

REQUEST FOR PROPOSALS

“The Grove”

Contents:

- 1. Introduction**
- 2. Proposal Submission, Deadline, Content, Financial Consideration**
- 3. Selection Criteria**
- 4. Site tour; Question-and-answer process**
- 5. Notes on approvals received by prior owner; conveyances**
- 6. Notes on real property encumbrances and utilities**
- 7. Sources on property condition**
- 8. Disposition process**
- 9. Applicable historic preservation guidelines and standards**
- 10. Biographical information on Richard Upjohn, architect, and Dr. Frederick Lente, owner**

1. Introduction

The Village of Cold Spring, NY, issues this Request for Proposals (“RFP”) for the acquisition, redevelopment and use of certain real property owned by the Village located at 12 Grove Court in the Village of Cold Spring, NY, identified on the Tax Map as Section 49.5, Block 3 and Lot 46.1. The said property is shown in detail as Lot No. 3 on the plat on file with the Putnam County Clerk as Map Number 2924. The Parcel is located in an R-1 Single Family Residential District per Sec. 134.7 of the Village Code. This District permits single family residences, Village municipal uses, and schools and playgrounds as-of-right. In addition it allows by special permit only, which may be granted by the Village Zoning Board of Appeals, conversion of existing single-family structures to two- or three-family residences; and certain medical or philanthropic institutional uses.

The subject property of this RFP (hereafter "The Grove") consists of approximately 0.86 acres improved by a historic building known as "The Grove". The building envelope contains approximately 4450 gross square feet on two floors, as well as additional square footage in a full-height basement area which extends above ground via an elevated foundation.

The building was constructed in the 19th century and has historic significance due to its prominent architect, Richard Upjohn, and the fact that it was the home of Dr. Frederick D. Lente (a physician and surgeon for the nearby West Point Foundry). The Grove is listed on both the State and National Registers of Historic Places, as is the West Point Foundry. Additionally, the conveyance shall be subject to a deed restriction for a period of no less than 99 years that prohibits the demolition of the structure and obligates the future owner to its continued upkeep, maintenance and repair.

In 2003 The Grove was donated to the Village of Cold Spring. Although some steps have been taken by the Village to stabilize the building, it has not been occupied since the Village took title. It appears that the Village does not have any practical way to put The Grove to a public use at present or in the foreseeable future. Accordingly, the Village is considering declaring The Grove to be surplus property and offering it for sale or long-term lease.

The Village seeks proposers who will restore The Grove in keeping with its architectural and historic significance. Further, the proposed use of The Grove should offer some benefit to the Village, whether by filling a recognized need or by offering the public use and enjoyment of the property in some other respect.

2. Proposal Submission

Deadline Interested parties must submit seven (7) copies of their proposal to Village of Cold Spring, 85 Main Street, Cold Spring, New York 10516, Attention: Village Clerk. **Written proposals will be accepted by the Village of Cold Spring up until 3:00 P.M. on the 18th day of February, 2014.** All proposals must be received by the Village no later than 3:00 p.m. on the said date.

Content: All Proposals must include:

- (1) A statement of information describing the proposer, including name and address and names of owners and officers if the owner is a not-for-profit or corporate entity.
- (2) A brief statement of the proposer's experience and qualifications in historic preservation, land development and/or building rehabilitation.
- (3) A detailed statement of the use to which the proposer intends to put The Grove.
- (4) A brief statement of the repairs or rehabilitations that are proposed for the building and the property. Submission of renderings or architectural sketches is encouraged.
- (5) A brief statement of the land use approvals that the proposed plans for The Grove may require (e.g., zoning change, site plan, variances, special permit, etc.). Disclose whether the proposer will seek any change to or extinguishment of easements or rights-of-way on the property.
- (6) A brief statement of the proposed financing of repairs or redevelopment of the building and the ongoing operation of the proposed use of The Grove, including sources and uses, and level of commitments. Disclose whether the proposer will seek any form of real property tax abatement, and tax credits, grants or other government incentives, and identify the expected source of same.
- (7) A brief statement of how the proposed use of The Grove will be beneficial to the Village and the public. This may include private owners paying real property taxes, appropriate residential conversions, and/or charitable/philanthropic or municipal uses.

- (8) A brief statement of any covenants, easements or provisions of a development agreement, if any, which the proposer intends to offer the Village.
- (9) If available, the names of any contractors or consultants which the proposer would likely retain to perform renovation or redevelopment work on the building.
- (10) A statement of the proposed financial consideration and terms offered for The Grove.

Financial Consideration:

The Village will require "fair market value" for The Grove as determined at the sole discretion of the Village Board of Trustees. The Trustees may consider allowances and/or reductions in financial consideration in exchange for covenants, easements or such other commitments by the proposer to use The Grove in a manner that will benefit the Village.

3. Selection Criteria

The Village will offer a contract to the proposer who, in the sole estimation of the Village Board of Trustees, will most effectively serve the best interests of the Village of Cold Spring. The Village reserves the right to reject any and/or all proposals and to decline to sell The Grove. The Village further reserves the right to accept proposals which do not offer the highest financial consideration.

4. Site Tour, Questions and Answers

Site Tours will be scheduled by appointment only. Proposers should contact the Village Clerk to schedule an appointment. All questions concerning this RFP must be transmitted in writing or electronically to the office of the Village Clerk (vcsclerk@bestweb.net). The only official Village responses will be posted on the Village's website so that all proposers will have equal access to information.

5. Notes on Approvals Received by Prior Owner; Conveyances

A Final Subdivision plat of "The Grove" development prepared by Badey and Watson Surveying and Engineering PC for the prior owner was approved by the Village of Cold Spring Planning Board in 2003. This plat was filed with the Putnam County Clerk as map number 2924. This plat included a total of seven building lots of which the site offered in this RFP was one (Lot #3). Lot #3, contains, in addition to The Grove, six (6) approved parking spaces. The 7-lot subdivision also received Putnam County Health Department Jurisdictional approval in 2003.

An offer of cession for the Grove Court ROW to be conveyed to the Village of Cold Spring as a public street was recorded with Putnam County Clerk in Liber 1638 at page 277. A deed further confirming the acceptance and dedication of Grove Court as a Village Street and its appurtenant easements (described generally below) was recorded in the Putnam County Clerk's office in 2005 in Liber 1708 at page 65.

Lot 3, together with certain easements in its favor and subject to certain easements, was conveyed to the Village of Cold Spring and recorded in the office of the Putnam County Clerk in 2003 in Liber 1647 page 388.

6. Notes on Real Property Encumbrances and Utilities: Lot 3

The 2003 Badey and Watson survey shows Lot 3 containing 37,490 s.f. (0.86 acres) with Encumbrances of 12, 672 s.f. and Unencumbered Area of 24, 818 s.f. The encumbrances consist primarily of easements, as follows:

A 10-foot wide Public Pedestrian Access Easement in favor of the Village is shown along the northerly edge of Lot 3 (bordered on its northerly side by the boundary of Lot 2, on the east by Grove Court ROW, and on the west by boundary with M&T Bank property). This is shown as Schedule E Fourth Easement on the deed filed with the Putnam County Clerk in Liber 1708, cited above.

A small portion of a Subsurface Public Utility Easement (running from Grove Court ROW through adjacent Lot 2) runs over the far westerly end of Lot 3 where it abuts the M&T Bank property. A sewer manhole also exists at that location. This small irregular section of easement overlaps a portion of the Public Pedestrian Access Easement, and is shown as Schedule C Second Easement on the deed in Liber 1708, cited above.

Another Subsurface Public Utility Easement on Lot 3, shown as Schedule B First Easement on the deed in Liber 1708 cited above, covers a portion of the unbuilt easterly part of Lot 3. A proposed driveway and future parking area are shown on the survey to accommodate 6 vehicles accessible via an existing curb cut on Grove Court. The proposed access drive is “reserved for drainage maintenance” on the survey. This easement runs generally from the Grove Court ROW, along the northeasterly property line with Lot 4, then along the property line with the former Butterfield Hospital, and then westerly along the property line contiguous with The Nest day care, and then northerly back to Grove Court ROW. Five manholes are located on the Lot 3 property near the property line with the former Butterfield Hospital.

Although Village water and sewer service are available to the site, neither is currently operational. Water service is available to the site from Grove Court ROW. Water service historically entered the building on its northeast side.

Sewer service ran from the easternmost corner of the house (closest to M&T Bank) running east to an existing sewer manhole location at the end of the former asphalt drive connecting with the M&T Bank property. An Easement Agreement exists for provision of sewer service through the M&T property.

Electrical and land-line telephone services are now located within the Grove Court ROW. There is a 10-foot wide electric easement on Lot 4 along the property line between Lots 3 and 4. Electrical service, which is disconnected, was previously provided via overhead wires to poles located on the former Butterfield Hospital property.

An untested underground oil tank is presumed to exist on the northeasterly edge of the building.

7. Sources on property condition

In 2005 the Village of Cold Spring hired architect Stephen Tilly of Dobbs Ferry NY to conduct a thorough assessment of the condition of The Grove and to prepare a report addressing the stability of the structure and its elements. The resulting report, dated August 1, 2006, is entitled “The Grove (formerly Loretto Rest) Inventory of Surviving Historic Fabric”. In consultation with the Village’s restoration committee, architect Tilly also prepared “Emergency Stabilization & Restoration of The Grove” plan dated August 1, 2006. The stabilization and restoration strategy was to remove the 1860’s/1870’s (date uncertain) Mansard roof and restore the original roofline as shown in an 1850’s rendering. This work was completed in 2008.

Prior to undertaking the removal of the Mansard roof, the Village hired Emergency Management Solutions of NY, Ossining NY to prepare a Lead Testing & Inspection Report dated Sept. 27, 2006. That report indicated that lead levels at all tested locations throughout the building exceed the regulatory limits established by the NYS Dept. of Health.

In addition, the Village hired Emergency Management Solutions of NY, Ossining NY to prepare a Limited Asbestos – Materials Inspection Report dated Oct. 2, 2007. This investigation only covered the roofing materials which were removed in the stabilization/restoration plan.

The restoration/stabilization plan for the roof received a Certificate of Appropriateness from the Village's Historic District Review Board on October 25, 2006.

8. Disposition process

Although the Village of Cold Spring has determined, in issuing this RFP, that it does not have a practical means to put The Grove to municipal or other public use, the property has not yet been declared surplus. In order to do so, the Village must publish public notice and hold a public hearing. Both the action of declaring the property surplus and the eventual disposition of the property are subject to the State Environmental Quality Review Act.

9. Applicable historic preservation guidelines and standards

The Grove property lies entirely within the Village's local Architectural and Historic District, established in 1976. Any exterior modifications requiring Village Building Department approval are subject to the "Design Standards for the Architectural and Historic District, Village of Cold Spring, New York" issued September 1999 and review by the Historic District Review Board. In 2008, The Grove was placed on the State Register of Historic Places, and in Feb. 2009 on the National Register of Historic Places, due to the prominence of its original owner and architect as well as of its architecture and role in the history of Cold Spring. Accordingly, the State Historic Preservation Board may comment on any aspect of an action that may or will cause change, whether beneficial or adverse, in the quality of the historic or architectural character of a historic place on the State Register. Additionally, if the proposer seeks Federal tax credits, the project must qualify under the US Secretary of the Interior's Standards for the Treatment of Historic Properties.

10. Biographical information on Richard Upjohn, Architect, and Dr. Frederick Lente, Owner.

Frederick Divoux Lente, physician, was born in New Bern, NC, 23 December, 1823; died in Cold Spring, NY, 17 September, 1883. He graduated the University of North Carolina (Chapel Hill) in 1845 and subsequently graduated from the medical department of the University of the City of New York in 1849.

From 1848 until 1851 he was house surgeon at the New York Hospital, and from 1851 until 1870 he served as physician/surgeon to the West Point Foundry, Cold Spring, NY. In 1870 he was appointed to the chair of gynecology and diseases of children at the University of the City of New York. He was also assistant surgeon to the Woman's Hospital of the State of New York, surgeon to St. Mary's Hospital for Sick Children, and consulting surgeon to the New York Free Dispensary for sick children, all in New York City. After a year's arduous service there he returned to Cold Spring, where he practiced until failing health compelled him to spend the winter months at Palatka, FL, and the summer months at Saratoga Springs, NY.

Dr. Lente was an unusually prolific writer on medical subjects, but his contributions to the press have never been collected and published in book form. He was a member of various professional societies, many of which elected him to office; he was the founder of the American Academy of Medicine (N.B.: despite frequent reports, Dr. Lente was not a founder of the American Medical Association, which was established in 1847, two years prior to his medical degree); he was a member of the Board of Managers of the Hudson River State Hospital, and a member of the American Public Health Association.

In 1852 Dr. Lente hired architect Richard Upjohn to prepare plans for his home in Cold Spring, and his correspondence with Upjohn indicates some anxiety to move the project along quickly, perhaps in anticipation of his marriage. On April 7, 1853, Frederick Lente married Mary Kemble, the daughter of one of the founders of the West Point Foundry; both Mary and Frederick are buried in the historic Cold Spring Cemetery.

Richard Upjohn, architect, was born in Shaftesbury, England, 22 January 1802, and died in Garrison NY, 16 August 1878. He became most famous for his Gothic Revival churches and the promotion of the church building concepts of the English Ecclesiologists, who believed in returning directly to medieval architecture and [liturgy](#) for inspiration. Upjohn also did extensive work in and helped to popularize the Italianate style in his public, commercial and residential buildings. On February 23, 1857, he and thirteen other architects founded the American Institute of Architects. He served as president of that organization from 1857 to 1876. He was one of the most renowned and influential architects in the US in the 19th century.

Upjohn's association with the Hudson Highlands area began in 1852, when he purchased the Colonial-era (ca. 1735) Mandeville House on Lower Station Road in Garrison where he lived until his death. In addition to The Grove in Cold Spring, Upjohn designed the following buildings in the area (all are listed on the National Register):

- Rock Lawn, Upper Station Road, Garrison, originally the estate of Henry Belcher (1852-53)
- Woodlawn, Route 9-D, Garrison, originally the estate of William Moore (1854)
- St. Philip's Episcopal Church, Route 9-D, Garrison (1861)

Upjohn died at his home in Garrison, New York in 1878. He is buried in the churchyard in Garrison near the front door of St. Philip's Church, where he was also a vestryman.