

REVIEW OF HUDSON LANDING VISUAL IMPACT STUDY FOR HUDSON RIVER HERITAGE

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This report examines the current proposal by AVR Development, Yonkers, New York, for Hudson Landing, described by the applicant as a 1,750-unit New Urbanist community on the west banks of the Hudson River in Kingston, New York. The evaluation places a particular emphasis on the potential visual impact of the project on the Hudson River National Historic Landmark District (HR NHLD) on the east side of the river and the river itself.

The site has long been considered derelict, with abandoned buildings, utilities, and other remnants of its past history. The current plan is the latest in a series of proposals for the property. With the exception of the discordant concrete silos and quarry walls, there is little visible evidence of its former use. *Nature has reclaimed the majority of the site, which appears as a largely naturalized shoreline when viewed from the river and the Scenic Areas of Statewide Significance.*



Existing trail along the waterfront on the site.

This report is based upon a review of two documents provided by the applicant: 1) a series of photosimulations of Hudson Landing, dated June 19, 2007, prepared by Saratoga Associates, and 2) the draft Hudson Landing Development Guidelines (late summer 2007) prepared by Simone Design Group and Minno & Wasko. While this report is principally a review of the visual impacts of Hudson Landing and its consistency with state and local coastal policies, it also contains specific recommendations for making development fit more harmoniously into the neighboring historic landscape.

Based on our review of these materials, NYS Coastal Policies, and Scenic Areas of Statewide Significance, the current plans for Hudson Landing, as illustrated in the photosimulations, Development Guidelines, and Site Plan, will not be consistent with state and local coastal policies. As presently envisioned and illustrated in the photosimulations, the extensive development at Hudson Landing, with its largely unbroken line of buildings and strong linearity, would be seen as a major discordant feature introduced into the viewshed of the Estates District SASS, and thus would not be consistent with the State's Coastal Policies. The Department of State has set a very high standard for design compatibility through the consistency review process. While the Hudson Landing site is not within the SASS's, it does share a common boundary with the Astor Cove Subunit of the Estates District SASS, and thus is an important component of the viewshed.¹ In order to

¹ "The western boundary (of ED-10 Astor Cove Subunit) is the mean high tide line on the western shore of the Hudson." NYDOS. Scenic Areas of Statewide Significance. July 1993. P. 191.

achieve a consistency determination the proponent will have to demonstrate that any development will prevent the impairment of scenic resources of statewide significance.

The report is organized into several sections:

- 1. Background.** This section provides an overview of the project, the professional teams that have been involved in its planning, design, and review. It also compares the Saratoga Associates' realistic photosimulations with the hand-drawn illustrations found in the Development Guidelines and describes the apparent disconnect between these two sources of imagery that are meant to convey a sense of the project's visual impact.
- 2. Visual Impact Analysis:** This section assesses the potential visual impact of this new community on the existing riverfront. As currently envisioned, especially as illustrated in the photosimulations, Hudson Landing would appear to be out of character with the Hudson River National Historic Landmark District and would impair the setting of the Estates District Scenic Area of Statewide Significance.
- 3. Development Guidelines:** This section examines each of the four chapters in the Hudson Landing Development Guidelines, with an emphasis on its relationship with the HR NHLD.
 - Section 1: Introduction: a discussion of the first of four chapters in the Guidelines, with a concentration on the Vision Statement that should serve as the underpinning for the long-range plan. This section also examines how the Guidelines include consideration of the National Historic Landmark District.
 - Section II: Open Space Guidelines: a critique of the open space component of the Guidelines and recommendations for improvements.
 - Section III: Architectural Guidelines: a brief examination of the built form that should be expected from the Guidelines, with recommendations for improvements.
 - Section IV: Landscape Guidelines: a more detailed analysis of several key components of the plan that will influence Hudson Landings' ultimate relationship with the National Historic Landmark District, which includes the Estates District Scenic Area of Statewide Significance (SASS). This has a discussion on Plantings and Tree Preservation and Lighting.
- 4. Additional Issues:** This section presents a series of issues and unanswered questions that need to be addressed in the months and years ahead.
- 5. Recommendations.** The final section summarizes the recommendations made in this report.

1. BACKGROUND

Design / Review Team

Design Professionals. The Hudson Landing Development Guidelines credit two groups of professionals: the Simone Design Group (SDG) and Minno & Wasko (M&W). SDG is an Engineering, Architecture, and Land Planning firm led by Dan Simone, a professional engineer who makes many of the public presentations for Hudson Landing. M&W is a 45±-person architecture and planning firm in Lambertville, New Jersey. According to their website – www.minnowasko.com – they have considerable experience in luxury multi-family housing, commercial development, recreation resorts, and redevelopment.

Reviewers. Saratoga Associates (SA), landscape architects from Saratoga Springs, New York, prepared the photosimulations used by the Environmental Simulation Center (ESC), New York City, in the visual impact assessment. ESC has been retained by the City of Kingston to review the visual impacts of the project. SA also collaborated with the design team on the color renderings used in the Guidelines. According to Matt Allen, principal with SA, they were not involved in any design work at Hudson Landing. SA prepared the initial Visual Resource Assessment The Landing at Kinston and Ulster as part of the Generic Environmental Impact Statement.

History. The City sponsored a community informational meeting with AVR on June 27, 2007 to present the most recent site plan and three-dimensional renderings of the development. Much of the presentation was made by George Janes from ESC who went into considerable detail about the plan and the changes that had been made (comparing the Application Plan with the current plan). During the presentation, Mr. Janes noted that the original application plan was ‘too sprawling, seemed out of place, and needed more breaks in the architectural fabric’. Other than that remark, there was very little other comment on the potential visual impact of the current development proposal.

Comment. A plan as complex as this should include a landscape architectural firm with experience in habitat restoration and community planning as an integral part of the site team. The landscape architect should be responsible for site analysis, master planning, open space planning, riparian restoration, design of landscape details, lighting, amenity design, landscape design, and related work.

2004 Visual Resource Assessment

Saratoga Associates prepared the initial Visual Resource Assessment The Landing at Kinston and Ulster in 2004 as part of the Generic Environmental Impact Statement. The methodology for the visual assessment is based upon the DEC Policy System, Assessing and Mitigating Visual Impacts, as well as standards and procedures used by other state and federal agencies. As an impact assessment document, it appears to have been done

according to accepted professional standards of care relative to the use of proper lens focal length, number and distribution of characteristic viewpoints, data recording, etc.²

As noted in the Assessment, at the generic EIS level, details such as architectural style, dimensions, landscaping, and lighting are not highly defined and are treated in a very general manner. The Assessment concentrates on the quantitative aspects of visibility (where will the development be seen from and how much will be visible), which runs counter to the normal visual impact assessment where there is an emphasis on the more qualitative aspects of a development (i.e., what will it actually look like).

When the Assessment was completed, AVR was proposing 2,182 residential units, 45,000 SF of retail/restaurant space, 230 boat slips, and 200,000 SF of office industrial space and a 6,000 SF restaurant near NYS Route 32. They were also considering a ‘Neotraditional Alternative’ in addition to their proposed plan. Saratoga Associates prepared a series of photosimulations (included in Section 6.0 of the Assessment) to illustrate the difference between the conventional approach and their neotraditional plan.

Understanding the Current Proposal

Illustrations. At this point two sets of illustrations have been prepared to inform the public and regulators regarding what Hudson Landing will look like and what its visual impact might be on selected scenic resources. The first is a set of 18 photo daylight and nighttime simulations prepared by Saratoga Associates, dated May 30 and June 19, 2007. The second is a series of free-hand drawings, also prepared by Saratoga Associates, included in the Development Guidelines.

The photosimulations show views that represent 1) existing conditions, 2) the Application Plan, and 3) the FGEIS Plan. The following viewpoints have been selected:

- VP #38 – Kingston Point Park and Beach, Kingston
- VP #39 – Kingston-Rondout Lighthouse, Kingston
- VP #68 – Rhinecliff Waterfront, Rhinebeck
- VP #71 – Hudson River South, Kingston
- VP #72 – Hudson River Center, Kingston
- VP #73 – Hudson River North, Kingston
- VP #74 – Creed-Ankony Farm, Rhinebeck

² The methodology described in the DEC Policy System provides guidance to DEC staff in evaluating visual impacts from proposed facilities that are covered under State regulatory concerns. The Purpose of the System states “this policy does not relieve applicants from requirements of other State agencies, such as Department of State Coastal Zone Program”. The System also states “State Coastal Policies number 24 and 25 derived in part from Section 912 of Article 42 of the Executive Law define the criteria that, when properly employed, assure project consistency with coastal zone management objectives. Such policies are consistent with the review mechanisms contained in this DEC policy.”

- VP #75 – Ferncliff Nursing Home, Rhinebeck
- VP #86 – Clifton Point, Rhinebeck
- VP #88 – Leacote, Rhinebeck
- VP #90 – Kingston Rhinecliff Bridge, Rhinebeck
- VP #92 – Poets’ Walk, Rhinebeck
- VP #R1 – River Channel South-Left, Hudson River
- VP #R1 – River Channel South-Right, Hudson River
- VP #R1 – River Channel Center-Left, Hudson River
- VP #R1 – River Channel Center-Right, Hudson River
- VP #36 – First Ave/Main Street, Ulster
- VP #35 – East Kingston, Ulster

The photosimulations labeled ‘Application Plan’ are derived from the 2004 Visual Resource Assessment described above. This earlier plan called for a more extensive development program than is now being proposed. The current proposal includes 1,750 units of housing and 78,500 sf of retail and commercial space. The photosimulations labeled ‘FGEIS Plan’ are based upon the current plan for Hudson Landing that is illustrated in the Development Guidelines.

Comments. The photosimulations are designed to portray the ‘worst case’ scenario. The buildings seem to be photographs of real structures that have been superimposed on the existing condition photographs. The architecture is somewhat generic, with little to no reference to the standards that are described in the Guidelines. There are few trees shown between the waterfront and the first line of structures in most of the simulations, and virtually no new trees are included. The overall impression is a new community that could be almost anywhere, with no reference to local architectural traditions, sensitivity to massing, variety in rooflines, or other devices to make it fit.

The lack of large trees along the waterfront in the vicinity of the new buildings raises a significant question with the concept: i.e., will viewing opportunities take precedent over habitat protection and restoration? The existing trees along the river contribute to the character and life of the riparian zone and should be protected for environmental and visual reasons.

The photosimulations also illustrate a serious concern with the site plan. The plan follows many of the dictates of New Urbanism by creating a walkable neighborhood with dense housing, mixed use, and occasional open spaces. The result, however, in this context appear too urban, and does not reflect the context and sensitivity of its riverfront location. The site plan should be adjusted to incorporate additional open space, especially along the riverfront, to provide additional soft edges around the built environment.



Photosimulation VP#72, Hudson River Center



Development Guidelines Sketch, Section I, p. 1.

Comments. There are significant differences in the impression that is created by the two illustrations, i.e. the 2007 photosimulations and the sketches produced for the Guidelines. While the photosimulations show the possible worst case, the sketches seem to take the opposite approach. The buildings in the color renderings appear to follow the Guidelines in terms of color, forms, styles, and massing. Buildings have chimneys, gables, corner towers, and other scaling devices that add visual interest and historical reference. A significant number of trees are shown throughout the illustrations to give the impression of a richly landscaped environment.

However, most of the hand-drawn illustrations focus on the detail level, showing the relationship of buildings to each other and the creation of neighborhood spaces. There has been no attempt to see how the application of the development guidelines would change the overall appearance of Hudson Landing.

Guidelines are usually the result of an iterative process that examines a variety of options for density, height, and other quantifiable factors. It would be very informative for the City to see additional illustrations and photosimulations depicting a wider range of options for density, building heights, massing, open space, and other variables.

As noted above, the waterfront in the hand-drawn sketches is rendered to show grass and a minimal number of trees all the way to the river's edge. The sketches give the impression that the shoreline will be mostly rolling lawns with scattered ornamental trees. However, this runs counter to the description of landscape treatment and the cross-sections that are provided on pages II-31-34 of the Guidelines.



Sketch of waterfront and mule barn, Guidelines p. I-3.

Some of the illustrations seem hastily conceived, such as the mule barn on page I-3. In this case the historic structure seems crowded and overwhelmed by the presence of its proposed new neighbors. These four-story buildings seem out, especially when considered in the context of the more typical structures seen along the Hudson River, as shown on pages 9 and 10.

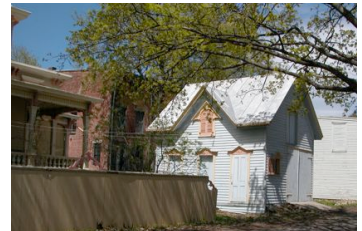
2. VISUAL IMPACT ANALYSIS

Impacts on Historic Landmark District

The typical Hudson River community is a *mélange* of patterns, rooflines, materials, colors, massing, focal points, and architectural forms. A representative sample of photographs from Athens and Hudson are provided on the following pages. When seen from a distance, the older, historic communities are a delight to the senses, inviting exploration.

The work that was prepared by ESC (for the City of Kingston) and shown at the June community meeting was titled Visual Impact Analysis. However, very little actual analysis was presented. The PowerPoint slides illustrated how the current plan removed development from the most visually sensitive areas (such as ridgelines and portions of the shorefront) and gave a realistic impression of the ultimate build-out. The 'analysis' lacked an objective assessment of the photosimulations (prepared by SA). It did not evaluate how the development would relate to the scenic resources in terms of form, line, color, texture, scale, or spatial dominance. It did not discuss the Visual Impact Analysis that Saratoga Associates prepared for AVR.

Based upon the photosimulations, the new development will lack the richness, vitality, and visual interest that characterize the best physical qualities of Hudson River communities. The buildings have been rendered with similar hues, the roofs are all the same color and pitch, and the massing of the buildings seems very heavy. Similarities in orientation,



Patterns of rooflines, architectural styles, and open spaces in Athens, NY



Variety of forms and richness in texture characterize the waterfront community of Hudson, NY

window patterns, colors, materials, and building heights impart an institutional look to parts of the plan. The resultant development, as depicted on the photosimulations, will be incompatible with the architectural characteristics of the area.

While the FGEIS plan is certainly an improvement over the original application plan, it appears that considerable more work will be needed to make it achieve the proper relationship to the site, to the river, and to the Historic Landmark District. As currently envisioned, especially as illustrated in the photosimulations, Hudson Landing appears to be out of character with the Hudson River National Historic Landmark District. The basic underlying concerns are the density that is being proposed for the site and the loss of riparian vegetation.



Photosimulation VP#R1, River Channel South Right

In order to make the plan more compatible with the surrounding area, a number of changes should be made:

- Reduce the overall density of the project within the viewshed of the NHLD
- Lower the height of the most prominent buildings.
- Add more open space to break up the mass and linear nature of the development.
- Site the structures further from the shoreline.
- Preserve vegetation and plant additional trees throughout the shoreline buffer.
- Vary the architectural design, roofline, heights, color, and surface materials of the structures.

Once the plan for Hudson Landing has been revised to reflect the changes noted above, additional photosimulations should be prepared to illustrate how the plan will be consistent with state and local coastal policies. Coastal consistency is discussed in the following section.

Impacts to Scenic Areas of Statewide Significance

The Visual Resource Assessment prepared by Saratoga Associates recognizes the historic and cultural significance of the eastern shoreline, and notes “much of the eastern shore within the study area has been is designated (sic) as a National Historic Landmark District, National/State Register Historic District, and Scenic Area of Statewide Significance³” (SASS). The Assessment study area includes two SASS’s: the Ulster North SASS and the Estates Districts SASS. The Assessment states, “although portions of the proposed project would be visible from both SASS’s, no project facilities are contained within a designated SASS.⁴” There is no evaluation in the Assessment regarding the consistency of the proposed plan with the stated goals of the SASS.

The boundaries of the SASS (which does not include the project site) are shown on SA’s Viewshed Maps. Table 2, *Visual Resources Visibility Summary*, indicates that a number of resources within these SASS’s would be visible from Hudson Landing:

Ulster North SASS

- Kingston Point Park and Beach
- Kingston / Rondout Lighthouse

Estates District SASS (confirmed by field evaluation by SA)

- Free Parsonage Church, Rhinebeck
- Riverside Methodist Church and Parsonage, Rhinebeck
- O’Brien General Store and Post Office, Rhinebeck
- Rhinecliff Hotel, Rhinebeck
- Rhinecliff Slate Dock
- Hudson River, Kingston, Ulster, and Rhinebeck
- Ankony, Rhinebeck
- Ferncliff Nursing Home
- Leacote, Rhinebeck
- Orlot, Rhinebeck
- Kingston-Rhinecliff Bridge, Rhinebeck
- Poet’s Walk Park, Red Hook
- Tivoli Bays Wildlife Management Area, Red Hook
- Clifton Point, Rhinebeck

The Estates District SASS is comprised of 29 subunits, three of which are within the study area: ED-10: Astor Cove; ED-11: River Road; and ED-14: Rhinecliff Road. “To-

³ Visual Resource Assessment The Landing at Kingston and Ulster. Saratoga Associates. P. 11.

⁴ Ibid. P. 23.



Existing view to AVR site from Ankony Farm, Estates District SASS, photo by TJD&A 1-26-07



Photosimulation VP#74, Ankony Farm

gether the subunits constitute a landscape of national and international significance which evolved through the development of a rich cultural heritage in an outstanding natural setting. As its name implies, the Estates District SASS is dominated by over twenty major and numerous minor historic estates and the Hudson River toward which they are oriented.”⁵



Ankony Farm overlooking Hudson River
Photo by TJD&A 1-26-07

The aesthetic significance of the Estates District SASS is recognized as being of statewide importance due to its landscape character, uniqueness, and public recognition. The “Hudson River and its influence on the historical development of the area constitute the major unifying features. The SASS is generally free of discordant features, evidence of the strong conservation ethic operating there.”⁶ “Both the natural and cultural land-

⁵ NYDOS. Scenic Areas of Statewide Significance. July 1993. P. 139.

⁶ Ibid. P. 141.

scape are well preserved and maintained. Historic development patterns have been continued in most cases, and vegetation provides effective natural buffers between historic landscapes and new development.”⁷

Any action within or outside a SASS that are subject to review under federal or state coastal acts or a Local Waterfront Revitalization Program (LWRP) must be assessed to determine whether it would have an affect on or impair the scenic beauty of a scenic resource.⁸

POLICY 23 of the New York Coastal Policies mandates: Protect, enhance and restore structures, districts, areas or sites that are of significance in the history, architecture, archaeology or culture of the state, its communities, or the nation.

The guidance for Policy 23 states:

Among the most valuable of the State's man-made resources are those structures or areas which are of historic, archaeological, or cultural significance. The protection of these structures must involve a recognition of their importance by all agencies and the ability to identify and describe them. **Protection must include concern not just with specific sites but with areas of significance, and with the area around specific sites.** The policy is not to be construed as a passive mandate but must include active efforts, when appropriate, to restore or revitalize through adaptive reuse. **While the program is concerned with the preservation of all such resources within the coastal boundary, it will actively promote the preservation of historic and cultural resources which have a coastal relationship.** (Emphasis added.)

Thus the DOS must consider the possible affect that Hudson Landing would have on the Hudson River and the two SASS’s. The SASS document describes the importance of the setting to the integrity of the Estates District: “The most notable of views available in the SASS are the panoramic views which include lawns or fields, the Hudson River and its shoreline and the distant Catskill Mountains. The siting of structures in a manner that causes them to intrude upon, block, alter the composition of or introduce discordant features into these views would impair the scenic quality of the SASS.”⁹ As presently envisioned and illustrated in the photosimulations, the extensive development at Hudson Landing, with its unbroken line of buildings and strong linearity, would be seen as a major discordant feature introduced into the viewshed of the SASS.

⁷ Ibid. P. 144.

⁸ Ibid. P. 147.

⁹ Ibid. P. 148

POLICY 24 requires new development to Prevent impairment of scenic resources of statewide significance.

Policy 24 offers the following guidelines:

When considering a proposed action, agencies shall first determine whether the action could affect a scenic resource of statewide significance. This determination would involve: (a) a review of the coastal area map to ascertain if it shows an identified scenic resources which could be affected by the proposed action, and (b) a review of the types of activities proposed to determine if they would be likely to impair the scenic beauty of an identified resource. **Impairment will include:** (i) the irreversible modification of geologic forms; the destruction or removal of vegetation; the modification, destruction, or removal of structures, whenever the geologic forms, vegetation or structures are significant to the scenic quality of an identified resource; and (ii) **the addition of structures which because of siting or scale will reduce identified views or which because of scale, form, or materials will diminish the scenic quality of an identified resource.** (Emphasis added.)

1. **Siting structures** and other development such as highways, power lines, and signs, **back from shorelines** or in other inconspicuous locations **to maintain the attractive quality of the shoreline and to retain views to and from the shore;**
2. **Clustering or orienting structures to retain views, save open space and provide visual organization to a development;**
3. Incorporating sound, existing structures (especially historic buildings) into the overall development scheme;
4. Removing deteriorated and/or degrading elements;
5. Maintaining or restoring the original land form, except when changes screen unattractive elements and/or add appropriate interest;
6. **Maintaining or adding vegetation to provide interest, encourage the presence of wildlife, blend structures into the site,** and obscure unattractive elements, except when selective clearing removes unsightly, diseased or hazardous vegetation and when selective clearing creates views of coastal waters;
7. Using appropriate materials, in addition to vegetation, to screen unattractive elements;
8. **Using appropriate scales, forms and materials to ensure that buildings and other structures are compatible with and add interest to the landscape.**

The Department of State, through the SASS document, has set a very high standard for design compatibility. While Hudson Landing is not within the SASS, its proximity will require that any development must prevent the impairment of scenic resources of statewide significance.

3. DEVELOPMENT GUIDELINES

The Development Guidelines proposed by AVR are presented in four sections dealing with Vision Statement, Architecture, Open Space, and Landscaping.

SECTION I: INTRODUCTION AND VISION STATEMENT

History. The vision statement for Hudson Landing was developed after the June 27 AVR community meeting in Kingston. The plan that was presented that night, which serves as the basis for this review, marked an evident improvement over previous efforts. During the question and answer period, when asked about the vision that drove the plan, Mr. Simone responded that it was in the works and would be included in the Development Guidelines.

Source. The vision statement for Hudson Landing is derived from Smart Growth and New Urbanist philosophy, which places a great emphasis on walkable communities, placemaking, human scale, vernacular architecture, public green space, and properly designed road systems. This approach is very appropriate for a new community of this magnitude, especially one to be built on a large, abandoned site on the urban fringe. What is missing is a sense of how this visually sensitive riverfront should inform the design process.

Site Planning And The National Historic Landmark District

The Vision Statement contains very few references to the NHLD and its historic landscape on the opposite site of the river that could be greatly affected by the development of Hudson Landing. Where the vision discusses off-site factors, it generally does so with vague statements that could apply anywhere within the Hudson Valley region:

“... Through this reclamation a compact community will emerge with a network of small blocks which will provide pedestrian links through greens, squares, parks, trails and a riverfront promenade that will connect the urban fabric of Hudson Landing with the greater community and the Hudson Valley Region.”

“...All along, the community will maintain a strong connection with the Hudson River through community greens overlooking the Hudson, a public waterfront park and promenade in addition to upland trails and scenic overlook which will embrace the majesty of the Hudson River.”

“The architecture will develop from a cohesive yet diverse array of guidelines based upon examples of local vernacular styles that will add diversity in form and character to the community and its residents.”

“These Design Guidelines... will ensure appropriate development of the community, preserve the long-term value and character and bring to the Hudson River Region a community within a community of high quality and unique vision...” (p. I-1)

The “Design Character” description makes this more specific recommendation:

“The combination of these well sited open space elements complemented by Mixed Use Buildings and Live/Work Townhouses will provide for the vibrant organic development of commercial uses consistent with the historical development of riverfront towns along the majestic Hudson River.” (p. I-3)

The “Development Program” makes reference to nearby residential neighborhoods and communities in its desire to:

“transect outward into the fabric of the existing surrounding communities of Ponckhockie, First Street & East Kingston. These communities which consist primarily of small lot single family homes integrate well into the residential components of the Hudson Landing community with the proposed auto, pedestrian and open space linkages proposed for the project.” (p. I-4).

Comment

Hudson riverfront communities have grown – and continue to grow – in an organic fashion. Most started with a central core and evolved on a lot by lot or block by block basis, with multiple builders and a wealth of different styles. While the Development Guidelines address this approach, the photosimulations (e.g., Figure 3.11-10c) show a collection of structures that are characterized by similarities in style, color, roof pitch, and detailing. The landscape has been changed from a predominantly naturalistic setting to a predominantly urbanized one. The result is a landscape that appears too linear, too massive, and too homogenous for its historic setting.

It is not evident how the transition will be made between the surrounding neighborhoods and Hudson Landing. While there has been some attention given to the transect model, considerably more detail will be necessary to understand how the traffic patterns, road widths, and the development program will relate to the surrounding areas. Nearby land uses are typically one and two-story homes on small lots.

Ideally, the edges of Hudson Landing should match the more modest existing housing, preferably with cottage-sized homes on smaller lots that could provide some affordable housing for local residents and increase the diversity of the new community. The vision should recognize that Hudson Landing will be integrated INTO an existing community, and not vice-versa. Additional photosimulations should be prepared to illustrate the vari-

ous measures that will be taken to achieve a seamless transition between existing neighborhoods and the outer edges of Hudson Landing.

It is instructive to note that the hand-drawn renderings used in the Guidelines treat the opposite shoreline (which is all a National Historic Landmark District) with virtually no detail, a backdrop to Hudson Landing.



Sketch of Hudson Landing with HR NHLD in background, Guidelines p. 1-5.

The vision statement for Hudson Landing should recognize the national significance of both the NHLD and the Hudson River and describe how their presence has influenced all aspects of planning and design. As seen in several of the photosimulations, there are portions of the FGEIS Plan that create an image of dense generic housing that contrasts sharply with the present setting of the NHLD. Further planning will be required to create the type of vibrant, compact, mixed-used community that will be a long-term asset to Kingston and not overwhelm the setting of the NHLD.

As Professor Harvey Flad, writing in Landscape Character, notes:

The landscape of the mid-Hudson River Valley has been recognized as of national significance in the establishment of American culture. Landscape features such as its natural topographic and aesthetic features, siting of houses and public parks, elite and vernacular architectural heritage and designed landscapes are some of the visible expressions that have produced a cultural landscape over the course of three hundred years of settlement that would be impacted by insensitive development.

SECTION II: OPEN SPACE GUIDELINES

Section II emphasizes providing “unlimited access to the public along the Hudson River with waterfront parks, promenade, picnic areas and canoe/kayak launch areas while respecting the natural and historical attributes of the shoreline...” (P. II-24)

The Guidelines contain the following statement that raises the question about who will actually be responsible for the development of the open space elements and in what sequence:

“The following guidelines lay the groundwork for development of these open space elements and will aide the City and Town in developing these areas with a common vision for the community.” (P. II-24)

Comment. The plan for Hudson Landing could be a model for conservation planning, with interconnected open spaces, a dramatic waterfront, and preserved natural features. As in any large-scale plan, the details will be key to its successful realization.

One of the more important changes that evolved from the application plan to the FGEIS was the preservation of a large segment of open space along the shoreline. This had the effect of breaking up the linear development pattern while preserving an important habitat area and providing open space within easy reach of the northern end of the site. However, in evaluating the photosimulations, it is evident that the amount of open space may not be sufficient to achieve a true separation between development zones.

The plan for Hudson Landing seems to have a variety of open spaces:

- Preserved natural areas / buffers / wildlife habitat
- Developed green space: ball fields, trail corridors, multipurpose areas
- Developed recreation areas: playgrounds, tennis courts,
- Formal spaces: courtyards, plazas.

It will be important to create an open space plan which identifies all the components of the open space network, the users expected, phasing, utility needs, the types of surface treatment, special requirements for construction and maintenance, and life cycle costing. The plan should identify what parts of the plan will be implemented during the first phase of construction and the responsible parties.

Given the extensive nature of the site and its current condition, AVR should make it a priority to develop a substantial amount of the waterfront component of the open space plan as part of the first phase. While this can be an important selling point for the developer, it should be undertaken to address ongoing concerns for stormwater management, habitat restoration, and vegetation management. Early action will also have the effect of establishing a theme of environmental awareness that should continue throughout the life of the project. As the project is built out, it will be important to have a defined process to monitor the progress of the work and assess how the plan is achieving its stated goals.

SECTION III: ARCHITECTURAL GUIDELINES

Section III contains a number of illustrations to show the intended character of the building blocks that will comprise Hudson Landing. These seem to be taken from (or are the start of) a pattern book that may dictate the form, massing, design, colors, materials, and

detailing for both residential and commercial structures. This approach has been used extensively for New Urbanist communities throughout this country and is effective in understanding visual impacts and predicting community character.

Some of the hand-drawn illustrations show considerable variety in architectural forms while others seem to indicate a repetition of identical building types.

Traditional communities are often characterized by focal points (e.g., church steeples, prominent civic structures, artworks) that impart a sense of identity. The plans that have been developed to date are rather homogenous in their forms and massing, with no real focal points. None of the photosimulations show any variation in the massing or prominence of individual structures. The freehand sketches, on the other hand, seem to indicate that corners will be treated with more importance, with cupolas and other architectural features expected.

The Architectural Guidelines seem to encourage variation in design. “At Hudson Landing stylistic freedom is encouraged within the tradition that has fostered the growth of style.” (P. III-1.) The language of the Guidelines, along with the freehand illustrations that accompany it, are meant to assure the community that the developers are serious about creating a place that is both unique and responds to its setting.

SECTION IV: LANDSCAPE GUIDELINES

Plantings and Tree Preservation

In Section IV Landscape Guidelines the developer offers the following vision to address these concerns:

“...The true challenge is to bring into this site a landscape vision which promotes reclamation of the barren terrain with a mixture of native species which will compliment the surrounding communities and the Hudson Valley Region.”

“At the core of the design philosophy for Hudson Landing is conservation and preservation of the existing pristine areas such as the “Delaware Forest” in the upland area of the site...”

Comment. Hudson Landing could have a significant visual impact on the HR NHLD by introducing large-scale cultural elements that will be visible from the Hudson River and throughout much of the viewshed from the eastern side of the river. Careful attention to protecting existing vegetation and the introduction of appropriate new plantings will be essential mitigation measures to minimize visual impacts.

The landscape treatment for Hudson Landing will be an important component of evaluating its visual impact and effectiveness in dealing with this challenging site. A landscape master plan should be prepared by the landscape architect for the entire property to ensure continuity throughout the years that it takes to construct. This plan should identify the appropriate landscape treatment for the different use areas, e.g., types of trees, shrubs, groundcovers, and ornamentals; parameters for habitat restoration; buffer and screening opportunities; opportunities to filter stormwater; and other measures to accomplish specific goals throughout the property.

While it is important to protect and preserve the ‘pristine areas’, specific attention should be paid in the plan to the treatment and protection of shoreline vegetation, since it can provide a significant amount of buffering to protect the views from the opposite side. The draft site plan seems to assume that the majority of the vegetation within the development areas will be clear-cut, with new trees brought in at the end of the process. A more environmentally sensitive approach should be followed that recognizes the value of all existing vegetation and incorporates significant stands of trees and individual specimens into the design.

Development plans for the shoreline (and the entire site as a whole) should be based upon a thorough understanding of the natural resources within the area (e.g., existing vegetation, soil conditions, groundwater, slopes, rock outcrops, significant habitats, etc.).

All existing trees within the shoreline area should be inventoried and evaluated as part of the planning process. The development guidelines should contain a section that addresses landscape preservation, including:

- evaluation of existing trees
- preserving trees in masses v. individual specimens
- likelihood of wind throw and measures to minimize damage
- possible impacts from construction and changes in groundwater levels
- protection during construction
- contractor penalties for damage to trees
- replacement guidelines
- dealing with invasive plant species.

Likewise, a shoreline restoration / buffer plan should be completed as part of the initial phase of development. This work should include:

- shoreline restoration
- habitat restoration
- preservation and enhancement of existing vegetation as noted above
- infill plantings to reinforce existing vegetation
- land shaping to create stormwater treatment ponds and buffers zones.

The Landscape Guidelines are very specific in some aspects: e.g., numbers of trees per lot, suggested species, use of ornamentals, invasive species to be avoided, etc. What is missing is an indication of size of plant materials to be installed for streets, yards, common open spaces, buffers, and other locations throughout the development.

Lighting

In its present condition the night sky above the site is relatively dark in comparison to the sky over Kingston or Rhinecliff, with only a few points of light evident through the trees.

In recognition of the potential for light trespass and pollution, at least along the waterfront, the Development Guidelines contain the following directives regarding Site Lighting¹⁰:

“All Fixtures shall be installed with full cut-off features consistent with “Dark Sky” requirements. Any fixtures located at the waters edge shall also be provided with side shield cut-offs to block the light source from the river and areas across the water.” (p. IV-2.)

As part of their series of photosimulations of the project, Saratoga Associates has prepared several images showing how the lighting patterns will change with the introduction of dense housing, commercial areas, roads, and parking lots on a relatively undeveloped site.

Comment. There are several factors to consider in reviewing the night-time simulations:

- The simulations do not include light from the interior of structures that may be visible through un-shaded windows. These light sources could significantly increase the nighttime visibility of the project when viewed from the river.
- The second simulation shows the same scene with the addition of trees. However, there is no information given regarding the spacing, height, or species of trees. As trees attain a mature height, the level of visible light should decrease during the leaf-on season.
- The Guidelines call for side shields for lights along the waters edge. However, the simulations seem to indicate that lights along the promenade would be highly visible.
- Atmospheric conditions (rain, fog, haze) will influence the intensity of light and the degree of light scatter. Under some conditions there will be a considerable amount of light reflected off wet pavement that may contribute to sky glow.

¹⁰ It should be noted that this is one of the few places in the Development Guidelines that specifically acknowledges the potential for off-side impacts to the NHLD.

At this point AVR has not provided any specific information on light levels (lumens), mounting heights, or light sources, all of which could influence the impact of the lighting. There is also no reference to IESNA standards, which should be used to establish minimum and standards in the development.

4. ADDITIONAL ISSUES

After reviewing the newly produced visual simulations based on a revised neo-traditional plan and the draft Development Guidelines, a number of issues still remain that could affect the future form of Hudson Landing and its possible impact on the HR NHLD.

- **NYSDOS.** It is clear that the New York State Department of State (NYS DOS) will be involved in the review of the project, since it has the potential to have a significant and lasting impacts on the Hudson River and the historic resources within the NHLD.
- **Community Outreach.** The applicant should develop a specific plan to involve the surrounding communities in the design process. This should include outreach to the communities on the opposite side of the river in the Hudson River NHLD.
- **Project Build-out.** The applicant should provide a forecast for the projected build-out of Hudson Landing, with reasonable phasing plans and accommodations for changing demographic and economic conditions. The first phase of construction should be specifically detailed to indicate the number and types of housing units, infrastructure extension, community amenities, and plans for shoreline restoration.
- **Treatment of Riparian Zone.** The Guidelines show a number of possible treatments for various sections of the river's edge. The riverfront is a very complex series of ecological zones that need to be recognized and accommodated in the long-range plans for restoration and improvement. The treatment of the riparian zone will be a key component in assuring an adequate visual buffer between the development and the river. The plan should be prepared by a team of landscape architects, ecologists, engineers, and others, committed to maintaining the health of the waterfront.
- **Ridgeline Protection.** As the plan has evolved, the applicant has moved development off the ridgeline to minimize visual impacts. Permanent protection measures should be established to guarantee that these sensitive areas would remain undeveloped. The vegetation management plan for Hudson Landing should pay particular attention to this area to ensure the health of the tree cover.

- **Waterfront Development.** The current plan dropped the 200-slip marina that had been part of an earlier scheme. Permanent restrictions on this type of waterfront development should be incorporated into the homeowners' association documents and the regulating plan to prevent future modifications of this nature to the shoreline.
- **Impacts on River Road.** It is assumed that many residents will commute by rail, arriving at the station in Rhinecliff. The increase in traffic from Hudson Landing residents will put additional pressure on the local roads within the NHLD, including River Road and Rhinecliff Road, which are both state and locally designated scenic roads. Many of these roads are narrow and defined by old stone walls and stately trees that contribute to the inherent character of the district.

River Road is an important component of the River Road Subunit (ED-11) of the Estates District Scenic Area of Statewide Significance (SASS). It is characterized by a "great variety of open space, fields, and woodlands which are unified by the pastoral estate setting and the general absence of discordant features."¹¹ This subunit also part of the Mid-Hudson Historic Shorelands Scenic District. River Road has been designated as a Scenic Road under Article 49 of the Environmental Conservation Law.

Rhinecliff Road is the main connector between the village of Rhinebeck and the hamlet of Rhinecliff. It traverses ED-14, the Rhinecliff Road Subunit of the Estates District Scenic Area of Statewide Significance (SASS).

At some point additional traffic may warrant improvements to these roads: increased pavement width, removal of fixed deadly objects, better sight distance, etc. While these types of change to the roads may increase their capacity to handle additional traffic volumes, they could very well destroy the essential nature of the resource.

These types of secondary effects should be recognized as part of the visual assessment of Hudson Landing. Appropriate measures should be developed with the community to deal with this issue to minimize these types of off-site impacts.

5. RECOMMENDATIONS

Site Planning. Retain the services of a landscape architectural firm with experience in habitat restoration and community planning as an integral part of the site team. The landscape architect should be responsible for site analysis, master planning, open space plan-

¹¹ NYDOS. Scenic Areas of Statewide Significance. July 1993. p. 197.

ning, riparian restoration, design of landscape details, lighting, amenity design, landscape design, and related work.

Vision Statement. The vision statement should recognize the national significance of the NHLD, the Hudson River, and the SASS's and should describe how their presence has influenced all aspects of planning and design.

Alternatives. Provide additional illustrations and photosimulations depicting a wider range of options for density, building heights, massing, open space, and other variables.

Visual Impact Analysis. Provide an objective visual impact analysis of the Final Generic EIS to determine how it would relate to the scenic resources in terms of form, line, color, texture, scale, or spatial dominance.

Landscape Inventory. A detailed landscape and tree inventory should be prepared to form the basis for a more environmentally sensitive plan that recognizes the value of all existing vegetation and incorporates significant stands of trees and individual specimens into the design.

Plan Adjustments. In order to make the plan more compatible with the surrounding area and create the type of vibrant, compact, mixed-used development that will be a long-term asset to the community, a number of changes should be made:

- Reduce the overall density of the project within the viewshed of the NHLD.
- Reduce the size of visually prominent structures (4-5 stories) by 1-2 stories.
- Incorporate more open space to break up its mass and linear nature.
- Site the structures further from the shoreline.
- Preserve vegetation and plant additional trees throughout the shoreline buffer.
- Vary the architectural design, roofline, heights, color, and surface materials of the structures.
- Provide more detail to illustrate how Hudson Landing will relate to the surrounding neighborhoods (e.g., traffic patterns, road widths, building forms).

Photosimulations. Once the plan for Hudson Landing has been revised to reflect the changes noted above, additional photosimulations should be prepared to illustrate how the plan will be consistent with state and local coastal policies.

Open Space Plan. Create an open space plan which identifies all the components of the open space network, the users expected, phasing, utility needs, the types of surface treatment, special requirements for construction and maintenance, and life cycle costing. The plan should identify what parts of the plan will be implemented during the first phase of construction and the responsible parties.

Landscape Master Plan. A landscape master plan should be prepared by the landscape architect for the property to ensure continuity throughout the life of the project. The plan should identify the appropriate landscape treatment for the different use areas, e.g., types of trees, shrubs, groundcovers, and ornamentals; parameters for habitat restoration; buffer and screening opportunities; opportunities to filter stormwater; and other measures to accomplish specific goals throughout the property.

Lighting. Provide specific information on minimum and maximum light levels (lumens), mounting heights, light sources, and other factors which could influence the affect on the surrounding communities.

First Phase. A substantial amount of the waterfront restoration and development should be completed as an integral component of the first phase to address ongoing concerns for stormwater management and treatment ponds, habitat restoration, screening, and vegetation management.

Review and Approval Process. The Regulating Plans and the Development Guidelines provide the organizational and regulatory framework for the development of Hudson Landing.

- A formal process should be established at the outset to review each phase of the project for consistency with City's ordinances, the LWRP, the AVR Regulating Plans, and the Development Guidelines.
- The process should establish how changes to the plans – both substantive changes and de minimus adjustments – will be reviewed and approved.
- The process should describe how concerned stakeholders – including local residents, the business community, abutting landowners, conservation and historic preservation interests, and NYDOS – will be kept informed about the development and how they will be notified of any significant adjustments to the plan.