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November 27, 2018

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

Re: Beacon HIP Lofts (39 Front Street) – Submission cover letter and response to comments from John Clarke and Lanc & Tully

Dear Chairman Gunn and Members of the Planning Board:

Enclosed are the following documents relating to the above application, which is scheduled for a public hearing on the amended Site Plan application on December 11<sup>th</sup>.

5 sets of the updated drawings, dated November 27, 2018.

Sheet 1 of 10	Site Plan
Sheet 2 of 10	Survey/Existing Conditions Plan
Sheet 3 of 10	Landscape Plan & Lighting
Sheet 4 of 10	Building Plans
Sheet 5 of 10	Elevations
Sheet 6 of 10	Grading & Utility Plan
Sheet 7 of 10	Erosion & Sediment Control Plan
Sheet 8 of 10	Site Details
Sheet 9 of 10	Stormwater Details
Sheet 10 of 10	Water & Sewer Details

A CD-Rom containing this information

Letters from Aryeh Siegel and Mike Bodendorf listing the changes in the plans from the time that the application was previously before the Planning Board.

The following is our response to comments to date:



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**GREENWAY TRAIL COMMITTEE COMMENTS:**

The Applicant had a constructive meeting with members of the Greenway Trail committee at the site on November 18, 2018.

Substantial discussion occurred regarding the public access along the northerly leg of the Trail, including access (gate/locking) and spacing between the two fences.

The existing 6 foot fence along the property line (“the northerly fence”) is owned by the Hudson Baylor recycling center. The applicant does not have the ability to remove this fence. The proposed inner fence was approved at a height of 6 feet in 2014, and needs to remain at that height for purposes of security of the parking area used by tenants.

Discussion then focused on whether the width between the two fences could increase to provide a more pleasant trail experience. During the site visit, the applicant agreed to widen the area between the two fences by moving the fence to the south side of the then-existing 5-foot landscape strip. This modification added to the width of the property between the fences, and incorporated landscaping as an integral part of the trail between the fences. The additional 5-foot width was also intended to allow the trail to be routed around the existing trees.

Subsequent to the site visit, the applicant’s engineers were able to widen the distance between the fences even further by means of reconfiguring the northerly parking area to meet the City’s updated parking regulations on size of parking spaces (parking spaces are now 18 feet long with internal travel ways at 24 feet wide). This reconfiguration reduces impervious area by approximately 1,800 feet. The revisions also allow the applicant to provide a seven-foot wide landscaped area within the fence lines, an increase from the five feet originally discussed with the committee. The revised plans also show an additional 5 feet depth of grassed area south of the southerly fence and abutting the parking lot to be used for green area and snow storage. This additional space will add increased vegetated buffering in the vicinity of the trail, avoiding the placement of parked cars immediately abutting the fence, while also providing accessible areas for snow storage abutting the parking area.

The Applicant and committee members also discussed the necessity of having a lock on the gate providing access to the northerly leg of the Greenway Trail on the northerly property, and then discussed whether it was necessary to have a gate at this location at all. The applicant has agreed to eliminate the lock and gate as soon as the interior fence is built. As noted above, the applicant proposes to complete the reconfiguration of this access by October 1, 2019.

At the request of the Committee, additional references to width of the trail have been added to the plans. In most parts of the northerly site, the constraints of existing buildings prevent the provision of a 20-foot easement. As relates to the southerly site, the property has now been changed in zoning to FCD. The FCD zoning district requires a 20-foot easement as part of the



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concept plan, which will have to be approved when an actual development plan is proposed for the southerly property. Since the existing plans provide that the exact layout of the Greenway Trail could be modified as part of the development, it makes sense to defer the placement of the easement on any plans until an actual site plan submittal for that the southerly site.

It was also explained at the meeting that the retaining wall shown on previous plans was planned for a situation that no longer exists (land banked parking) and will not be constructed. Accordingly, there are no stairs at this location. It was agreed that there are no drop curbs on the plans for the northerly site and that the issue of drop curbs will be discussed regarding the southerly site when plans are brought forth.

HIP Lofts has always been proud to be a Beacon Greenway Trail supporter, and will continue to work cooperatively with the Greenway Trail Committee going forward.

**LANC & TULLY COMMENT LETTER DATED NOVEMBER 6, 2018: (see also Mike Bodendorf letter)**

1. **Comment:** A letter should be provided by the consultants to state how each of the plans in the set were revised since their last submission to the Planning Board.

**Response:** A letter from Aryeh Siegel summarizing the plan changes since the last submission is attached.

2. **Comment:** The greenway trail running along Front Street, at the intersection with Mill Street, appears to be running directly through a utility pole as shown on Sheet 1. The pole shall either be relocated, or the greenway trail adjusted.

**Response:** The enclosed (updated) site plan has been revised to show the actual location of the utility pole and trail, which do not conflict.

3. **Comment:** To the south of the entrance across from Mill Street, where the greenway trail turns towards the Fishkill Creek, the trail appears to go over a retaining wall. We would recommend that the wall either be removed at this time since it is proposed as part of the future development, or language added to the plans as to how the trail will be adjusted in this location when, and if, the wall is to be constructed.

**Response:** There is not actually an existing retaining wall south of the entrance across from Mill Street. The retaining wall shown on the previous plans was a proposed retaining wall for land banked parking. But this wall is no longer required since all parking is accommodated on the property. The site plan submitted herewith has been revised to eliminate this retaining wall.



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## **JOHN CLARKE COMMENT MEMO DATED NOVEMBER 9, 2018:**

### **Comments and Recommendations**

1. **Comment:** The City Council approved the amended Special Permit with certain conditions, including several that involve Planning Board decisions:
  - The Board should determine a date for construction of public access to the northern Greenway Trail from Front Street that is unobstructed by a gate, fence or similar barrier. I recommend a specific, relatively short-term date to open up the trail for public access.
  - The Board should also set a date for construction of the stairs and walking route for residents of HIP Lofts to access the northern portion of the Greenway Trail. These improvements could be timed to the first Certificate of Occupancy in Building 16, as requested by the applicant.
  - The Board should consider alternative architectural designs for Building 16, one with vertical piers to incorporate significant breaks in the façade and to reflect the standard in Section 134-7 B(2)(d). In preparation for this choice Board members should look at local mill buildings along the Creek, including existing buildings on the site and One East Main Street, which has simple vertical elements.

### **Response:**

**Deadline for modification in Public Access:** See discussion below under “Greenway Committee Comments” for description of modifications in the plans relating to the northerly leg of the Greenway Trail. The applicant is willing to provide that the modified proposed public access to the northerly leg of the trail, which will include construction of the inner (southerly) fence, and elimination of the gate and lock, will be installed no later than October 1, 2019.

**Deadline for modified private access:** The applicant’s proposed date for construction of the stair and walking route for residents is not later than the issuance of the first Certificate of Occupancy for Building 16.

**Alternate Design of Building 16:** The applicant believes that Section 134-7 B(2)(d), which calls for breaks in the facades of new buildings, was intended for Main Street where long flat facades would be out of character with the scale of neighboring buildings. In contrast, there is not one single building on the Groverville Mills



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property that has vertical piers, so adding piers to the proposed building 16 would be noticeably out of place with the historic context of all the other buildings in the development. The property is far outside of Main Street, where the 1 East Main Street Building is located, and we believe it is more appropriate and authentic that the design should refer to the existing buildings on the property. Nonetheless, the Applicant is willing to defer to the Planning Board's judgment in this matter.

2. **Comment:** Since this parcel is in the HDLO Zone, final approval also requires a Certificate of Appropriateness consistent with Chapter 134. The Historic Preservation chapter has a new list of design standards since this application was last before the Planning Board, the most relevant of which are reviewed in a letter from Hartgen Archeological Associates in Exhibit E of the application packet.

**Response:** The Applicant submitted a copy of the Hartgen letter cited above, and also a letter from Hudson Valley Cultural Resources dated September 14, 2018 (attached at the end of Exhibit F of the application packet). Reference is made to both letters, which provide support for the conclusion that the proposed construction complies with the standards in Chapter 134, and warrants the issuance of a Certificate of Appropriateness.

As to the building architecture, the Applicant met with the Subcommittee of the Architectural Review Board on January 11, 2018. There was consensus that the Sub-Committee would recommend that the design be approved by the full Board, subject to the following items to be adjusted:

- Use Night Sky color Hardie siding at the setback 4th floor walls at Building 16
- Brick all the way up the elevator tower instead of split with Hardie siding at Building 16
- Add windows to the south elevation of the addition to Building 9

Each of these changes has been incorporated into the plans.

3. **Comment:** On Sheet 1, Note 2 under the Zoning Summary table should be changed to a one-unit addition.

**Response:** Note 2 has been changed to a one-unit addition.



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4. **Comment:** On Sheet 5, a detail should be provided for the 4th floor metal picket railing.

**Response:** A detail for the metal picket railing has been provided on the plans.

**Conclusion:**

We look forward to meeting with the Board on the 11<sup>th</sup>. Should there be any questions by the City consultants prior to the meeting, the applicant's consultants are happy to discuss them.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'JL Van Tuyl', is written in a cursive style.

Jennifer L. Van Tuyl

cc: Jack Wertz  
Aryeh Siegel  
Mike Bodendorf  
Thomas Wright