



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Jennifer L. Van Tuyl, Esq.
JVanTuyl@cuddyfeder.com

October 30, 2018

BY HAND DELIVERY and E-MAIL

Lt. Timothy Dexter, Building Inspector
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Chairman John Gunn and
Members of the Planning Board
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: Beacon HIP Lofts
Application for Site Plan approval, following Council approval of Special Use Permit
Premises: 39 Front Street—Parcel ID#30-6055-04-590165-00

Dear Lt. Dexter and Chairman Gunn and Planning Board members:

Background:

This is an application by Beacon Lofts and Storage, LLC to amend a previously issued Special Permit to construct an additional 29 artist live/work units to be placed in a newly constructed building (Building 16). The Planning Board has served as the Lead Agency under SEQR, and adopted a Negative Declaration on December 17, 2017 [copy attached as Exhibit A]. The Zoning Board of Appeals on February 21, 2018 issued a height variance to allow Building 16 as shown on the proposed plans [copy attached as Exhibit B]. The application last appeared before the Planning Board on March 13, 2018. At that time, the Planning Board referred the application for a Special Permit to the City Council with a unanimous favorable recommendation. [copy attached as Exhibit C].

Since that time, the City Council has reviewed the Special Permit application and held the required public hearing. On October 15, 2018, the City Council granted the requested Special Permit to include the 29 additional artist live/work units, subject to Planning Board Site Plan approval and issuance of a Certificate of Appropriateness pursuant to section 134-7 of the City Code [copy attached as Exhibit D].

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Site Plan Application:

Enclosed herewith are 5 copies of the Site Plan Application prepared by Aryeh Siegel, Architect, together with updated Site Plan drawings incorporating the modifications required by the City Council Special Permit approval. The applicant believes that all engineering issues have been resolved prior to the referral to the Council for the special use permit. The applicant's escrow account is up to date. When additional funds are required, they will be promptly posted.

A CD-ROM of the application materials is also enclosed.

Certificate of Appropriateness:

This application also requires the Planning Board to issue a Certificate of Appropriateness pursuant to the City Historic Preservation Chapter 134. The Design standards for such Certificate of Appropriateness are contained in section 134-7.

Based on these standards, the applicant has proposed a slightly revised design that introduces a shallow recess, 16 inches wide and 8 inches deep at the juncture between the old and new portions of Building 10 and Building 16. The inclusion of this element is designed to address the standards, particularly those of section 134-7 (2) (d).

The Council asked the Planning Board to consider whether consistency with Section 134-7 (2) (d) should require the further measure of "significant breaks in the facades" at intervals of 35 feet. The applicant showed two possible designs for Building 16, one with piers/pilasters every 35 feet, and one without. The applicant will present visual representations of both designs at the November 13th meeting. The applicant has presented the opinion of Walter Wheeler, Senior Architectural Historian at Hartgen Associates, that the additional detailing by the piers/pilasters would be discordant with the utilitarian nature of the historic elements of the Groveville Mills Historic District:

With respect to 134-7 (2d), which states that "[l]arger buildings or additions should incorporate significant breaks in the facades and rooflines, generally at intervals of no more than 35 feet" I find that, given the scale and detailing of the historic portions of the complex, the introduction of a series of non-structural pilasters, recesses or other repeated details would make the scale of the new and old portions of the building discordant. Clearly this section of the ordinance is intended to address buildings of smaller scale, in principally urban contexts. In addition, the utilitarian nature of the historic elements of the Groveville Mills Historic District would put them at odds with an addition which would then possess a higher level of detail if such features were introduced. The revised design, presented here, does however, introduce a shallow recess, 16" wide and 8"

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deep, at the juncture between the old and new portions of the building. While not explicitly indicated in the revised code, this type of detailing is recommended by the *Secretary of the Interior's Standards for the Treatment of Historic Properties* which indicate that the design of new additions should be undertaken “in a manner that makes clear what is historic and what is new” and that “[n]ew design should always be clearly differentiated so that the addition does not appear to be part of the historic resource.”

Letter of Walter Wheeler to Mayor Casale and City Council, September 14, 2018, attached as Exhibit E.

We believe that the decision as to the façade design is properly made by the Planning Board as a whole. The applicant has already met with the Architectural Review Committee about the overall configuration of Building 16 prior to the referral of the matter to the City Council and the committee has already reviewed and approved the proposed building configuration and architecture.

As further supportive materials relating to the Certificate of Appropriateness, we include copies of the following reports, which have already been introduced into the record as part of the application for the Special Use Permit [collectively attached as Exhibit F]:

1. NYS SHPO letter dated January 5, 2018, determining that the proposed new construction on Building 16 “appears to be appropriate to the surrounding historic district.”
2. Hartgen Associates letter report (Walter Wheeler, Senior Architectural Historian) dated January 17, 2017, concluding that the proposed configuration and height of building 16 (52 feet with a recessed fourth floor whose roof will be 66 feet) is in keeping with the existing setting and Historic Preservation guidelines for such construction and will not have a detrimental effect on nearby properties or the character of the neighborhood.
3. Phase 1A Historic evaluation prepared by Hudson Valley Cultural Resource Consultants, dated November 2017
4. Report of Hudson Valley Hudson Valley Cultural Resource Consultants dated September 14, 2018, reviewing the compatibility of the proposed Building 16 in light of the amended Historic Preservation standards (Chapter 134) of the City Code and concluding that “the proposed Building 16 design is in keeping with the historic context of the complex, and that the proposed height and massing will not negatively impact the historic context of the Groverville Mills Historic District.”

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5. See also Hartgen Associates letter (Walter Wheeler, Senior Architectural Historian) dated September 14, 2018, [Exhibit E] concluding that the proposed Building 16 was compatible with the standards of the Beacon HDLO standards, including section 134-7.

The City Council Resolution also requested that the Applicant propose to the Planning Board dates by which the proposed stairs to access the northern portion of the Greenway Trail from inside the project would be constructed, and the date by which the public access to the northern portion of the Greenway Trail would be redesigned and constructed. The applicant is proposing to complete both aspects of this construction as a precondition to the first CO for a residential unit in Building 16.

The applicant confirms its consent to the conditions numbered 6 and 7 of the City Council Resolution, which were initially imposed by the ZBA at the time of the grant of the height variance.

Requested action at November 13, 2018 meeting:

We look forward to presenting the updated plans to the Board at the meeting on November 13, 2018. We will ask that the Board schedule a public hearing for the December meeting to be held on December 11, 2018. In view of the fact that these plans have already been extensively reviewed by the Planning Board, Zoning Board, and City Council, we will also request that at the November 13th meeting, the Board authorize its attorney to prepare a draft Resolution of Approval for consideration at the December meeting.

Should any of the City consultants or City Staff have any questions or comments prior to the meeting, please do not hesitate to contact any of the applicant's consultants.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Jennifer L. Van Tuyl', is written over a light blue horizontal line.

Jennifer L. Van Tuyl, Esq.



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Enclosures:

Five (5) copies of the following documentation:

1. Site Plan Approval Application Form;
2. Site Plan prepared by Aryeh Siegel, AIA, with engineering drawings prepared by Hudson Land Design.

cc: Jennifer Gray, Esq., Planning Board Attorney
Aryeh Siegel, AIA
Jack Wertz

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