

WASHINGTON MEWS PROJECT

To the Hastings on Hudson Planning Board for October 15, 2015:

We are resubmitting drawings 1-6, 10 and new drawings 15 and 16. There are no revisions to 1 and 2 but these are included for completeness. Drawings 3,4,5,&6 are reissued to show our new roof access provisions to replace the spiral stairs at the West houses, Dwg 10 has been revised to up date open space and parking totals, new drawing 15 illustrates all open space provisions, and new drawing 16 illustrates the location of test wells and building height flags on the existing site.

Current variances required are as follows:

COVERAGE:

Relief from Article 295-18 and 295-72-2 E-4 restricting coverage to 80% in this MRC district to allow coverage of 87.8% on this site.

Applicant's argument:

Site coverage as defined in 295-5 does not refer to subgrade structures. Structure as also defined in 295-5 refers only to structures above grade. If the Mews area is considered open space which it is, then the project complies.

PARKING:

Relief from the strict application of 295-36A to permit the provision of 25 spaces in lieu of the 29 required. (See #6 below re possible increase in variance required)

Relief from 295-29B requiring that maneuvering aisles be 25' to permit a 24' standard width in this instance.

Applicant's argument:

2 spaces are required only due to the existence of a small administrative/maintenance office within the common area of the project . This will be used for very short periods of time. 25 spaces is adequate for 16 dwelling units. 24' maneuvering aisles are nationally accepted and meet New York State and New York City requirements.

YARD REQUIREMENTS:

Relief from the application of 295-72.2(e)1 and 295-20G interpreted by the Building Dept to require a 27' setback on the west side of the site and 25' on the east.

Applicant's argument:

No set back is required as the abutting MR-C district is not a residential district as defined under 295-5.

Of the 22 properties that comprise the MR-C district none comply with this interpretation and only 3 have any side yard setbacks at all.

USE OF VILLAGE LANDS:

The board is requested to recommend to the ZBA and B of T that an easement be granted to permit development of a pedestrian path and steps across village lands north of the site to provide a means of egress for, and a public pedestrian route through, the project.

It is understood that this agreement will provide for reciprocal access by the public to the pedestrian mews area of the project.

OTHER ISSUES RAISED IN PRIOR MEETINGS OF THE BOARD:

(1) New York State Code review of the project

This has been carried out by Mr. Minozzi and meetings have been held to discuss all issues raised. The following items are being forwarded to Erika Krieger at the Dept of State for resolution or identification of any variance required:

- (1) Application of ADA to the Mews area with regard to the need for a Second Accessible exitway.
Provision of this is clearly impossible for this scheme. Our position is that ADA does not apply to this project at all excepting the Café. See ADA interpretation received from their regional office. We also consider the entire Mews area to be a "Public way" as defined in the Village and State Codes.
- (2) Issue per 1024.3 which requires that Exit discharge points be more than 10' from a P.L. Our north exit stair from the Mews discharges more than 10' from the P.L. but portions of the stair above that point are less than 10' from the P.L.
We can redesign this stair but feel that 1024.3 really relates to discharge points, not the stair itself, particularly if provided with appropriate fire separations.
- (3) You are applying 704.2 to disallow our 5' deep balconies on our west units which extend to the P.L..
We believe this section applies to cantilevered balconies and roof overhangs, not to recessed spaces behind the building line.
- (4) Variance required for substitution of 4' wide path and steps at the north exitway for 10' wide accessible "public way".
We have no accessible access to this exitway and no way to provide one.
- (5) Confirm that we are allowed 25% unprotected openings 5'+ away from the West P.L. in our R-2 fully sprinkled building.

We have attached copies of emails received from the ADA Regional Office which clarify its application to this project.

(2) View Preservation

Three flags indicating the heights and extreme lengths of the fronts of the West Houses as currently drawn have been maintained on site.

(3) Storm water treatment system

A meeting was held with Frank Annunziata of James J. Hahn Engineering PC by the undersigned and our Civil Engineering consultant, Larry Nardecchia. It was agreed that two deep well percolation tests would be carried out on site at a depth of 17' below the existing grade. In addition it was agreed that a single observation well should be installed to the foundation bearing depth of 21' below the existing grade. This would provide us with reassurance that non cohesive soils were present., these being unlikely to have their bearing capacity affected by water saturation, and that no hard rock or high water table exists at the site. Obviously if rock is encountered a more extensive investigation would be required. Any rock excavation, should it be required, would be carried out by a chipping process, not by blasting. See item (7) below for more on excavation process. At this meeting the location of all three wells was agreed.

A contract for this work has been awarded to Soil Testing Inc. of Oxford CT.

We hope to have preliminary results by the time of your meeting.

(4) Open Space Provisions

One member of the board asked that we better illustrate the open space provisions of the project rather than the simple numerical tabulation shown on Drawing 10. We have added drawing Number 15 which attempts to do this.

(5) We have added drawing Number 16 which locates the building facades, height flags and subsurface investigation wells in plan atop the site existing condition survey.

(6) Accessible Parking Space

Mr. Minozzi has indicated that he expects that at least one van accessible parking space will be provided in the project regardless of ADA specifications as it is required by the NY State Code. We have not altered Dwg 1 to show this space as he is considering two alternative solutions either one of which is entirely acceptable to us. These are:

(a) Making space #25 the accessible space and leaving the column in the access aisle as is permitted in the State Code. This solution allows for a 20' long access aisle with no difficulty should that ultimately be mandated, but it does place the accessible space some 56' from the elevator.

(b) Making space #4 the van accessible space and #5 the access aisle thereby reducing our total parking count from 25 to 24 spaces and increasing our parking variance requirement to 5 spaces from 4. Space 4 is 24' from the elevator and is the nearest available space.

We will revise our drawing accordingly when a decision is made on this matter.

(7) SWPPP

The Hahn Engineering review dated August 17th outlines the requirements for the Storm Water Pollution Prevention Plan (SWPPP) which is required for the project. We respectfully request that submission of the SWPPP be made a requirement for issuance of a Building Permit, and not for referral of the project to the ZBA and BoF by the Planning Board. We feel that if we complete the Site Investigation we are undertaking now and obtain satisfactory results (normal perc rates, no cohesive soils, no solid rock, low water table) and that if Hahn Engineering confirm these results, then our client should be spared the expense of completing the full SWPPP until Site Plan approval of the overall project is in hand.

Several ancillary aspects of the SWPPP were mentioned in the Hahn review and by members of the public at the last meeting:

Possible overloading of existing storm sewers already receiving additional water from the Warburton bridge project.

Existing catch basins at the NE, SE, and NW corners of the Warburton and Washington intersection have been deemed adequate to accommodate the extra bridge run off. That at the NE and SE corners now serve a far larger watershed than any of the others. The downstream catch basin in this same system at the SW corner of our site is ideally placed to receive long term pump out of stored water *after* a storm from our site but we emphasize that this is not necessarily to form part of our long term disposal system design.

Nonetheless it offers a “last resort” means for disposing of storm water. Few areas in Hastings are served by storm sewers of any kind. We have reviewed this strategy with Mr. Gunther and he sees absolutely no problem with it. He states that the present system is entirely capable of handling heavy storms indefinitely. The only problem he has is that water coming down the Washington Avenue hill which has no such system during a storm often overshoots Warburton Ave catch basins on its East side.

Cut and Fill analysis of our excavation and means for removal of excess material.

Our excavation will involve the removal of approximately 6750 Cubic Yards of material from the site and the introduction of about 1900 CY of specialized backfill including washed crush stone, sharp concrete sand, and organic topsoil for garden areas. This amounts to about 340 truckloads out over a 3 to 4 week period and as much as 95 truckloads in over a far longer period as work progresses.

Excavation will be by conventional equipment with trucks utilizing Washington Ave. Approximately 150' of temporary steel sheet piling will be required along the east side of the building area to a depth of 20'. This will be driven in a time period of 3 to 4 days before general excavation commences.

Supporting document: Two emails received from the ADA regional Office

Good Morning Mr. Baldwin:

I am writing in response to your question below.

The ADA does not typically apply to multi-family residential housing, unless there is some sort of funding involved in the project from state/local government funds. If this is a privately funded development, the ADA does not apply to the units, but would apply to any areas open to the public (i.e. a leasing or sales office, etc...).

Having said that, the federal law that is typically applied to multi-family housing is the Fair Housing Act (FHA) – which applies to newly constructed multi-family housing where there are four or more units attached in a structure. There is an exception in the Fair Housing Act design guidelines however for multi-story units (they are not required to comply with FHA). So if all of the units in your project are multi-story units (finished living space on one floor and the floor immediately above/below) then they are exempt from FHA. If you have single story units in the project, those would likely have to meet FHA.

Given all of this, the applicable code that I see for your project would be the 2010 Building Code of NYS (assuming your project is located in NYS). The NYS Building Code contains the following exception in Chapter 11 – Section 1107 for R-2 occupancies:

1107.7.2 Multistory units. A multistory dwelling or sleeping unit which is not provided with elevator service is not required to be a Type B unit. Where a multistory unit is provided with external elevator service to only one floor, the floor provided with elevator service shall be the primary entry to the unit, shall comply with the requirements for a Type B unit and a toilet facility shall be provided on that floor.

RE: the parking, it is advisable to provide at least one accessible parking space in the garage that meets the requirements of the NYS building code, so the space should be at least 8 feet wide with an adjacent minimum 8 feet wide access aisle.

Thank you for contacting the Northeast ADA Center.

Best Regards,

Jennifer Perry

Hello Ned:

If you look at ICC ANSI A117.1 Section 502.4.3 as I indicated below, you will see that ANSI requires the access aisle for the space (either van or car accessible) to be as long as the space it serves. The 20' length you are referring to is for a passenger loading zone, not an accessible parking space or access aisle. I think you are misunderstanding these two items. A passenger loading zone is not the same thing as an access aisle. The correct code requirement for the van accessible parking space and access aisle is ICC ANSI A117.1 Section 502. Section 503 is for passenger loading zones, not accessible parking spaces or aisles.

Yes, you are required to have one van accessible parking space if you have 25 parking spaces in the lot.

I hope this clarifies the requirement for you.

Thank you-

Best Regards,

Jennifer Perry

Access Specialist

ILR School, Cornell University

800.949.4232

Direct: 732.449.3621

K.Lisa Yang and Hock E. Tan

Employment and Disability Institute

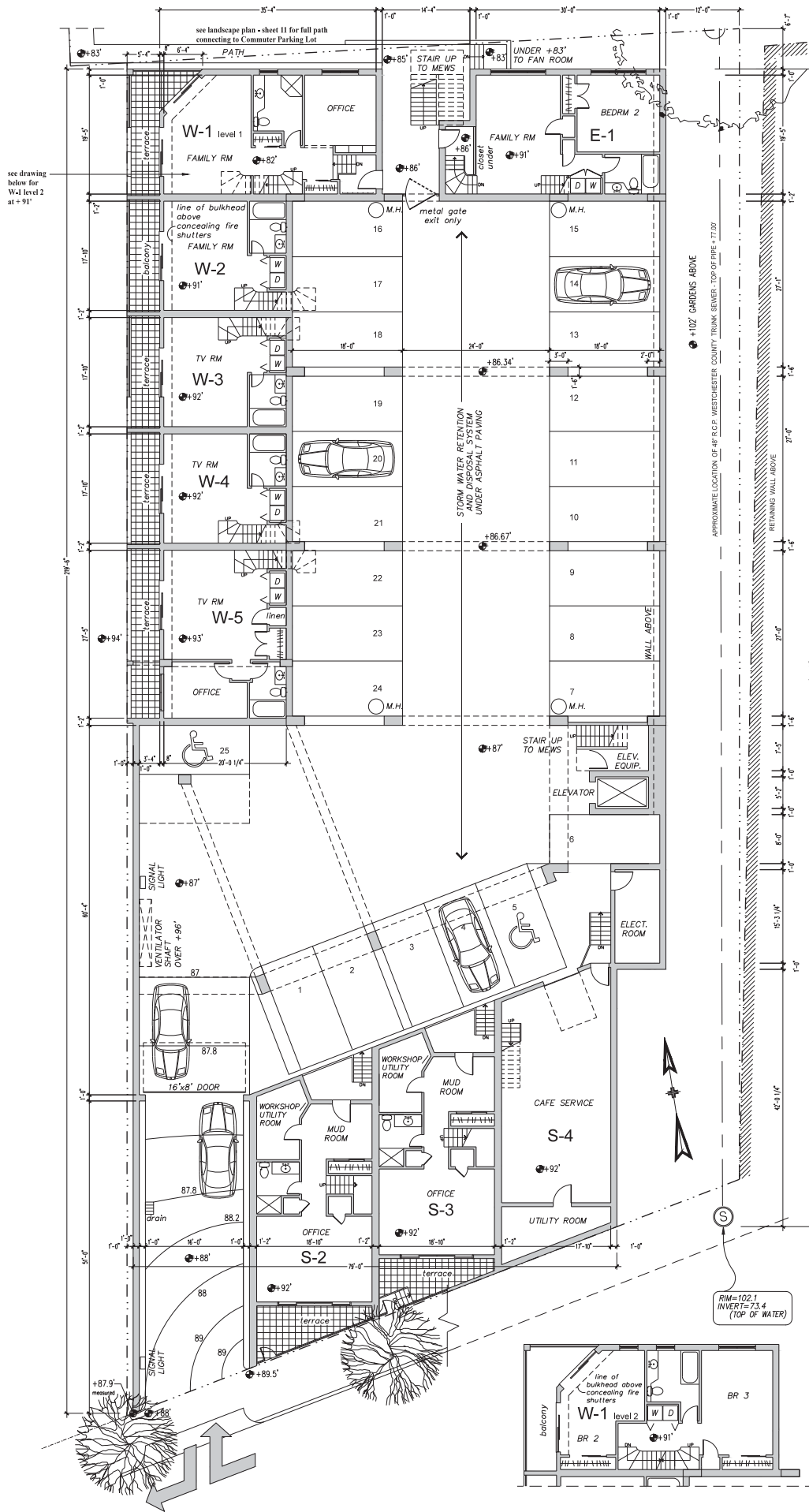
jlp359@cornell.edu

www.northeastada.org

(8) We are aware that the board must approve the designation of affordable units. This proposed designation will be agreed between Mr. Cheng and the Affordable Housing Committee and provided to you for approval at the next meeting after October 15th.

BALDWIN & FRANKLIN ARCHITECTS

**Edward R. Baldwin
cc: Alex Cheng**



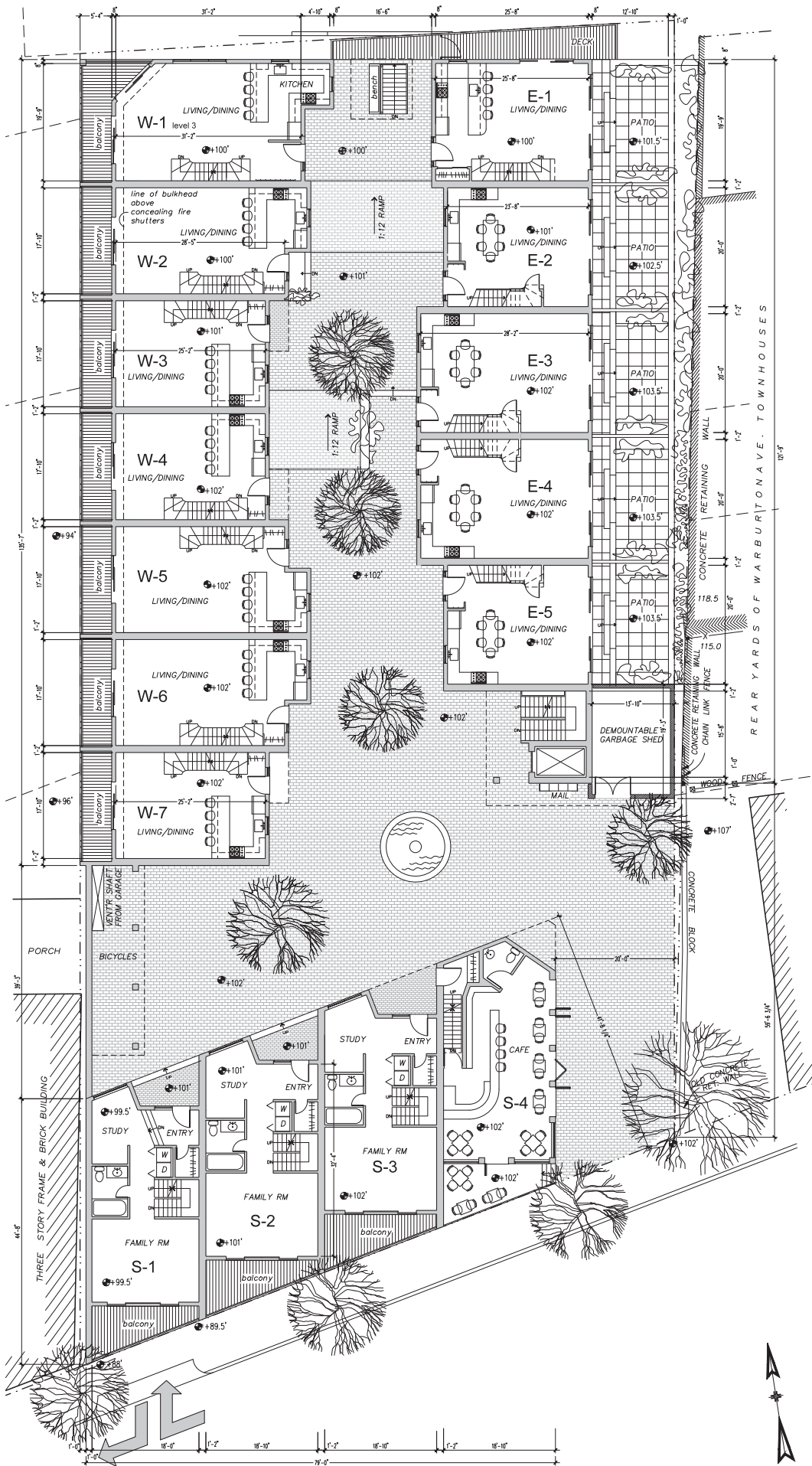
Baldwin & Franklin Architects
 73 Washington Avenue
 Hastings-on-Hudson, N.Y. 10706
 Tel.: (914) 693 5324 Fax: (914) 693 5676

Project: **WASHINGTON MEWS
 RTB WASHINGTON LLC**

Sheet Title: **Parking
 Floor Plan**

Project No.: 1405
 Date: Aug 08, 2015
 Scale: 1/8" = 1'-0"
 Drawn: GA

Sheet No.: **1**



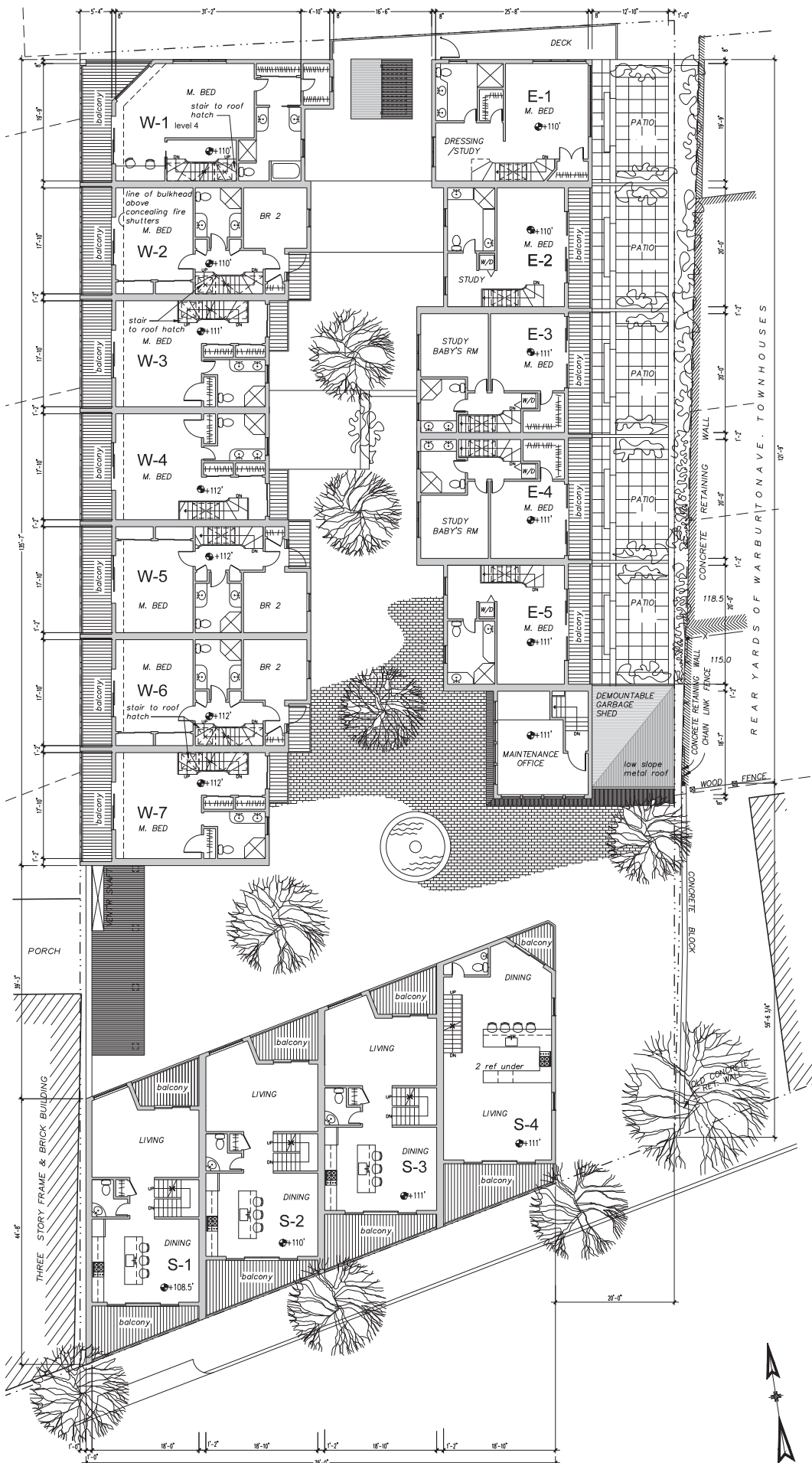
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 Hastings-on-Hudson, N.Y. 10706
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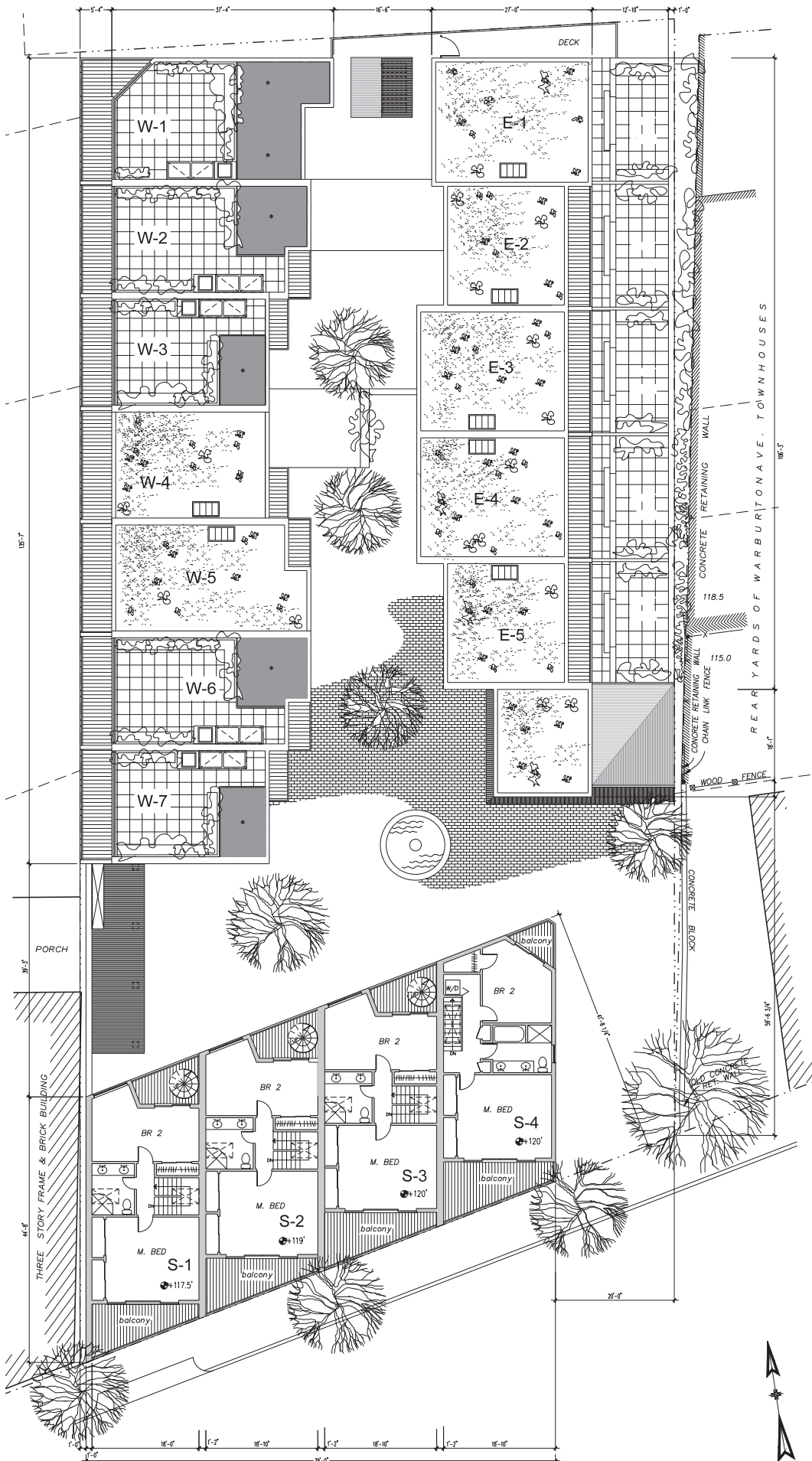
Project: **WASHINGTON MEWS**
RTB WASHINGTON LLC

Sheet Title: **Mews Level Plan**
(First Floor)

Project No: 1405
 Date: Aug 08, 2015
 Scale: 1/8" = 1'-0"
 Drawn: GA

Sheet No:
2





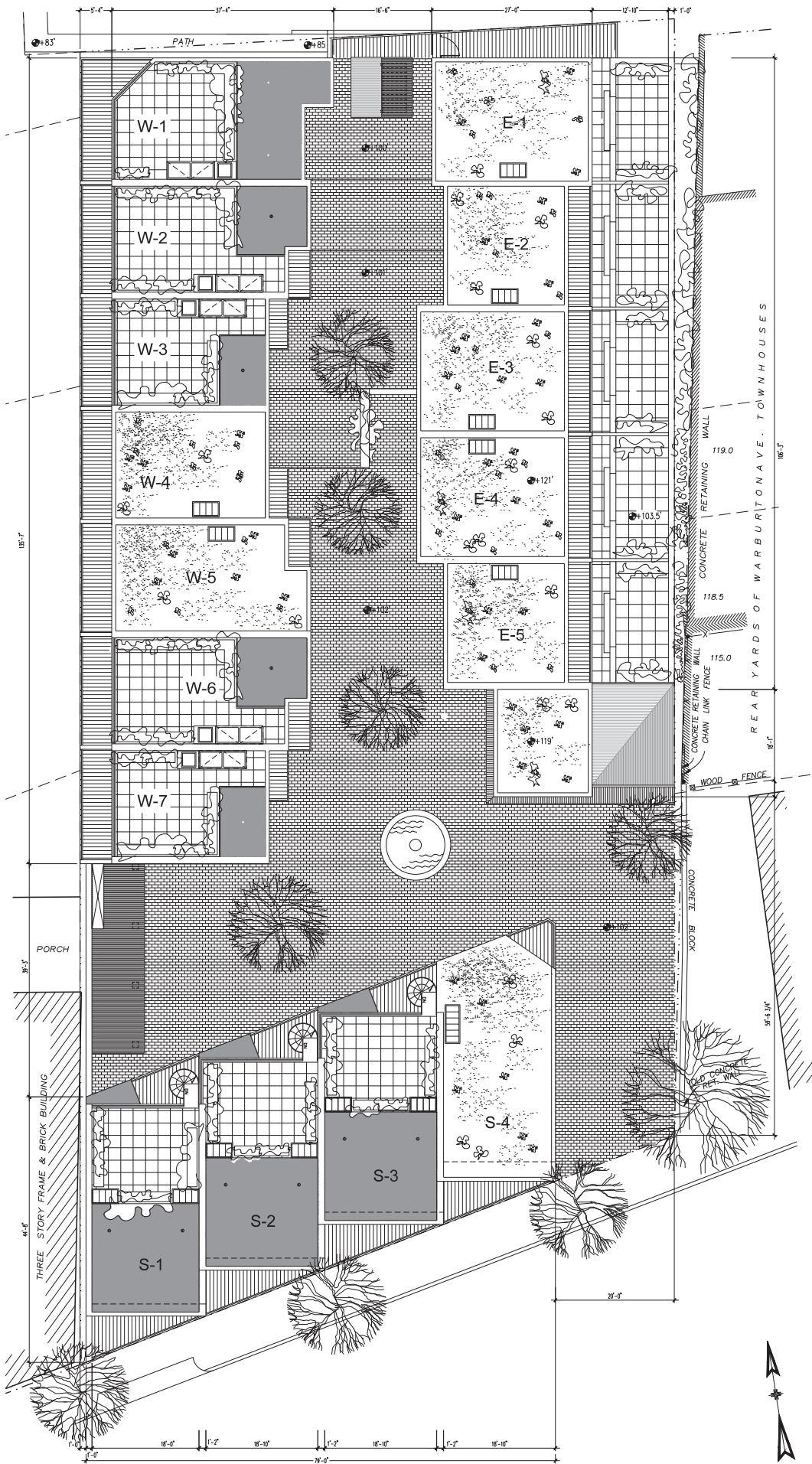
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 73 Washington Avenue
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 Tel.: (914) 693 5324 Fax: (914) 693 5676

Project: **WASHINGTON MEWS
 RTB WASHINGTON LLC**

Sheet Title: **Third Floor Plan**

Project No.: 1405
 Date: Oct 1st, 2015
 Scale: 1/8" = 1'-0"
 Drawn: GA

Sheet No.: **4**



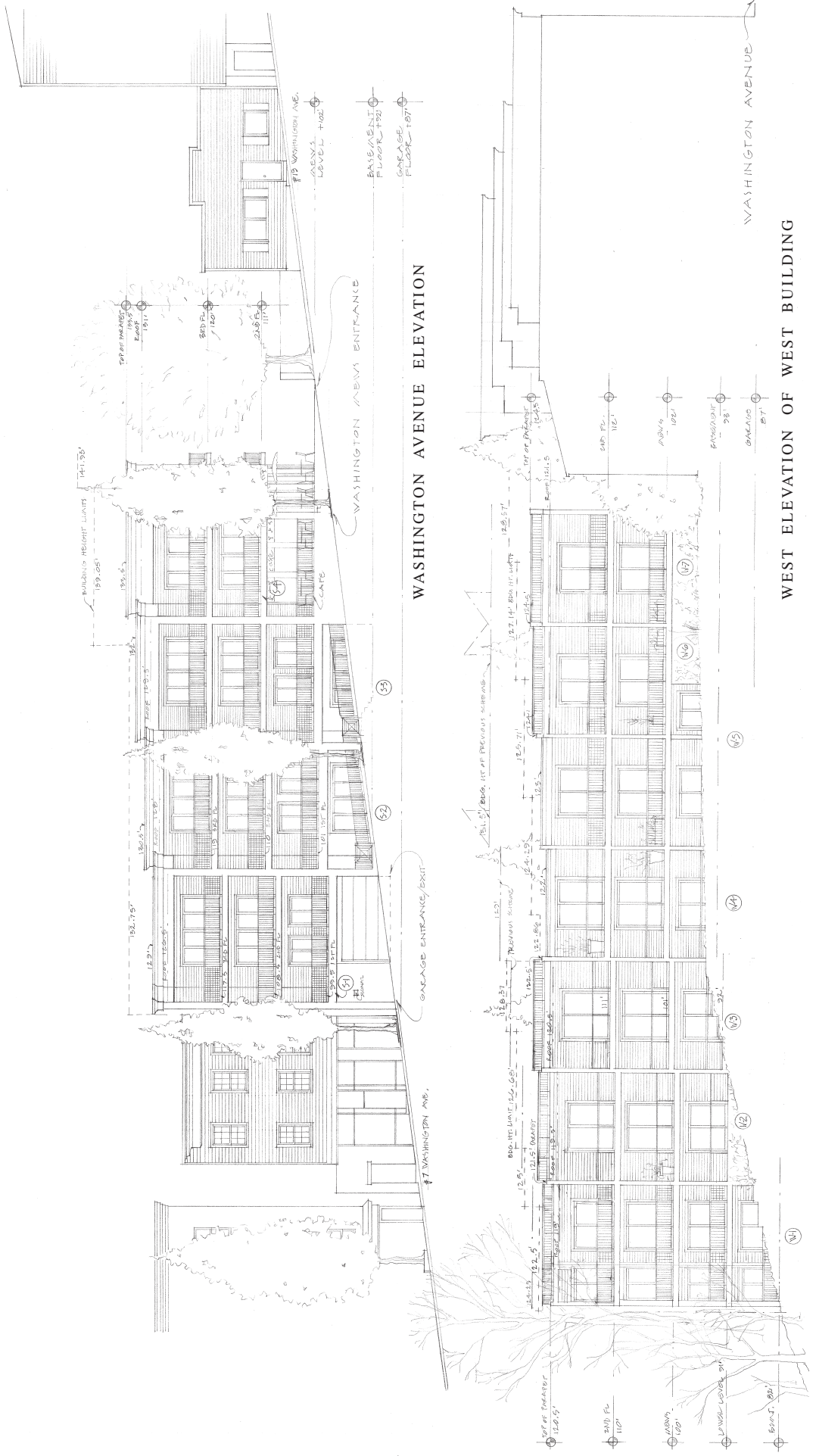
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 73 Washington Avenue
 Hastings-on-Hudson, N.Y. 10706
 Tel.: (914) 693 5324 Fax: (914) 693 5676

Project: **WASHINGTON MEWS
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Sheet Title: **Roof Plan**

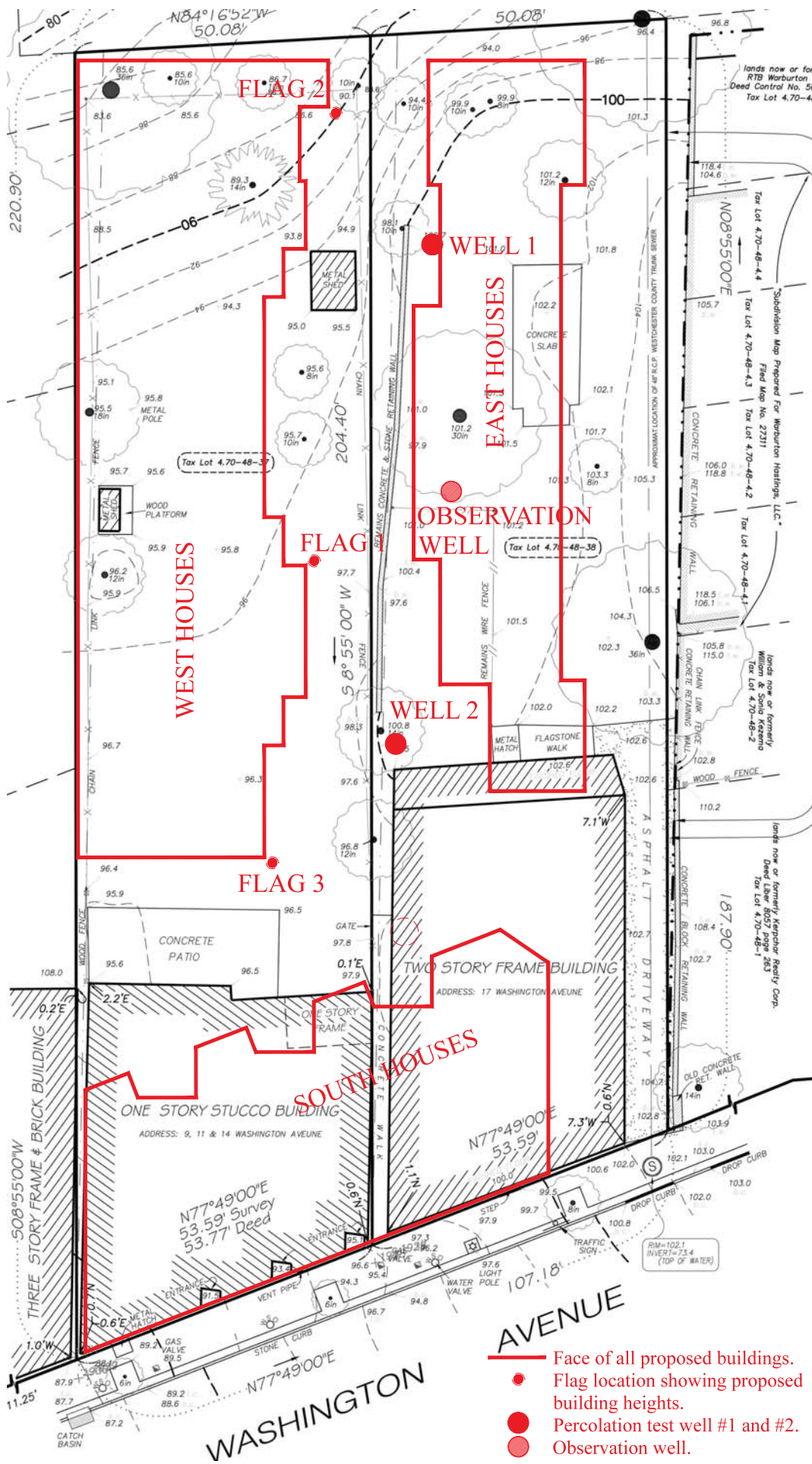
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 Date: Oct 1st, 2015
 Scale: 1/8" = 1'-0"
 Drawn: GA

Sheet No.: **5**



WASHINGTON AVENUE ELEVATION

WEST ELEVATION OF WEST BUILDING



- Face of all proposed buildings.
- Flag location showing proposed building heights.
- Percolation test well #1 and #2.
- Observation well.

Baldwin & Franklin Architects
 73 Washington Avenue
 Hastings-on-Hudson, N.Y. 10706
 Tel.: (914) 693 5324 Fax: (914) 693 5676

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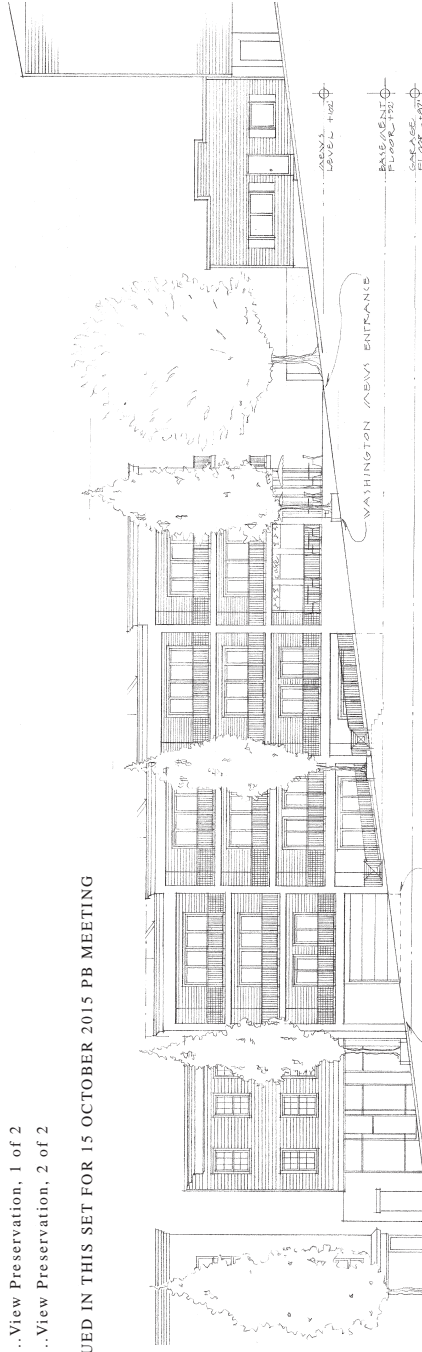
Sheet Title: **Flag & Well Location**

Project No: 1405
 Date: Oct 14, 2015
 Scale: 1/8" = 1'-0"
 Drawn: GA

Sheet No:
16

LIST OF DRAWINGS:

- 1**Survey (1"=15')
- *1**Parking Floor Plan (1/16"=1'-0")
- *2**Mews Level Plan (1/16"=1'-0")
- *3**Second Floor Plan (1/16"=1'-0")
- *4**Third Floor Plan (1/16"=1'-0")
- *5**Roof Plan (1/16"=1'-0")
- *6**Washington Avenue South Elevation
& West Elevation of West Building (1/8"=1'-0")
- 7**North Elevation from Parking Lot,
West Elevation of East Houses seen from the Mews
& South Elevation of East Houses Including
Elevator/Garbage/Mail Building (1/8"=1'-0")
- 8**Longitudinal & Transverse Sections (1/8"=1'-0")
- 9**Site Analyses
- *10**Zoning Analysis
- 11**Landscape Design Proposal
- 12**Diagram of Plan Sections per 295-5-B(2),
Diagram of Front & Rear Property Extensions &
Table of Building Heights & Limits
- 13**Plan Showing Building Height Limits (1"=10')
(Section 295-5 "Height, Building" B (2))
- 14**Sections Showing Building Height Limits (1"=10')
(Section 295-5 "Height, Building" B (1)& Section
295-72-2 (E)3(a)&(b))
- *15**Open Space Diagram
- *16**Locations of Percolation Wells & Flags
- VP1**View Preservation, 1 of 2
- VP2**View Preservation, 2 of 2
- *: ISSUED IN THIS SET FOR 15 OCTOBER 2015 PB MEETING**



OWNERS
RTB WASHINGTON LLC
Alex CHENG
12 Hidden Glen Road
Scarsdale, N.Y. 10583
alexandercheng@gmail.com

ARCHITECTS
BALDWIN & FRANKLIN ARCHITECTS
73 Washington Avenue
Hastings-on-Hudson, NY 10706
Tel:914.693.5324/Fax:914.6935676
nedbaldwin@optronline.net

CONSULTANTS
- Tomasz LOPINSKI, CAD & 3D Modeling
- NCK Engineering, Structural
- Larry J. NARDECCIA Jr., P.E., Civil Engineering

WASHINGTON MEWS

A MID-BLOCK INFILL MEWS HOUSING DEVELOPMENT

SECTION 4.70 - BLOCK 48 - LOTS 37 & 38

ISSUE DATE: 1 OCTOBER 2015