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March 27, 2018

Mr. John Gunn
City of Beacon Planning Board Chairman
1 Municipal Plaza
Beacon, NY 12508

Re: Roseneth Estates Subdivision - Lot 2 Field Change - As-Built Conditions
130 South Street, New York

Dear Mr. Gunn:

On behalf of the Applicant, Roseneth Estates, LLC, please find the attached As-built map of the guest house location on Lot 2 of the above-referenced subdivision. To summarize the history of this project, the Planning Board granted Preliminary and Final Subdivision Approval on November 12, 2014, and the Subdivision Plat was filed in the Dutchess County Clerk's office on July 9, 2015. In addition to the required building setbacks for the building to comply with zoning, the proposed subdivision included a building envelope following public comments that generally concerned Lot 1. Notwithstanding these comments about Lot 1, building envelopes were also included on each of the lots in the subdivision, including Lot 2. The enclosed copy of the Final Subdivision Plat and the enclosed As-built map show the building envelope on Lot 2.

By way of additional background, Lot 2 construction began in the fall of 2016. The house site was initially staked out on the site, and at the time, Hudson Land Design (HLD) was called out to the site to discuss the house location as it related to grade, orientation, rock elevations, and front door access. The potential lot owner wanted to provide a means of accessing the front door without the need for stairs – similar to an accessible ramp, but at a slightly steeper grade. This presented a challenge to provide a ramped access path without being too steep in the short distance to the driveway that was provided. The house was field adjusted slightly to the south to provide a longer path between the driveway and the front door in order to provide a gentler ramped access.

A few weeks later, HLD was called out to the site to meet with the site contractor to discuss the possibility of rotating the house clockwise slightly to avoid a problematic rock cut area, and to provide a position that allowed better views of the river as per the owner's request. The actual position of the house was discussed in the field, and HLD's instructions were to rotate it slightly at certain distances from the existing surveyed stakes that were on the property to account for these field conditions.

The house construction has been completed, and in the process of preparing an As-built map to timely obtain a Certificate of Occupancy, the minor encroachment out of the building envelope was discovered. While the rotation of the house footprint was well within the yard setbacks governed by the zoning district,

the rotated footprint resulted in the southwestern corner of the house (about 4% of the building) being located approximately 6.5 feet beyond the front, or westerly building envelope line, which was required by the Planning Board for this project. Indeed, the field changed location is actually setback further from adjacent properties. A note on the approved Subdivision Plat required Planning Board approval if a principal dwelling, or guest house were proposed to be located outside the building envelope.

The dwelling encroaches slightly beyond the front, or westerly building envelope line which ranges from 271.6 feet from the front property line at its southerly end to 282.3 feet to the front property line at its northerly end. It is also important to note that the closest part of the dwelling is located 272.6 feet from the front property line which is father away from the closest part of the building envelope line from the front property line. The front building setback as per zoning is 50 feet. Therefore, we believe that this is a minor change. Accordingly, we respectfully submit that this is a minor field change and is consistent with the intent of the building envelope so as to locate the house away from the property lines.

We respectfully request that this item be placed on the Planning Board's April 10th meeting Agenda as a miscellaneous business item for consideration of this field change. In the meantime, our office has been in communication with the Building Department regarding this field change.

We are respectfully submitting the following:

- 5 copies of the as-built map for Lot 2;
- 5 copies of the original approved Subdivision Plat Sheet 1 of 3, and
- A CD with the above in electronic format.

Should you have any questions or require additional information, please feel free to call me at 845-440-6926.

Sincerely,



Michael A. Bodendorf, P.E.
Principal

cc: Roseneth Estates, LLC
Cuddy & Feder, LLP
Tom Cerchiara, LS