

To: John Gunn, Chair, and the City of Beacon Planning Board

Date: February 9, 2018

Re: **39 Front Street, HIP Lofts & Storage Amended Special Use Permit**

I have reviewed the following new materials:

- Response letters from Hudson Land Design and Aryeh Siegel, dated January 30, 2018;
- Letters from Cuddy+Feder to the Planning Board and ZBA, both dated January 30, 2018;
- Letter from Walter R. Wheeler of Hartgen Archeological Associates, dated January 17, 2018;
- Letter from Weston Davey from NYOPRHP, dated January 5, 2018;
- Phase 1A Literature Search and Sensitivity Assessment by Hudson Valley Cultural Resource Consultants, dated November 2017; and
- Sheets 4-10 of the Amended Special Use Permit set, with revision dates of January 30, 2018.

Proposal

The project would eliminate the previously approved construction of Buildings 9A and 12, demolish Buildings 16, 18, 24, and 25, construct a larger Building 16, and extend existing Building 9 to include one live-work loft. This will increase the previously approved unit count from 143 to 172 lofts. The 8.7-acre parcel is in the Light Industrial district and Historic District and Landmark Overlay Zone.

Comments and Recommendations

The applicant has asked that the Planning Board reconsider its previous recommendation to the ZBA on the proposed height variance.

1. The new Building 16 would be three stories at 52 feet with a fourth floor stepbacked 10 feet for a total height of 66 feet. Nine additional units are to be located on the fourth floor. The LI height limit is 35 feet. The height of the adjacent historic 3-story building is 46 feet. The Planning Board's previous recommendation to the ZBA stated that the new building should be no higher than the adjoining historic building to the north.
2. Since this application involves alterations to a property in the Historic Overlay Zone, the Board will also need to approve a Certificate of Appropriateness under Chapter 134, Historic Preservation.
3. The Groverville Mills complex includes multiple buildings of various heights and scale that should be considered as a combined district rather than individual buildings. Thus, the replacement of Building 16 with a large-scale new building can be seen as subordinate in size to the overall historic complex. However, height is a more sensitive factor, especially since the entrance into the site has elevated views as the street comes down a hill with Building 16 directly ahead. All of the surrounding buildings are three stories and 46 feet or less, except for the downhill side of Building 4 and a tower element on the north end of Building 11. The previously approved Building 9A was four stories, but only 47 feet high.
4. The Architectural Review Subcommittee agreed that the proposed architecture, window designs, and materials were compatible with the adjacent structures, with a few relatively minor changes.

5. The applicant maintains that the additional 29 units over the previous approvals are necessary to offset the unanticipated costs of demolition and the extra height above 46 feet is justified because of the stronger marketability of 17-foot-high mezzanine apartments. I agree with the intent to concentrate the new apartments in Building 16, rather than constructing a separate Building 9A near the creek, but the extra height is still an issue in search of another solution.

6. The Architectural Historian's letter cites *Preservation Brief 14, New Exterior Additions to Historic Buildings* and The Secretary of the Interior's *Standards for Rehabilitation*, saying that neither document limits the height of new construction relative to historic structures. However, the *Standards* and *Brief 14* do include the following statements:

"The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment." (*Standards*, number 9)

"A new addition should always be subordinate to the historic building; it should not compete in size, scale, or design with the historic building." (*Brief 14*, page 5)

"Certain types of historic structures...may be so massive in scale that a relatively large-scale addition may not compromise the historic character, provided, of course, the addition is smaller than the historic building." (*Brief 14*, page 6)

"Inherent in all the guidance is the concept that an addition needs to be subordinate to the historic building." (Italics in original *Brief 14*, page 7)

7. I suggest that the Board consider at least the following options:

- Approve the 66-foot variance, as requested;
- Visually minimize the 4th floor by limiting the height to 11-12 feet with a larger 15-foot stepback; also, reduce the height of the 3rd floor to 45-46 feet, perhaps by eliminating the mezzanine from one level or adding a slanted skylight at the 3rd floor roofline; or
- Limit the height to three stories at 45-46 feet with room for rooftop solar panels and a roof garden for all the residents. It may be possible to add 6 to 9 replacement units on the southern end of the building by eliminating 12 feet of lawn and part of the overly long loading zone.

To help make this decision, it would be very helpful to have a rendering or elevations of the east side of Building 16, showing the height and window levels compared to Building 10.

If you have any questions or need more information, please feel free to contact me.

John Clarke, Beacon City Planning Consultant

c: Tim Dexter, Building Inspector
Jennifer L. Gray, Esq., City Attorney
Arthur R. Tully, P.E., City Engineer
John Russo, P.E., City Engineer
Aryeh Siegal, Project Architect