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January 30, 2018

Hon. John Gunn, Chairman  
And Members 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 Gunn and Members of the Planning Board:

At last month's meeting, the Planning Board closed the public hearing as to SEQR, and adopted a SEQR Determination of Significance, determining that the proposed action would not have a significant adverse impact on the environment. The Board also adopted an LWRP Consistency Determination. The Board also authorized the commencement of the public hearing on the proposed subdivision at the February 14, 2018 meeting, to take place concurrently with the continuing public hearing on the Site Plan.

On January 17, 2018, the Zoning Board of Appeals held a public hearing on the requested area variance relating to building separation, and unanimously voted to grant the variance so as to allow the building separation as shown on the Site Plan drawings.

Submitted herewith are the following materials:

- Five (5) sets of plans, Sheets 1-14
- Three (3) Stormwater Pollution Prevention Plan (SWPPP) Reports
- Three (3) Water and Sewer Engineer's Reports
- Three (3) sets of retaining wall design package as prepared by Civil Design professionals
- One (1) CD with the aforementioned documents

This letter also responds to comments of City consultants presented at the public hearing session on January 9<sup>th</sup>, 2018, and to comments made by the public at the public hearing.



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**JOHN CLARKE COMMENT LETTER DATED JANUARY 5, 2018:**

**Comments and Recommendations**

1. **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, along with a SEQRA Determination. The applicant has provided sufficient justification for the SEQRA Determination.

**Response:** Comment noted. The Board adopted the SEQR determination and LWRP consistency determination at the January 9<sup>th</sup> meeting. The Board also took an informal straw poll vote supporting a favorable Certificate of Appropriateness.

2. **Comment:**

- **Comment (a):** 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 bonus unit, which is 24 feet wide. I recommend that the Planning Board approve this reasonable modification.

**Response:** Comment noted. The Board approved the modification at the January 9<sup>th</sup> meeting.

- **Comment (b):** 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. The applicant has requested a variance with support from a church representative and other neighbors.

**Response:** Comment noted. The Board determined to write a letter to the ZBA recommending the variance. The variance was granted at the January 17<sup>th</sup> ZBA meeting.

3. **Comment:** After comments by a number of neighbors, the applicant is now proposing to eliminate the lower pocket park, the rear path along the cemetery, and the retaining wall stairs. I suggest that the Board retain the stairs down the wall and an informal path into the woods. This would allow residents access to the lower part of the property with views of the cemetery. By not connecting the path all the way down the steep slopes to Beekman Street, any potential attractive nuisance for the area could be avoided.

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**Response:** Unfortunately, we do not believe that simply not connecting the path to Beekman Street eliminates the problems raised by the neighbors. This is not a gated community and anyone could enter the River Ridge entrance from Wolcott and walk down the stairs to the area between Hammond Plaza and the cemetery. Moreover, as a planning board member noted at last month's meeting, if the path is built, even partially, it will invite the creation of the remainder of a path (by informal user) all the way to Beekman Street. This will result in the very conditions that Hammond Plaza residents have expressed concerns about. Based on further comments received during the Zoning Board Hearing from a number of neighbors at Hammond Plaza, even an informal path from the development down into the undeveloped portion of the property would be an unwelcome intrusion into Hammond Plaza's privacy and security. A number of these owners strongly objected to the idea of the informal path, whether or not it led all the way down to Beekman Street. In order to respect the privacy and security concerns of the Hammond Plaza neighbors, and since the pocket park is not to be feasible to develop based on grading issues at Beekman Street, we believe that the elimination of the path is the most reasonable option. In addition to eliminating privacy concerns for neighbors, the proposal would leave this area of the site open and prevent any disturbance of the slopes leading down the hill. The project has been designed to minimize disturbance of slopes. Project residents will share the use of the public stairs on Ferry. These stairs provide pedestrian transportation in close proximity to the path already planned just north of the church.

4. **Comment:** The City's consulting traffic engineer suggested a crosswalk at Rombout Avenue, which will be used by pedestrians crossing Wolcott Avenue and heading to the new stairs at Ferry Street towards the Train Station. The crosswalk should be shown on the northern side of the intersection to provide better sight distance to the south, with a note on the plans that it is subject to DOT approval.

**Response:** The applicant has made clear its position that any decision regarding the crosswalk suggested by the City will be made solely by NYSDOT. If directed by the Planning Board, we will add the requested note, and amend the plan to show the crosswalk in the location suggested, provided that the note indicates that DOT has sole jurisdiction to determine both whether to allow the crossing at all, and, if allowed, where it should be located, whether north or south of the intersection. NYSDOT would be expected to do its own evaluation of whether either side of the intersection provided appropriate sight distance, and which side would be preferable.



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5. **Comment:** The building elevations have been revised, based on comments by the Architectural Review Subcommittee at its November 20, 2017 meeting. The Subcommittee will meet on January 11 to consider the recent changes to the architecture.

**Response:** The Subcommittee met with the owner and architect on January 11<sup>th</sup>, and approved the updated design and material specifications without further comment. We understand that the Subcommittee will recommend approval of a Certificate of Appropriateness to the full Planning Board.

6. **Comment:** The NYS Parks, Recreation, and Historic Preservation has reviewed the revised landscaping plan along the northern border with the historic Reformed Dutch Church and issued a December 21, 2017 letter, stating that the project will have No Adverse Impact. The northern plantings include 5 Eastern White Pine trees, 4 Dogwoods, 2 Sugar Maples (not clearly shown on sheet 3), and 28 Rhododendrons.

**Response:** Comment noted.

#### **LANC & TULLY COMMENT LETTER DATED JANUARY 4, 2018:**

##### **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 a revised SWPPP will be submitted in the future.*

**Response:** The updated SWPPP is provided within this submittal.

2. **Comment:** The appropriate HOA documentation shall be submitted so that it can be reviewed by the Planning Board Attorney.

**Response:** We agree to review by the Planning Board Attorney. This review should be a condition of subdivision approval.

3. **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:** A cut and fill analysis has been provided on the Grading Sheet.

4. **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.*



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**Response:** Utility profile sheets have been added to the plan set.

**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:** We agree that easements should be provided for review by the Planning Board Attorney (and Planning Board engineer as to descriptions). As noted, we believe this should be required as a condition of conditional final subdivision approval.

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:** Agreed. See response to question 1 immediately above.

**Sheet 1 of 11:**

1. **Comment:** A Symbol Legend shall be added to the plan to clearly define what each of the symbols on the plan represent.

**Response:** A symbol legend has been added to the Site Plan.

**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:** Water and sewer service connections have been provided on the plans.

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:** The LSE is the basement or garage floor elevation (there are no limitations to the sewerable areas within the buildings). The LSE is shown for each unit.



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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:** The retaining wall design professionals have advised that the depth from the bottom (or base) block course to the utility lines does not pose a concern (as there is between 5 & 7 feet to the lines).

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:** Civil Design Professionals, hired by Mid-Hudson Concrete Products as the local supplier of the Redi-Rock, has prepared a preliminary design report with plans for review. Three copies of the design package are provided with this submittal.

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

**Response:** Means for conveying rooftop drainage on all sides of the buildings has been provided on the plans. Actual downspout locations are subject to final building design, but as noted, the configuration of inline drains with roof header pipes or yard drains with culverts, or catch basins with culverts that surround the buildings will allow for connection of downspout discharges.

6. **Comment:** The applicant has responded that it is their intention to leave the hand dug well in its current condition since the internal path and pocket park have been eliminated. We again recommend that the well be filled, as it presents a possible safety hazard to the public.

**Response:** The call-out has been revised to fill in the abandoned well.

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



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*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:** The pavement restoration detail has been removed from the plans as it is no longer applicable.

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:** A 4" drain line has been added to the plans for purposes of draining the meter pit.

We look forward to further discussions with the Planning Board at the February 14, 2018 meeting.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'JL Van Tuyl', is written over a faint, larger blue signature.

Jennifer L. Van Tuyl