current layout by the Planning Board and Zoning Board of Appeals, the roof drainage design will be incorporated into the overall site drainage design and will be shown on the grading and utility plan.

**Sheet 9 of 11:**

1. **Comment:** The pavement restoration details shall be revised to have a minimum of 1 1/2" of top course, 3" binder course, and 3" of base course, unless otherwise approved by the NYSDOT. *The Applicants have noted that an existing watermain stub in to the property from the main between Route 9D and Ferry Street exists, and that they are looking viability of connecting to this stub, in turn eliminating the need for the connection to the existing main in Route 9D and the pavement restoration detail.* Once the use of this reputed watermain stub has been investigated further, the plans shall be updated to reflect the proposed water supply to the project site if coming from this watermain stub between Ferry Street and Route 9D.

**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. We expect to be able to locate the watermain in the near future.

**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.

**COMMENTS AT PUBLIC HEARING DECEMBER 14, 2017:**

1. **Building Layout:**

**Elder Dan Goldman, Reformed Dutch Church:** We prefer the proposed layout to the other alternatives. The proposed L-shaped layout does the best job of separating the residential uses and the Church. All of the alternate layouts have substantial areas where

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the churchyard would look into paved parking areas next door. Plantings would not totally screen these views, and plantings can lose their screening effect as they get older and more open. The proposed layout provides long-term privacy for the Church by avoiding views from the churchyard into the parking areas of the residential project and present a neat and uniform appearance facing the church. (by letter)

**Dawn Powell, 19 Hammond Plaza:** We support the plan as it is, and don't believe that the extra conditions recommended by Lisa Alvarez are necessary.

**Vercell Hodge, 6 Hammond Plaza:** The L Shape configuration shows consideration to the neighbors. I support the proposed L Shape layout and the necessary variance for that layout, and support the proposal as it stands, except for the pocket park (*see section below for pocket park comments*).

**Lisa Alvarez (speaking for Hammond Plaza unit owners 11, 13, 14, 22, 23, 24, and 26):** We support the variance for the L-shaped layout of the two buildings.

**John Clarke:** The unit layout I proposed frames the greenspace at the entrance with units, and has the rear row of units overlooking the cemetery, not Hammond Plaza. The applicant wants the L-shaped layout because it provides every unit with a river view.

**Lee Kyriacou, 1076 Wolcott:** I am concerned about the length of the buildings, 7 units long and 6 units long, and their relation to the single family homes across the street in the historic overlay district. The Planning Board will be required to adopt a consistency finding. I'm not opposing the density, but am concerned about the long buildings. I would like consideration of 4 unit long buildings to reduce the volume of individual buildings. Smaller buildings would allow more end units, which are desirable.

**Response:** The applicant has looked at various options for site layout, and believes that the proposed layout is the most beneficial for all neighbors, as has been explained at the last two Planning Board meetings.

The proposed layout and design is consistent with the nearby single-family homes located across Wolcott and in the historic overlay district for the same reasons that it is consistent with the nearby church to the east: the design presents a single-family townhouse façade featuring attractive design, materials, and colors which are consistent with the historic character of the City, and with nearby single-family uses. The design is presently being further improved in response to comments by the architectural review committee. The façade of the townhouse south of the entrance is 167 feet away from the closest house across Route 9D. Most of the historic houses in this area are substantially farther away.



The project is also separated from the historic neighborhood by Wolcott Avenue which is a major collector street with substantial width.

This area of the City is one where a number of land-uses are located in close proximity to each other. Although the land uses are not the same, it is still possible to provide compatibility among the various uses. The chosen design, of single-family townhouses, is one that maximizes compatibility with single-family uses in the area. As to building length, City Planner John Clarke noted at the meeting that the City zoning law exerts pressure for longer buildings because of its “excessive” separation requirements for buildings (approximately 70 feet). Additional, smaller, buildings would likely necessitate additional area variances for building separation and result in development sprawl on the site, which is inconsistent with the goal of presenting more attractive facades to neighboring properties looking into the site. The proposed building lengths are zoning compliant. The building south of the entrance is the longest of the three buildings, because the zoning permits the exclusion of length attributable to a bonus unit from the calculation. The overall L-Shape pattern is congruent with the nearby Hammond Plaza, which also presents an L-shape angle at the intersection of its eastern and northern building. The building separation at Hammond Plaza at the “corner” of the L appears to be approximately 13.3 feet at the narrowest point, and 26.9 at the widest. The eastern and southern buildings are separated by approximately 35.6 feet. The zoning compliance issues may well be totally different in the two projects. Nonetheless, from a perspective of community character, it is manifest that the proposed layout in River Ridge is not out of keeping with the neighborhood.

The building length and design is also meant to be of a scale that relates well to the adjacent Church. In summary, the Applicant submits that this is the best layout considering all the circumstances, and it seems to be favored by the closest neighbors.

2. **Comments relating to the Tower element facing the Church:**

**John Clarke:** There is no reason for a height variance for the tower element. The height of the tower competes with the Church.

**Lisa Alvarez:** We support a well-designed brick archway/walkway reflecting the architecture and containing storage for maintenance. However, the tower element should be eliminated. It should not be built as the steeple is a part of the nautical river view, nothing should obstruct it. The Reformed Church of Beacon was designed by Frederick Clark Withers who also designed Hudson River State Hospital, St. Lukes

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Episcopal Church, President's House Gallaudet College, Trinity Church in NYC, Chapel of the Good Shepard and The Tombs prison in NYC.

**Vercell Hodge, 6 Hammond Plaza:** I support both variances, including the variance for the tower height.

**Lee Kyriacou:** I generally oppose almost all variances:

**Response:** In light of all of the above comments, the Applicant is redesigning the tower to lower its height and avoid the request for this variance, thus minimizing variances.

3. **Comments about building materials:**

**Theresa Kraft, Liberty Street:** I am concerned about the authenticity of materials. Brick should be real brick, celebrating Beacon's history of brickmaking, and not cheap imitations.

**Response:** The proposed brick to be used is bona fide brick material, and the corners will be treated properly, with proper placement of brick, and are working with the architectural review board to create an attractive building constructed with authentic materials.

4. **Comments about landscaping, wall, and privacy between Hammond Plaza and Parcel L:**

**Lisa Alvarez:** During construction, dead trees hanging over Hammond Plaza property or trees removed for construction should be replaced with native trees/grasses. The steep slope plantings and walls behind Units 9-20 should be completed with care, creating privacy and safety from erosion. Wherever possible, porous materials should be used on walkways or parking to help drainage

**Response:** The plantings proposed to screen the wall are native evergreen shrubs, and the trees and meadow grasses proposed for the area between the retaining walls and Hammond Plaza, as well as between the pedestrian path and Hammond Plaza, are native species as well. The proposed landscape screening between the two properties takes a naturalistic form that provides visual interest, rather than a simple, linear buffer planted along the property line. Erosion control measures will be implemented during construction and will be monitored by representatives of the applicant and the City of Beacon. All necessary measures to reduce erosion and the transport of sediment will be implemented.

Monitoring will continue until a minimum of 80% of the site is stabilized with permanent vegetation or cover. The proposed trees will enhance long-term erosion control in this area by creating a root system that aids in holding and stabilizing the slopes.

5. **Comments about the proposed Pocket Park and private walkway to Beekman Street:**

**Lisa Alvarez:** The 7 residents I am speaking for oppose the pocket park. We would prefer to just have this area landscaped with native trees and shrubs.

**Vercell Hodge,** 6 Hammond Plaza: I am concerned about the pocket park. It is uncertain that the public would uphold the “good neighbor” promise. Public use could adversely affect Hammond Plaza residents.

**Theresa Kraft,** Liberty Street: I am concerned about issues about the public pocket park. Who will monitor the park? Who will protect neighbors from encroachment or trespass onto private properties. Will the City be responsible for park maintenance or for injuries occurring in the park?

**Lee Kyriacou,** 1076 Wolcott Avenue, supports a public pocket park as shown on the plans. This proposed park is at least 75 feet from Hammond Plaza and allows sufficient distance to allow both uses. The park is additionally small in size. There is plenty of space in this area. And there is potential in the future for some type of interpretive access to the old cemetery.

**Response:** The comments vary. The proposed pocket park was placed on the proposed plan since the Comprehensive Plan update calls for pocket parks along Beekman Street. The park is small, and would only be open to the public between dawn and dusk, in keeping with other City parks. The southerly limit of the proposed public plaza for the pocket park is located approximately 110 feet north of the Hammond Plaza northern property line, and more than 150 feet north of the building. The applicant has proposed planting native trees, shrubs and grasses in the area between the pocket park and the northerly boundary of Hammond Plaza, and along the pathway leading to the pocket park. The decision of whether or not to accept the proposed pocket park is ultimately up to the City Council.

6. **Comments on the public stairs at Ferry Street:**

**Lee Kyriacou:** This improvement is long overdue. The stairs should be dedicated to

the City.

**Lisa Alvarez:** There should be substantial native plantings behind units 9 to 12 to provide screening from the new stairs.

**Response:** The stairs will be dedicated to the City, and are located on City property. The area behind units 9 to 12 is already a woodland area, and is located at the southwest corner of the site between Ferry Street circle and Hammond Plaza, a point very remote from any developed areas of the site. The proposed stairs are also located on the far side of the Ferry Street circle from the rear of these units. The proposed development plans do not propose any disturbance or additional planting in the area behind units 9-12 at Hammond Plaza.

7. **Request for Lighting Plan:**

**Jennifer Gray:** City Planning Board attorney Jennifer Gray requested a photometric plan for the lighting. The City Engineer agreed.

**Lisa Alvarez:** Lighting should be examined to make sure that there are no adverse effects on Hammond Plaza. She supports the minimal solar lighting for the private pathway from the units to Beekman Street.

**Response:** A photometric lighting plan has been submitted as part of the project application.

8. **Other comments:**

**Clark Gebman:** The proposed zoning in this area surrenders property to residential use which would better be put to offices or university use.

**Response:** The proposed residential use of Parcel L is congruent with adjoining residential uses, and a commercial use would not be as compatible with nearby residential uses. In the site plan context, it is the Planning Board's jurisdiction to review proposals that are consistent with existing zoning.

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We look forward to further discussions with the Planning Board at the December 12, 2017 meeting.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'JL Van Tuyl', with a stylized, cursive script.

Jennifer L. Van Tuyl