

December 11, 2021

Marjorie Hsu
Chair, Planning Board
Village of Sleepy Hollow

re: 135 Beekman Ave Public Hearing -- Legal Analysis of Maximum Height

Dear Chairperson Hsu:

The legal debate regarding 135 Beekman Ave revolves around where the 25 foot height limit starts. The Village's new Zoning Code indicates the starting point is 80 feet from the sidewalk. The presentation to the November 18th Planning Board meeting shows the building would be approximately 45 feet high until about 135 feet from the sidewalk.

Below is the step-by-step analysis leading to that conclusion. It consists of quotes from Local Law 3 of 2021,¹ the law that approved the new code. Attached to this letter is a copy of Local Law 3 in which I have highlighted key passages.

Overlay District Applies: 135 Beekman is part of the "Lower Beekman Avenue Design Standards Overlay District," as specified by Section 450-106, which defines the boundaries as "current lots on Beekman Avenue west of Kendall Avenue and east of Clinton Street."

Overlay Regulations Take Precedence: Section 450-107 says "All projects within the LBADS Overlay District shall comply with the regulations set forth in the underlying zoning except to the extent of regulations set forth in the annexed 'Lower Beekman Avenue Design Standards Overlay District Regulations Booklet.'"

C-2's Height Section Says to Use the Overlay: The "Schedule of Regulations" for the C-2 (Central Commercial) zone says to use its "Maximum Height" rules "unless otherwise indicated by Overlay District design standards."

The Overlay's Height Limits: The "Regulations Booklet" defines two types of buildings: "Residential" and "Storefront." Both types have the same "height limits" text, based on the distance from the sidewalk. The relevant portion says: "80-ft and greater from sidewalk edge: 25-ft." No exceptions are specified.

I am strongly in favor of more housing in Sleepy Hollow and want the Alesci family to succeed in building such. I also want to ensure the Planning Board, and Village government as a whole, follows the law. Doing otherwise places the Village in jeopardy of sanctions by New York State, as well as litigation.

Sincerely,

Daniel Convissor
26 Maple St

¹ Local Law 3 of 2021 as adopted, obtained from the Village's website:
<https://www.sleepyhollowny.gov/building-department/files/zoning-local-law-no-3-2021-amending-chapter-450>

Meeting Date: 8/24/2021
Resolution #: 8/114/2021

**A LOCAL LAW No. 3, 2021 AMENDING CHAPTER 450 IN
THE CODE OF THE VILLAGE OF SLEEPY HOLLOW ENTITLED
ZONING TO (1) REMOVE DISTRICT R-4A, (2) CREATE A LOWER BEEKMAN
AVENUE DESIGN STANDARDS OVERLAY DISTRICT, (3) REVISE PERMITTED
USES IN DISTRICT C-2, (4) ALLOW NON-RESIDENTIAL USES ON UPPER FLOORS
OF MIXED-USE BUILDINGS, (5) REVISE PARKING REQUIREMENTS, (6) CREATE
INCENTIVES FOR INVESTMENT IN DISTRICT C-2, (7) CREATE INCENTIVES FOR
ADAPTIVE REUSE, AND (8) AMEND THE STRATEGIC PROPERTY
REDEVELOPMENT ZONE**

Motion: Trustee Spiro moved, seconded by Trustee Rodriguez.
Motion carried unanimously.

BE IT ENACTED by the Board of Trustees of the Village of Sleepy Hollow, New York,
as follows:

Section 1. The Code of the Village of Sleepy Hollow is amended at §450-5 by
deleting "R-4A One- and Two-Family Residence/Neighborhood Commercial."

Section 2. The Code of the Village of Sleepy Hollow is amended at §450-6 and the map entitled "Zoning Map of the Village of Sleepy Hollow" to delete the mapping of R4-A One- and Two-Family Residence Neighborhood Commercial and replace it with C-2 Central Commercial on the ends and R-5 Multiple Residence-Medium Density in the center as follows:



Prior Zoning on Hudson Street



Amended Zoning on Hudson Street

Section 3. The Code of The Village of Sleepy Hollow is amended at §450-41, Off-street parking and loading space, as follows:

A. At Paragraph E, in the "Use" and the "Minimum Required Spaces" columns insert after "Office uses in commercial or residential buildings" the following:

Use	Minimum Required Spaces
Medical and dental office	1 for each 150 square feet of floor area
All uses in commercial or residential buildings on lots of 30 feet or less in width	The minimum parking requirement is waived except when a change of use includes medical or dental office uses

B. At Paragraph F, in the "Square Feet of Total Floor Area or Other Unit of Measurement" and the "Required Off Street Loading Berths" columns insert for "Offices, hotels, retail, commercial, wholesale, storage, and miscellaneous uses" the following:

Square Feet of Total Floor Area or Other Unit of Measurement	Required Off Street Loading Berths
--------------------------------------------------------------	------------------------------------

Under 5,000 square feet	0
5,000 to 20,000 square feet	1
20,000 to 50,000 square feet	2
More than 50,000 to 100,000 square feet	3
For each additional 50,000 square feet or major fraction thereof	1

Section 4. The Code of the Village of Sleepy Hollow is amended at §450-49, Restaurants, delicatessens, food service establishments, taverns, bars and drinking establishments, by deleting it.

Section 5. The Code of The Village of Sleepy Hollow is amended at §450-51, Mixed-use (commercial and residential) developments, as follows:

- A. Paragraph C is deleted.
- B. Paragraphs D, E, and F are renumbered C, D, and E.
- C. Renumbered Paragraph E is amended to read as follows:

E. Mixed-use developments shall not be permitted where the nonresidential use of the building includes manufacturing or where the nonresidential use is automotive in nature. PROVIDED, however, that the non-mechanized, non-assembly line, small-batch production and assembly of finished products or component parts, typically by hand, and including design, non-noxious or environmentally deleterious processing, fabrication, assembly, and treatment, and packaging of finished products shall be permitted as the nonresidential use in mixed-use developments.

Section 6. The Code of The Village of Sleepy Hollow is amended at §450-53, Off-site parking areas, as follows:

- A. At Paragraph B, to read as follows:
- B. Location. An off-site parking area shall be so located that its pedestrian access shall be within 500 feet from the effective entrance to the use which it serves.

B. By the addition of a new Paragraph E to read as follows:

E. Parking for existing uses, buildings, structures, and narrow parcels.

(1) Ground-floor uses within buildings in the C-2 District that are in existence prior to July 1, 2021, shall be considered legally nonconforming with respect to parking even if they do not meet the minimum parking requirements for the use. The difference between the number of spaces that the existing use is required to provide and the number of spaces that it provides shall be considered a credit that

carries forward with the building (unless the building is enlarged, expanded, or replaced).

(2) At the time of any change in use within existing buildings that are legally nonconforming with respect to parking as described in Section A above, the credit may be deducted from the parking requirements of the new use. If the new use requires the same or fewer parking spaces as the previous use, the new use is not required to provide additional off-street parking, but shall not reduce the number of existing spaces provided, except to the extent that the new use provides parking in excess of the requirements in Section 450-41). If the new use requires more parking spaces than the previous use, the parking requirement shall equal the number of spaces required by Section 450-41 minus the credit described in Section E(1) above.

(3) Parcels that are 30-ft wide or less, within the C-2 District, and with frontage along Beekman Avenue, Clinton Street, Valley Street, and Cortlandt Street are considered legally nonconforming with respect to parking and need not meet the minimum parking requirements indicated in Section 450-41

Section 7. The Code of the Village of Sleepy Hollow is amended at §450-99, Statement of intent and objectives, to read as follows:

It is the intent of Strategic Property Redevelopment (SPR) Floating Zone to enable the redevelopment of underutilized privately held and municipal properties so they can be returned to the tax rolls as applicable or otherwise redeveloped for mixed use, affordable and market rate housing and to provide criteria for the development of such uses.

Section 8. The Code of the Village of Sleepy Hollow is amended at §450-100, Development standards and general requirements for SPR, at Paragraph A(1) to read as follows:

(1) The property must be owned by the Village or its designated entity, the Sleepy Hollow Local Development Corporation, or if the property or assemblage of properties is privately held, such property or properties must together contain a minimum of 65 feet of frontage on either Beekman Avenue, River Street, Valley Street, or Cortlandt Street.

Section 9. The Code of the Village of Sleepy Hollow is amended at §450-103, Development incentives, as follows:

A. At Paragraph A to read as follows:

A. Purposes. It is recognized that the SPR encompasses a unique resource within the Village of Sleepy Hollow, containing both a significant opportunity for achievement of public amenities and a major potential for redevelopment. To provide an incentive which will further encourage the most appropriate use and development of the Village's various land holdings along with those of other government related or private entities in a manner designed to achieve adopted planning objectives and to further the policies and purposes of the Village's Comprehensive Plan and Local Waterfront Revitalization Program, the Village may allow, only by application for a special permit and following a

public hearing held on notice duly given in the same manner as required by law for zoning amendments, an increased building bulk (i.e., floor area ratio and/or building height), relief from required setbacks, nonresidential uses on the upper floors of mixed use buildings, relief from parking and loading requirements.

B. At Paragraph B(1)(c) to read as follows:

(c) Streetscape/landscape improvements in the form of streetlighting, plantings, sidewalk improvements, benches and other similar streetscape/landscape amenities for the Village's downtown commercial/ residential areas or enhanced vehicular or pedestrian access or rights of way through the property.

C. At Paragraph C(1) to read as follows:

(1) The maximum floor area ratio and/or building height increase shall not exceed 34% as compared to that otherwise permitted in the underlying district.

Section 10. The Code of the Village of Sleepy Hollow is amended by adding a new Article XVIII to read as follows:

Article XVIII

Lower Beekman Avenue Design Standards Overlay District

§450-105. Findings and Purpose.

Lower Beekman Avenue has a decidedly residential character, with large, generally well-maintained homes set back from the sidewalk with small front yards, porches or stoops, and many mature street trees. Some of these homes have been converted to two- or three-family homes. The overall effect is to establish an attractive, walkable neighborhood that serves as a link between the downtown and the waterfront and can take advantage of both portions of the Village. Non-residential uses that are currently allowed in the C-2 district are appropriate on Lower Beekman Avenue, such as professional offices, child-care, or small boutiques, but the predominant visual character of the area should be preserved.

§450-106. Location.

The boundary of the Lower Beekman Avenue Design Standards Overlay District ("LBADS Overlay District") is current lots on Beekman Avenue west of Kendall Avenue and east of Clinton Street.

§450-107. Applicable Regulations.

All projects within the LBADS Overlay District shall comply with the regulations set forth in the underlying zoning except to the extent of regulations set forth in the annexed "Lower Beekman Avenue Design Standards Overlay District Regulations Booklet."

Section 11. The Code of the Village of Sleepy Hollow is amended by adding a new Article XIX to read as follows:

Article XIX
Adaptive Reuse of Religious, Educational, and Institutional Buildings

§450-108 Findings and purpose.

The purpose of this section is to prevent the demolition of and foster the renovation and reuse of structures originally constructed for religious, educational, or institutional uses, which have historic, architectural, economic, cultural or other value to the Village and are at risk of becoming underutilized, vacant or demolished. This section encourages the adaptive and flexible reuse of such buildings to allow more economic and efficient use of the property. Special regulations are appropriate to this type of reuse because of the difficulty present in adapting these structures to allow economic and efficient use of the property.

§450-109. Location.

This provision may be applied within Zoning District C-2 and Zoning District R-5.

§450-110. Eligible buildings.

Any building originally constructed for religious, educational, or institutional purposes including buildings previously occupied as a primary or secondary school, place of worship, or accessory building to a place of worship such as a rectory, convent, gymnasium, or similar use.

§450-111. Applicable regulations.

All projects within the C-2 District and the R-5 District shall comply with the regulations set forth in the underlying zoning except to the extent set forth in this Article.

§450-112. Special permit.

A. The Board of Trustees must review and grant a special permit for requests to demolish structures meeting the eligibility requirements herein.

B. The Planning Board may grant a special permit subject to the additional provisions set forth below to allow the use of an eligible building for uses which may not otherwise be allowed and such adaptive reuse of an existing building may occur within its existing footprint even if dimensionally nonconforming.

§450-113. Site plan approval.

The granting of a special permit for other than demolition of a religious, educational, or institutional structure pursuant to Section 450-112 shall require compliance with site plan review requirements.

§450-114. Area, height, setback, etc. modifications.

The Planning Board may modify minimum lot area, height, stories, minimum lot frontage, maximum coverage, maximum habitable floor area, minimum lot width, and front, side and rear yard setback requirements if the Planning Board determines that the modification is necessary to preserve the building and allow its adaptive reuse.

§450-115. Parking modifications.

A. Parking may be provided on lot(s) in private ownership within 500 feet of the building entrance.

B. The Planning Board may modify off-street parking requirements based on applicant's information regarding the parking impacts of the proposed adaptive reuse.

§450-116. Additional conditions.

The Planning Board may attach such additional conditions to a special permit granted under this section as may be necessary to protect the neighborhood surrounding the property and to encourage the most appropriate adaptive reuse of the buildings and property.

Section 12. The Code of the Village of Sleepy Hollow is amended by adding a new Article XX to read as follows:

**Article XX
Development Incentives for the C-2 District**

§450-117 Findings and purpose.

The purpose of the development incentives and community benefits program is to encourage investment in the Inner Village of Sleepy Hollow, to incentivize development of underutilized sites. In exchange for provisions of community benefits described in this Article, a developer could receive a series of incentives to make investment more attractive.

§450-118. Location.

This provision may be applied within Zoning District C-2.

§450-119. Applicable regulations.

All projects shall comply with the regulations set forth in the underlying zoning except to the extent set forth in this Article.

§450-120. Special permit.

The Board of Trustees may grant a special permit for the development incentives program. As part of his special permit application, a developer must demonstrate that the proposed project achieves a total of 15 points based on the community benefits described in §450-121. The Board of Trustees may grant all or some of the development incentives described §450-122 based upon satisfaction of the minimum requirements to achieve 15 points of community benefits.

§450-121. Community benefits.

- A. A proposed project may include any combination of community benefits. Community benefits, their description, and their maximum points are:

Community Benefits	Description	Maximum Points
Public open space	Provision of a new public park or substantial improvements to existing public open space	5
Green Building Certification	LEED Gold and/or Passivhaus certification (or equivalent) with full or substantial electrification	5
Affordable Housing	Provision of affordable housing as defined by Westchester County at a minimum of 10% of the total number of units.	5
Converting Non-conforming Uses	Conversion of a substantial nonconforming use to a use that conforms to the requirements of the C-2 District	5
Streetscape Improvements	Streetscape/landscape improvements (e.g. streetlighting, plantings, sidewalk improvements, etc.) including but not limited to improving Complete Streets standards in the vicinity of the new development or at a location deemed a priority by the Board of Trustees.	3
Infill Development	New development on existing infill sites that are less than 30 feet wide.	3
Neighborhood Stabilization Fund	Payment into a fund to provide for building repairs, landscaping, and similar measures to improve housing conditions.	3
Off-Street Public Parking	Provision of off-street public parking in excess of the parking requirements for the uses on site and/or provision of public and municipal access alleyways.	3
Cultural Facilities	Designation of leasable space building to a cultural use, such as a museum, gallery, performing art space, theater, etc.	3
Green infrastructure	Incorporation of green infrastructure measures (e.g., green roofs, rain gardens, bio-retention areas, rights of way for renewable energy, community solar access, etc.).	1
Green Building Strategies	Incorporation of strategies to support the Climate Smart Communities program (e.g. EV charging stations, low carbon thermal energy networks, ground source heating or cooling, community solar).	1
Public Art	Commissioning of public art that is viewable in the public right of way.	1
NYS stretch code with Electrification Ready Provisions	Achieve NYS stretch code energy efficiency standards and provide infrastructure to eliminate on-site fossil fuels combustion.	1

§450-122. Development incentives.

Development incentives that may be granted by special permit are:

	Existing/Underlying Zoning	Development Incentive
Height	45 feet (4 stories)	55 feet (5 stories) unless otherwise specified in Overlay Design Guidelines
Parking (residential)	1 space per unit plus 0.5 spaces per bedroom	0.5 space per unit plus 0.25 spaces per bedroom
Maximum Lot Coverage	Mixed-Use: No maximum coverage, 1.4 FAR	Mixed-Use: No maximum coverage, 1.9 FAR
Required Yards and Open Space	Multi-Family Dwelling: No maximum coverage, 1.4 FAR Mixed-Use: None Multi-Family Dwelling, as in the R-5: Front: 20 feet Side: 5 feet/15 feet Rear: 25 feet	Multi-Family Dwelling: No maximum coverage, 1.9 FAR Mixed-Use: None Multi-Family Dwelling: Front: None Side: None Rear: 12 feet Unless otherwise specified in Overlay Design Guidelines
Floor Area Ratio	1.4	1.9

§450-123. Amendment of Schedule.

“450 Attachment 1, Village of Sleepy Hollow, Schedule of Regulations” applying to District C-2, Central Commercial, is amended to read as follows:

District	Permitted Principal Uses	Permitted Accessory Uses	Minimum Lot Size		Maximum Lot Coverage	Required Yards and Open Spaces				Maximum Height (feet)	Miscellaneous Notes	
			Use	Area		Width (feet)	Use	Front (feet)	One Side (feet)			Both Sides (feet)
C-2, Central Commercial	As in R-5, plus Professional and medical offices Financial institutions Stores and shops for retail business and personal and business services Commercial recreation facility Printing and publishing plant Restaurant, delicatessen or other food service establishment* Tavern or bar* Coffee shop Mixed-use (commercial and residential) development* Child care centers Educational instruction Museums Art galleries and studios Artisan manufacturing Live/work units Co-working space Breweries, brewpubs, and distilleries Multiple use businesses	As in C-1 Antennas, communication towers, antenna towers, monopoles, associated buildings, structures and equipment Outdoor dining Roof-top dining	Commercial uses, excluding car wash Residential and other R-5 uses Mixed use	No minimum As in R-5 No minimum	No minimum As in R-5 No minimum	Commercial use Residence use Mixed use Multi-family dwelling	Commercial use Residence use Mixed use Multi-family dwelling	None As in R-4 None As in R-5	None As in R-4 None As in R-5	None As in R-4 None As in R-5	20 As in R-4 Where a mixed use or multi-family dwelling is abutting a residential district, the height limit of structure is 80-ft or greater from the sidewalk shall be 25-ft unless otherwise indicated by the Overlay District design standards. The last 10 of which must be landscaped	Parking and loading as specified in § 450-41E Uses subject to performance standards as specified in § 450-43 Site plan review as specified in § 450-66 *See additional requirements as specified in §§ 450-49 and 450-50, as appropriate Maximum height, parking requirements, floor area ratio, and required yards and open space may be modified by special permit to the Village Board of Trustees, per Section 450-122: Development Incentives and Community Benefits in the C-2 District

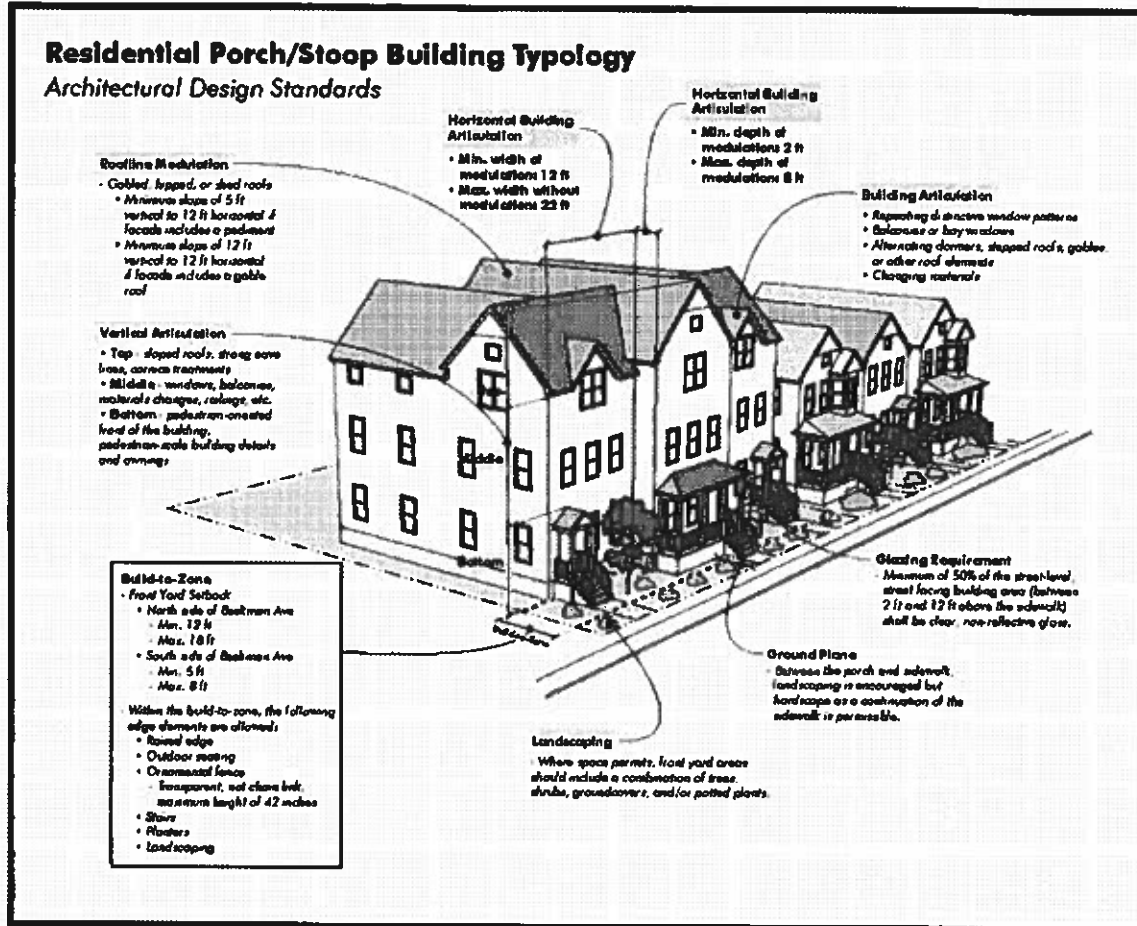
Section 13. The invalidity of any word, section, clause, paragraph sentence, part, or provision of this local law shall not affect the validity of any part of this local law which can be given effect without such invalid part or parts.

Section 14. This Local Law shall take effect immediately upon filing in the Office of the Secretary of State

**Lower Beekman Avenue Design Standards Overlay District
Regulations Booklet**

Building Typologies Permitted in the Overlay District

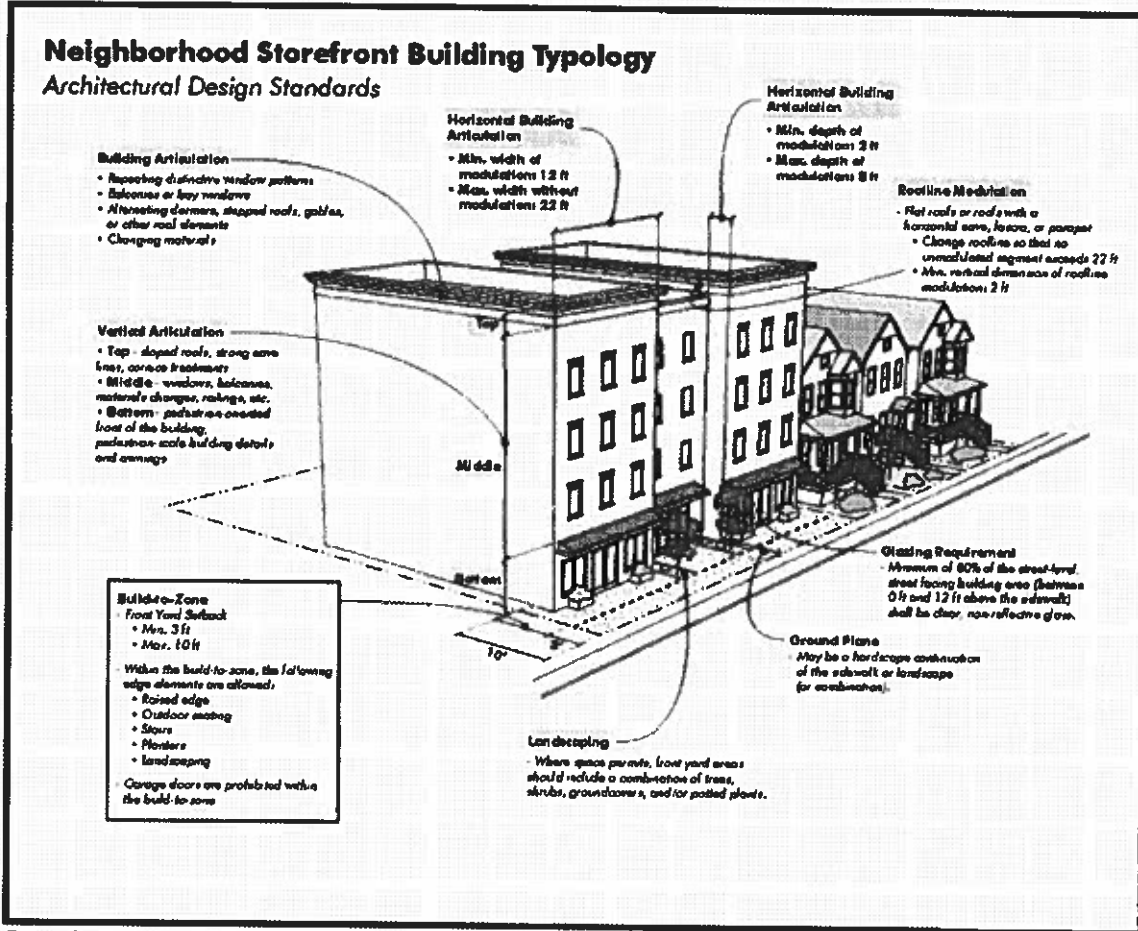
Residential Porch/Stoop Building Typology



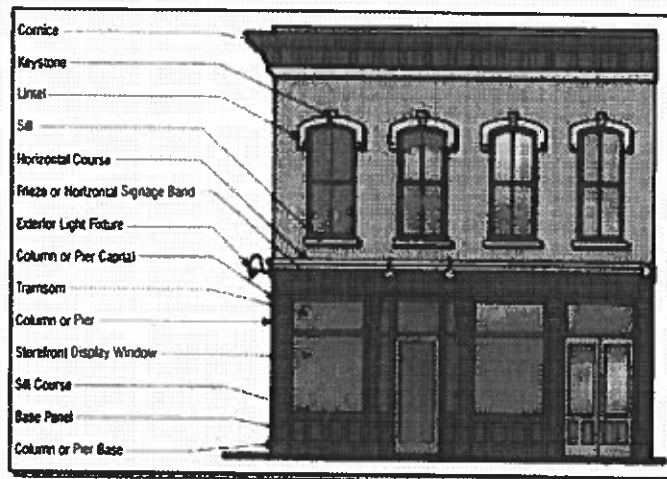
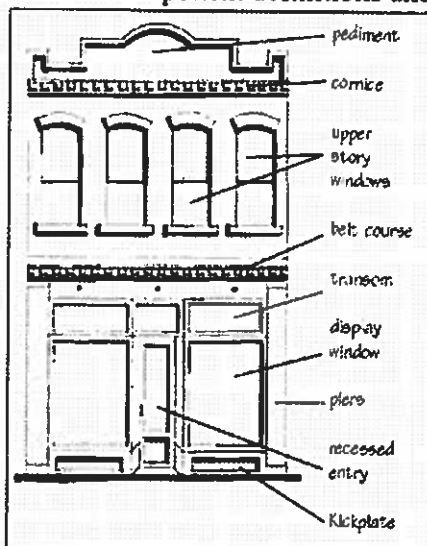
- Porches, stoops and entry porticos
 - Semi-public porches, stoops and porticos, elevated above the ground plane, provide a greater degree of privacy for ground-floor residential uses and help preserve existing architectural character.
 - Porches and stoops may be elevated up to six (6) stair risers within the build-to zone.
 - Porch depth minimum of 6-ft and maximum of 12-ft
- Ground plane
 - Between the porch and sidewalk, landscaping is encouraged but hardscape as a continuation of the sidewalk is permissible to allow for retail or dining activity.
- Glazing requirement
 - Minimum of 50% of the street-level, street facing building area (between 2' and 12' above the sidewalk) shall be clear, non-reflective glass.
- Build-to-zone

- South side of Beekman Avenue: Minimum front yard setback of 5 feet and maximum front yard setback of 8 feet.
- North side of Beekman Avenue: Minimum front yard setback of 12 feet and maximum front yard setback of 18 feet.
- Within the build-to-zone, the following edge elements are allowed:
 - Raised edge
 - Outdoor seating
 - Ornamental fence (transparent, not chain link, maximum height of 42")
 - Stairs, stoops, and porticos
 - Planters and tree pits
 - Landscaping
 - One half of the total depth of proposed front porch(es), stoops or porticos
- Garage doors, parking areas, drop-off or delivery zones, loading docks, port cochere, and semi-circular driveways are prohibited within the build-to zone.
- No new sidewalk curb cuts are permissible in the Overlay District except for vehicular access provisions accommodating public use, emergency vehicle access or public parking.
- Setbacks and Sky Exposure Plane:
 - A Sky Exposure Plane is intended to preserve equitable access to light and air to the front yard and rear yard areas. Massing must meet the following front and rear setback requirements, which are indicated as height limits:
 - 0-ft to 18-ft from sidewalk edge: 36-ft
 - 15-ft to 80-ft from sidewalk edge: 55-ft
 - 80-ft and greater from sidewalk edge: 25-ft

Neighborhood Storefront Building Typology



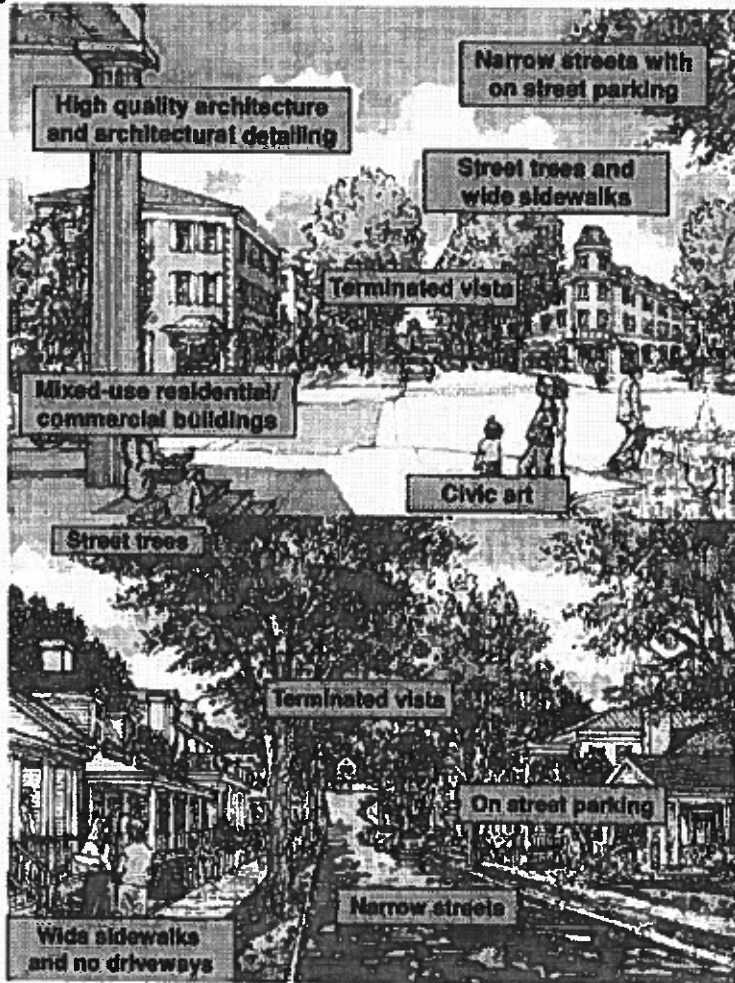
Storefront component definitions and suggested façade elements:



- The Neighborhood Storefront Building Typology is permissible at corner lots, street intersections, or at street terminated vistas only. The Neighborhood Storefront Typology is prohibited from mid-block areas unless providing a terminated vista to a side street.
- Ground plane
 - May be a hardscape continuation of the sidewalk or landscaped (or combination).
- Glazing requirement
 - Minimum of 80% of the street-level, street facing building area (between 0' and 12' above the sidewalk) shall be clear, non-reflective glass.
 - The storefront façade base panel or kickplate may not be greater than 2-ft in height.
- Build-to-zone
 - Minimum front yard setback of 3 feet and maximum front yard setback of 10 feet.
 - Within the build-to-zone, the following edge elements are allowed:
 - Raised edge
 - Outdoor seating
 - Stairs, ADA-compliant ramps, and porticos
 - Landscaping is limited to tree pits; planters may not be permanently installed. Movable planters are encouraged.
- Garage doors, parking areas, drop-off, or delivery zones, loading docks, port cochere, and semi-circular driveways are prohibited within the build-to zone.
- No new sidewalk curb cuts are permissible in the Overlay District except for vehicular access provisions accommodating public use, emergency vehicle access or public parking.
- Setbacks and Sky Exposure Plane:
 - A Sky Exposure Plane is intended to preserve equitable access to light and air to the front yard and rear yard areas. Massing must meet the following front and rear setback requirements, which are indicated as height limits:
 - 0-ft to 18-ft from sidewalk edge: 45-ft
 - 15-ft to 80-ft from sidewalk edge: 55-ft
 - 80-ft and greater from sidewalk edge: 25-ft

General Design Standards

The following general design principles are encouraged in the Lower Beekman Avenue Design Standards Overlay District:



- **Landscaping**
 - Where space permits, front yard areas should include a combination of trees, shrubs, groundcovers and/or planters utilizing native species. No invasive species as defined by NYSDEC are permitted.
 - All sidewalks, open spaces, and parking areas shall be landscaped and/or paved in a manner which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc. shall be attractive, durable, easily maintained, stormwater permeable, and compatible with the exterior of adjacent buildings. Brick or cobble stones are encouraged.
 - Public sidewalks along Beekman Avenue must be maintained at a minimum of 14-ft width or the width of the condition existing at the date of adoption of this regulation.

- The Planning Board may require buffer landscaping, fencing, or other screening to separate different types of land uses and to screen parking, utility buildings or structures, refuse collection areas, heating or cooling systems, and other similar installations and features.
- All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board.
- Curb cuts are banned other than for the provision of rear alleyway access for public use or emergency vehicle access. If curb cuts, fire zones or other public street modifications are necessary, cobble or brick aprons must be incorporated as a street surface treatment.
- If feasible and permissible and if obstacles are not present, street tree pits and approved street trees must be provided at 15-ft increments along the street frontage.
- Stormwater retention tree pits, bioswales, permeable pavement and other green infrastructure amendments are highly encouraged at all sidewalks, driveways and parking areas.

Architectural Standards

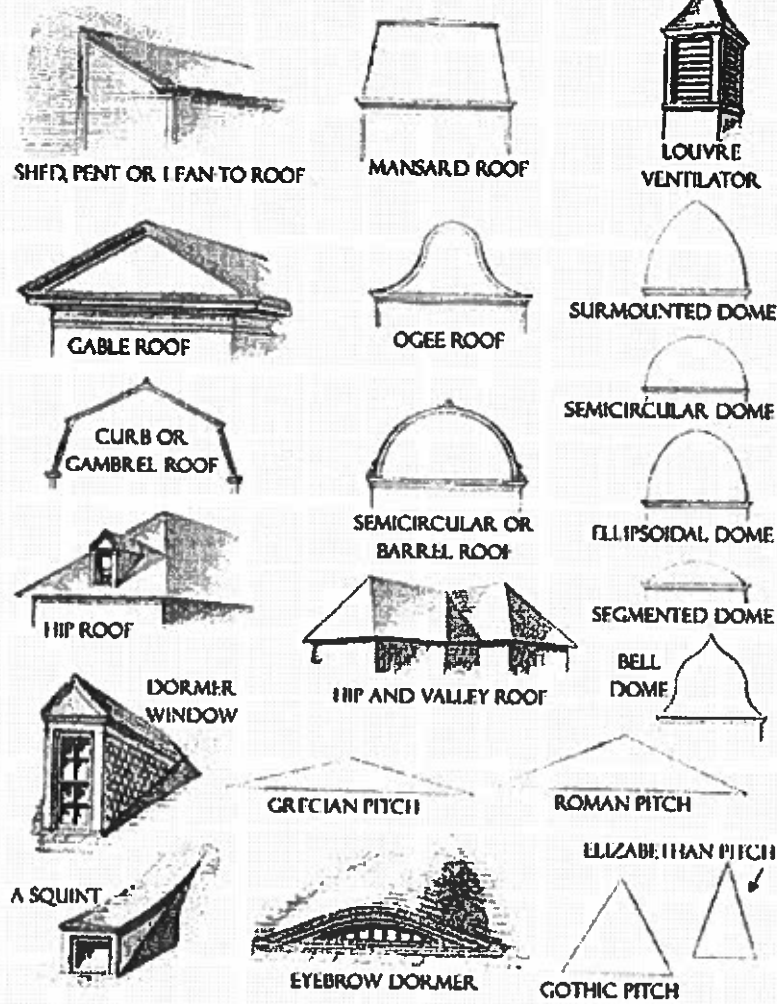
- Horizontal building modulation
 - Maximum width without building modulation: 22 feet
 - Minimum depth of modulation: 2 feet
 - Maximum depth of modulation: 8 feet
 - Minimum width of modulation: 12 feet
 - Bays and towers are encouraged
 - Building modulations must be proportionate to the overall building façade
- Roofline Modulation is desirable with use of dormers, gables, turrets or other architectural elements
- Primary entrances are required at the façade facing Beekman Avenue. Building entrances must be covered by a porch or portico.
- At corner lots, the primary building entrance should be located at the corner of the property at a 45-degree to Beekman Avenue and set back a minimum of 5 feet from the corner sidewalk edge.
- Flat roofs or roofs with a horizontal eave, fascia, or parapet
 - Change roofline so that no unmodulated segment exceeds 22 feet
 - Minimum vertical dimension of roofline modulation: 2 feet
 - Parapet pediments or other traditional architectural features are encouraged
 - Flat roofs must visually suggest a cornice at the eave, fascia, or parapet. Architrave, frieze, and cornice molding including brackets, corbels and dental molding is recommended.
- Gabled, hipped, or shed roofs
 - Minimum slope of 5 feet vertical to 12 feet horizontal if facade includes a pediment

- Minimum slope of 12 feet vertical to 12 feet horizontal if facade includes a gable roof
- Mansard roofs
 - Minimum slope of 12 feet vertical to 3 feet horizontal
 - Convex, concave, and complex mansard roofs are encouraged.
 - Mansard roofs must contain a cornice or curbs below and above the mansard roof
- Dormers
 - Dormers must be vertically oriented, unless the dormer is a shed or squint dormer, and meet the rectangular ratio requirements indicated in the Fenestration requirements in this section.
- Widow's Walks, Cupolas, Bulkhead or Crow's Nests
 - A vertical architectural projection or enclosure to provide roof access is permissible above building height limits if the enclosure is less than 10-ft in height and is no more than 8-ft wide in any direction containing not more than 65 square feet of occupiable space. Ornamental roof typologies are recommended, and enclosures must contain a minimum of 70% glazing. Flagpoles or finials are encouraged. No enclosure may be within 30-ft of another enclosure.
- Building articulation
 - Some combination of the following design elements should be included in a rhythm or pattern that complements the horizontal modulation and roofline modulation:
 - Repeating distinctive window patterns
 - Balconies or bay windows
 - Alternating dormers, stepped roofs, gables, or other roof elements including turrets, towers, campanile, etc.
 - Varying materials and textures
 - Vertical articulation
 - Top: sloped roofs, strong eave lines, cornice treatments, etc.
 - Middle: windows, balconies, materials changes, railings, etc.
 - Bottom: pedestrian-oriented front of the building, pedestrian-scale building details and awnings.
- Materials
 - High-quality, durable materials
 - Masonry, including brick and stone
 - Realistic cast stone or tile
 - Wood or cementitious (hardiplank or equivalent)
 - Vinyl, metal panels, or other artificial siding materials are highly discouraged along street frontages and public ways
 - Other materials subject to approval by the planning board

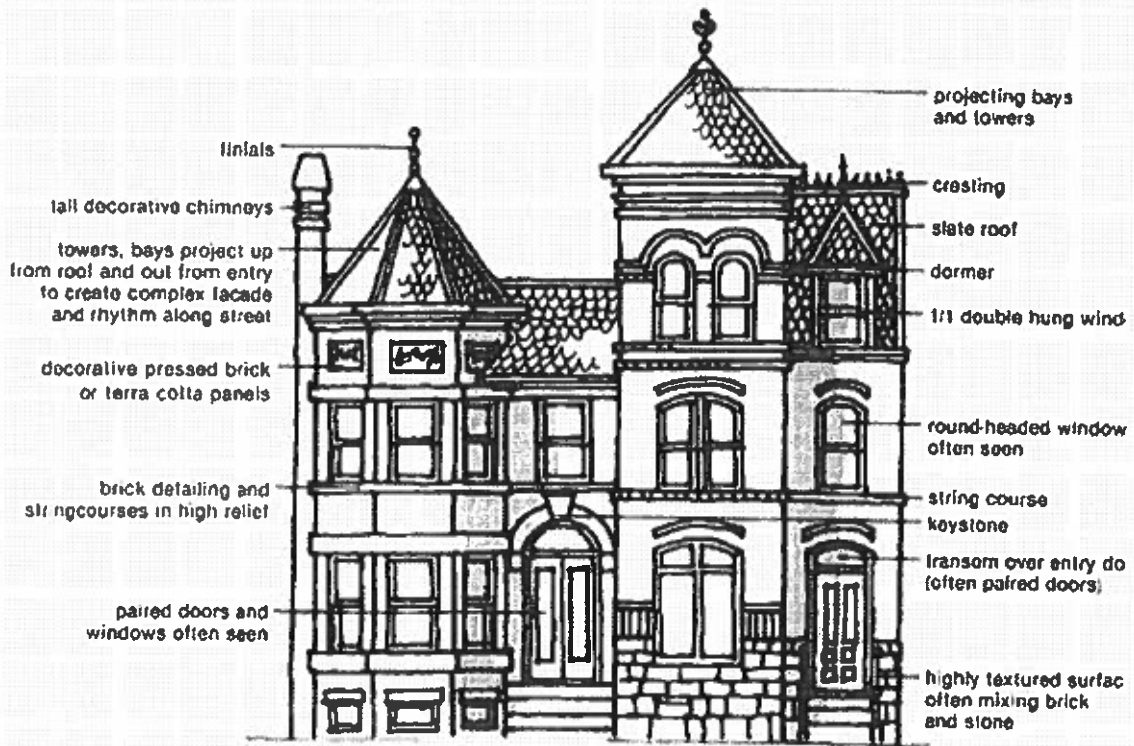
The following roof and dormer typologies and features are encouraged within the Overlay District:

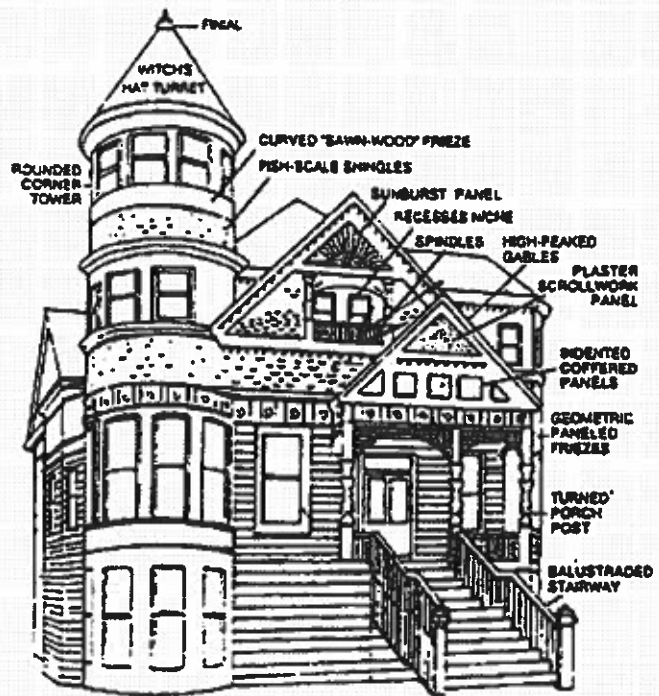
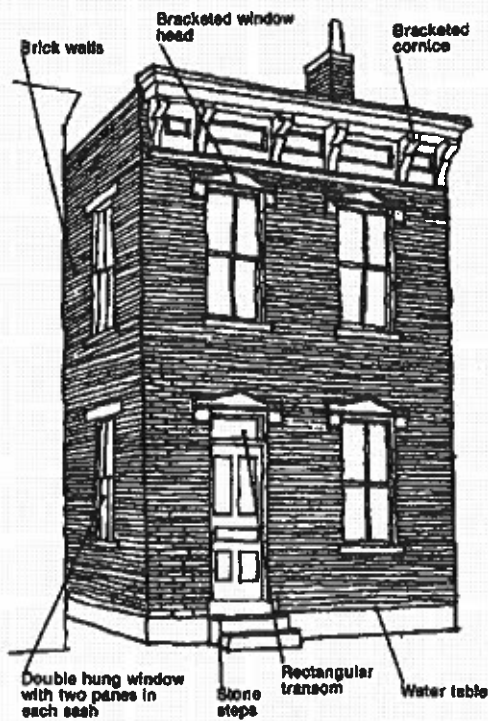
GENERAL ROOFING TERMS

FROM THE INTERNATIONAL LIBRARY OF TECHNOLOGY, ITC, 1909

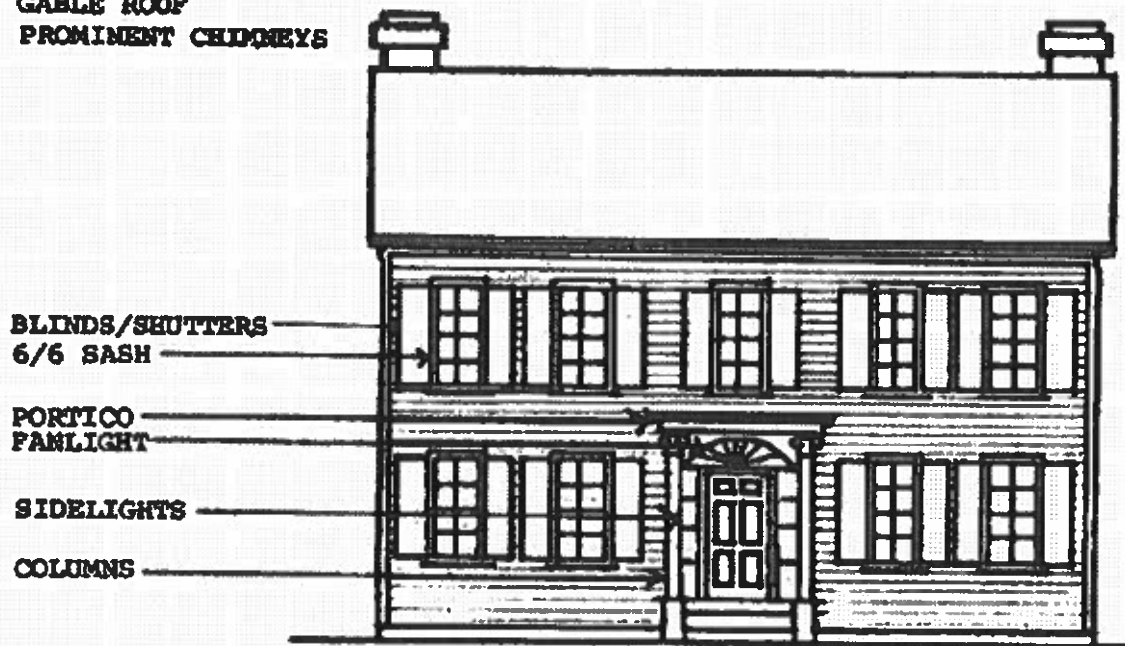


- Fenestration
 - Height to width ratio of single openings and group openings proportionally scaled to the wall. The following width:height ratios are encouraged:
 - Ground Floor: 1:2.236
 - Floor 2: 1:2.36
 - Floors 3 and above: 1:1.618
 - All windows on floors 2 and above must be the same width, unless part of a bay window, facade projection or other architectural feature.
 - The following window height to wall height relationships are highly encouraged:
 - Ground Floor: 80% minimum and 95% maximum of wall height
 - Floors 2 to 3: 50% minimum to 70% maximum of wall height
 - Floors 4 and above: 33% minimum to 50% maximum of wall height
 - Door and window details and trim suitably scaled to the wall.
 - On floors other than the ground floor, reduce large expanses of glass used in windows and doors to smaller component windows reminiscent of traditional main street vernacular architecture. Horizontally oriented bands of glazing are discouraged.
 - Avoid grouped windows.
 - On floors other than the ground floor, windows and doors must be equally and symmetrically distributed horizontally across flat facades.
 - Blank walls are discouraged along any exterior wall facing a street, parking area, or sidewalk.
 - Visible lintels or crossheads are encouraged
- Signage
 - Signage plan shall be provided as part of site plan review.
- Parking Structures
 - Parking structures facing the street should be architecturally integrated in the building or located behind a liner building to screen the structure from public view.
 - Design of parking structures should focus on screening views of cars at the street level.
 - Parking shall be prohibited at the street level within 40 feet of the sidewalk edge so that an active use faces the street on the ground floor.
 - Parking access, ramps, or entrances and exits must be screened from public view and articulated with an archway or otherwise architecturally compelling portal elements.





REGULAR FENESTRATION
GABLE ROOF
PROMINENT CHIMNEYS



**GABLE END TO STREET
REGULAR FENESTRATION**

WIDE FRIEZE

PANELED PILASTER

FLUSHBOARDING

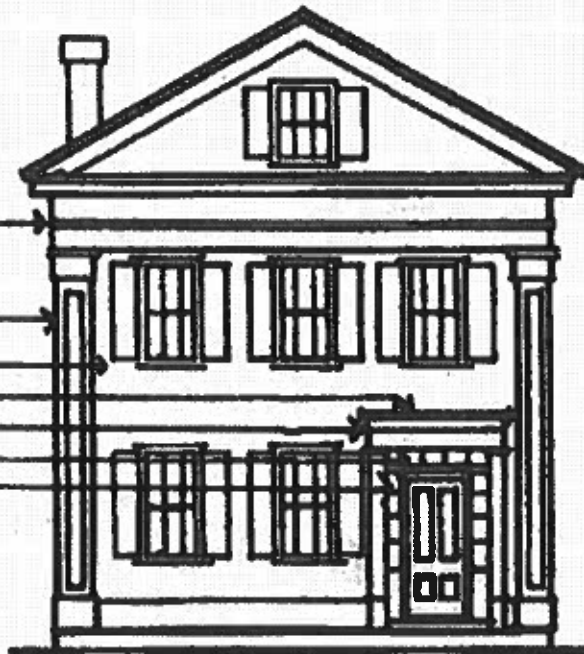
OFF-CENTER ENTRANCE

ENTABLATURE

TRANSOM

SIDE LIGHTS

PEDIMENT



OVERALL VERTICALITY

CUPOLA

WING OR ELL

SHALLOW ROOF PITCH

ROUND ARCHED WINDOW

OVERHANGING EAVES

DECORATIVE BRACKETS

WINDOW HOOD

PAIRED WINDOWS

WINDOW BAY

**SIDE ENTRANCES
AND PORCHES**



