CC: YD
AB/RE

FILE COPY

PB16 _52

TOWN OF RHINEBECK

876-6296

DEMOLITION PERMIT

PERMIT # D-
DATE

CIRCLE GROUP & CO.

Building Owner FUN INVESTMENTS LLC Grid # 6061-00-811770
Location 55 WALL ST, SUITE 506 Telephone # (718) 297-3300
NY, NY, 10005

Contractor BUILDING ENVIRONMENTAL Telephone # 845-876-6006
Business Address 68 VIOLET PL, RHINEBECK NY

Work to be performed DEMOLITION

ESTIMATED COST $75K

LIABILITY INSURANCE:
Name of carrier BERKLEY INS. CO.
Personal injury: each person $1M, each accident $1M
Property damage: each accident $50,000, aggregate $2M
RENEWED

Proof Submitted For			
Tax Search	Yes ☐	No ☐	N/A ☐
No Vermin Infestation	Yes ☐	No ☐	N/A ☐
Asbestos Survey	Yes ☐	No ☐	N/A ☐
Asbestos Removal	Yes ☐	No ☐	N/A ☐
Workman's Comp	Yes ☐	No ☐	N/A ☐
Needed Protection	Yes ☐	No ☐	N/A ☐
Utilities Disconnected	Yes ☐	No ☐	N/A ☐

SIGNATURE, APPLICANT [signature] DATE 12/21/16
SIGNATURE, CONTRACTOR [signature] DATE 12/27/16
ISSUING AGENT DATE

RECEIVED
DEC 28 2016
BY: [signature]

Town of Rhinebeck
Application Certification and Authorization

CERTIFICATION OF APPLICANT for
Town Board, Planning Board, Zoning Board of Appeals and Building Department

Application Name: 25 WYNDCLYFFE CT. Application/Appeal No. _____

State of New York)
) ss:
County of DUTCHESS)

I hereby depose and say that all of the statements and factual information in the attached application, and in any other documents submitted in connection with this application, are true and accurate. I understand and agree that the submission of false or inaccurate information to this Board/Department may result in the denial of my application or in the revocation of permits or approvals. I understand that this statement is made under oath.

Applicant signature: [signature]

Applicant name (printed): STEVEN MENSCH

Applicant address: 42 WYNDCLYFFE CT., RHINEBECK, NY

Sworn to before me this 28th day of December, 2016.

[signature]
Notary Public

ANN M. MARVIN
Notary Public, State of New York
Reg No. 01MA6141607
Qualified in Dutchess County
Commission Expires February 27, 2018

AFFIDAVIT OF OWNER
(Please complete and sign if the person appearing before the Board/Department is not the Owner. This includes, but is not limited to, any consultants for Owner, contract vendees, lessees etc.)

State of New York)
) ss:
County of Queens)

I hereby depose and say that I reside at 8405 Avon St Ozone Park 11432 in the County of Queens, State of New York. I am the owner in fee of the property which is the subject of this application which is located at the address commonly known as 25 WYNDCLYFFE COURT and which bears the following tax grid identification number(s): 13059-6061-00-811770-0000. I hereby authorize STEVE MENSCH to appear before this Board/Department on my behalf and I state under oath that the statements and information to be provided on my behalf by that person are accurate and true.

Owner signature: [signature]

Owner name (printed): HENRY IKE As PRESIDENT FOR TUM INVESTMENT HOMES LLC. PROPERTY OWNER

Sworn to before me this 26th day of December, 2016.

[signature]
Notary Public

KAREN ALTHEA NAZAIRE
Notary Public - State of New York
NO. 01NA6291743
Qualified in Queens County
My Commission Expires Oct 21, 2017

TOWN of RHINEBECK

Zoning Administrator
80 East Market Street, Rhinebeck, NY 12572
phone: (845) 876-6296 fax: (845) 876-5885

December 21, 2016

Steven Mensch
42 Wyndclyffe Court
Rhinebeck, NY 12572
RE: Wyndclyffe Mansion
25 Wyndclyffe Ct., Rhinebeck, NY
Grid #: 6061-00-811770

Dear Mr. Mensch:

I have reviewed your Demolition Permit application and Certification Authorization forms as submitted this afternoon. You have advised this office that you are under contract to purchase the circa 1853 Wyndclyffe Mansion, and you would then propose to immediately demolish and remove the entire structure, and restore the land.

As per our discussion today, your request for a Demo Permit is denied in accordance with the Town Zoning Code, reference Chapter 125, Section 125-62 and 125-65 thru 68. This request to Demolish the Mansion must first receive Approval and Certificate(s) from the Planning Board see 125-62 [Historic Buildings- this structure is in a National Historic Landmark Dist.]. As stated in the Code, after the Planning approvals/certificates are received that the Zoning Enforcement Officer (ZEO/BI) may issue the Demo Permit.

As submitted a demolition permit may not be issued for this proposal. Please be advised that you may apply to the Town of Rhinebeck Planning Board, within 60 days of receipt of this determination for approvals to allow this project as proposed. Please reference & comply with the Zoning Code, Chapter 125, Sections 125-62 & 125-65 thru 125-83 to fulfil the requirements for Special Use Permit & Site Plan Approvals.
Please contact the Planning Clerk to confirm deadlines for submittal and meeting dates.
If you have any questions about this determination, please call our office at 876-6296.

Sincerely,

Ronald M. Evangelista, CCEO,PEA,IE
Zoning Administrator & Zoning Enforcement Officer
Town of Rhinebeck

WYNDCLYFFE RUIN 25 Wyndclyffe Court, Rhinebeck, NY

Date built: 1853

Architect: George Veitch

Abandoned in approximately 1940, unoccupied since then.

RECENT OWNERSHIP (sold at bankruptcy auction 9/21/16)

November 2016 – present: Fun Investments LLC, 55 Wall Street, NY, NY, 10005

+/_ 2008 – November, 2016: Wyndclyffe LLC, P.O. Box 1328, Montauk, NY, 11954

prior to 2008: Teimoc Ono, 87 Christopher St., NY, NY, 10014

ASBESTOS

Under section n 56-5.1 of Part 56 of Title 12 of NYS Rules and Regulations, a building that cannot be inspected for asbestos because of collapsed or unsound conditions, must be considered to contain asbestos (see attached excerpt). Therefore the demolition will be done by a certified asbestos contractor and overseen by a certified asbestos inspector.

UTILITIES

The ruin has no utilities. Remote from the building, there is an electric panel which has been turned off for years.

NYS DEPT. OF LABOR PART 56 OF TITLE 12 "ASBESTOS"

56-5.1 Asbestos Survey Requirements for Building/Structure Demolition, Renovation, Remodeling and Repair

(a) **Asbestos Survey Required.** An owner or an owner's agent, except the owner of one and two-family dwellings who contracts for, but does not direct or control the work, shall cause to be conducted, an asbestos survey completed by a licensed asbestos contractor using inspectors certified in compliance with Section 56-3.2(d), to determine whether or not the building or structure, or portion(s) thereof to be demolished, renovated, remodeled, or have repair work, contains ACM, PACM or asbestos material. This asbestos survey shall be completed and submitted as indicated in Subdivision (g) of this Section, prior to commencing work. All such asbestos surveys shall be conducted in conformance with the requirements of Subdivision (e) of this Section.

(b) **Exemptions To Asbestos Survey Requirements**: The asbestos survey required by this Subdivision (a) of this Section shall not be required for the following classes of buildings or structures:

(1) an agricultural building;

(2) buildings or structures for which original construction commenced on or after January 1, 1974;

(3) A structure certified in writing to be structurally unsound by a licensed Professional Engineer, Registered Architect, Building Inspector, Fire Inspector or other official of competent jurisdiction. (See Section 56-11.5)

(c) **Building/Structure Demolition**. If a building/structure asbestos survey is not required or performed per Subdivision (b) of this Section, and the building/structure is certified to be unsound or slated for contracted demolition, the building/structure shall be assumed to contain asbestos, and shall be demolished per this Part, unless the building/structure is adequately certified to be free of asbestos containing material. Acceptable documentation for certification shall be a previous thorough building/structure asbestos survey, abatement records or other documentation acceptable to the Commissioner or his or her representative.

(d) **Responsibility To Comply.** No exemption to the requirement to conduct an asbestos survey shall exempt any person, asbestos contractor, property owner or business entity from the inspection or asbestos survey requirements of EPA, OSHA, and any other applicable section of this Part.

(e) **Building/Structure Asbestos Survey Requirements.** The asbestos survey shall include a thorough inspection for and identification of all PACM, suspect miscellaneous ACM, or asbestos material throughout the building/structure or portion thereof to be demolished, renovated, remodeled, or to have repair work. The required inspection shall be performed by a certified asbestos inspector, and, at a minimum, shall include identification of PACM, suspect miscellaneous ACM or asbestos material by all of the following methods:

(1) The review of building/structure plans and records, if available, for references to asbestos, ACM, PACM, suspect miscellaneous ACM or asbestos material used in construction, renovation or repair; and

27 December 2016

Mr. Ronald Evangelista
Zoning Enforcement Officer
Town of Rhinebeck
80 East Market Street
Rhinebeck, NY 12572

Mr. Ed Matuk
Code Enforcement Officer
Town of Rhinebeck
80 East Market Street
Rhinebeck, NY 12572

Re: Imminent Collapse at 25 Wyndclyffe Court, Town of Rhinebeck
(Parcel # 811770)

Dear Mr. Matuk & Mr. Evangelista,

I am writing this letter to bring your attention to the structural instability of the ruins at 25 Wyndclyffe Court. It is my understanding that the property is now owned by the adjacent property owner and resident, Mr. Steve Mensch. As the new owner, it is his desire to remove this existing structure before it results in harm to any person or property. Please know that this existing structural is unsound and unsafe for any form of access or work.

I have viewed the existing building from a number of angles and feel that there are a number of internal and exterior wall conditions that should be classified as being "in danger of imminent collapse". Most significantly and alarming is the brick-faced dormer on the North side of the upper floor level. I have personally observed progressive deterioration and movement of this very heavy section over recent years. Any benign action, such as children playing within this ruin or a moderate snow or wind storm could trigger a progressive collapse that could bring down much of this building.

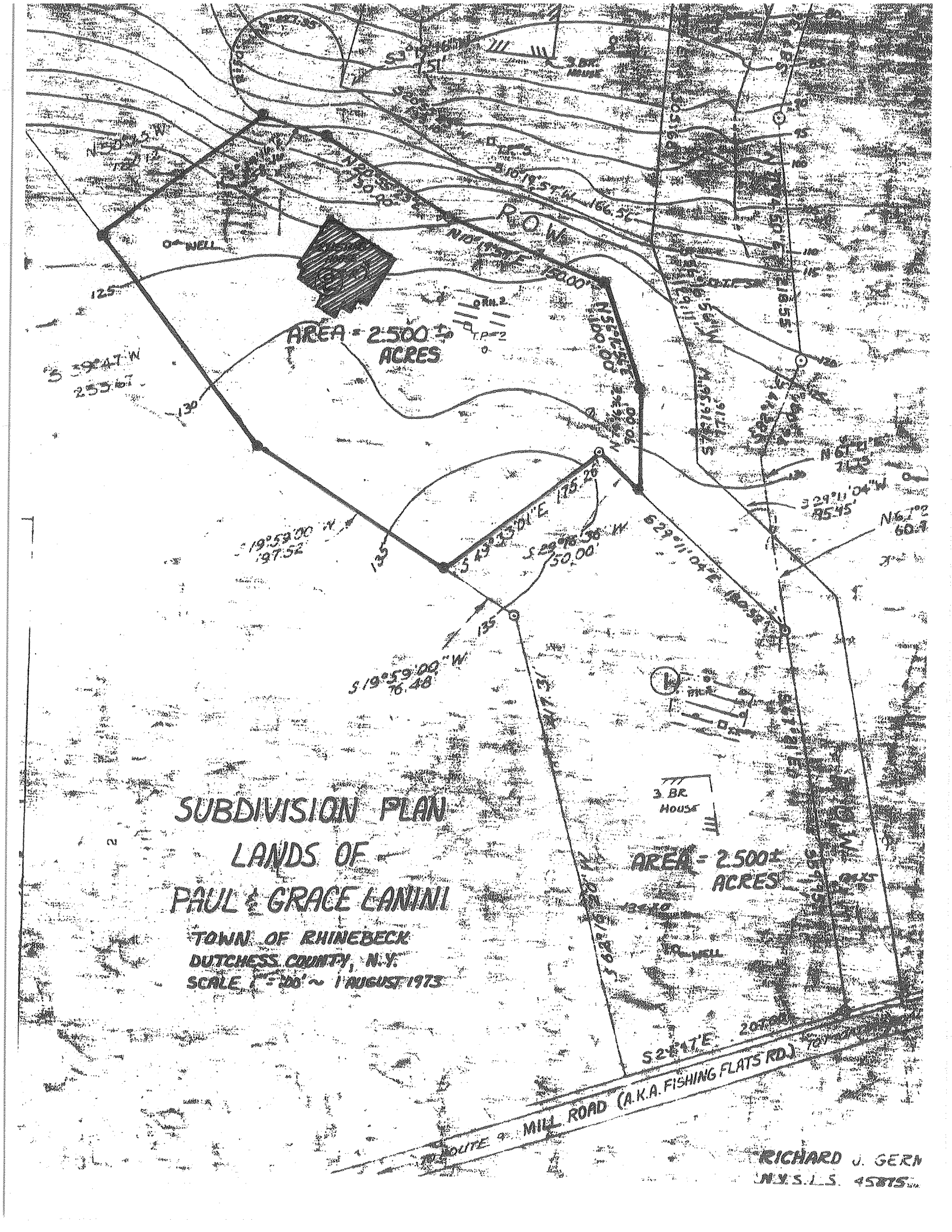
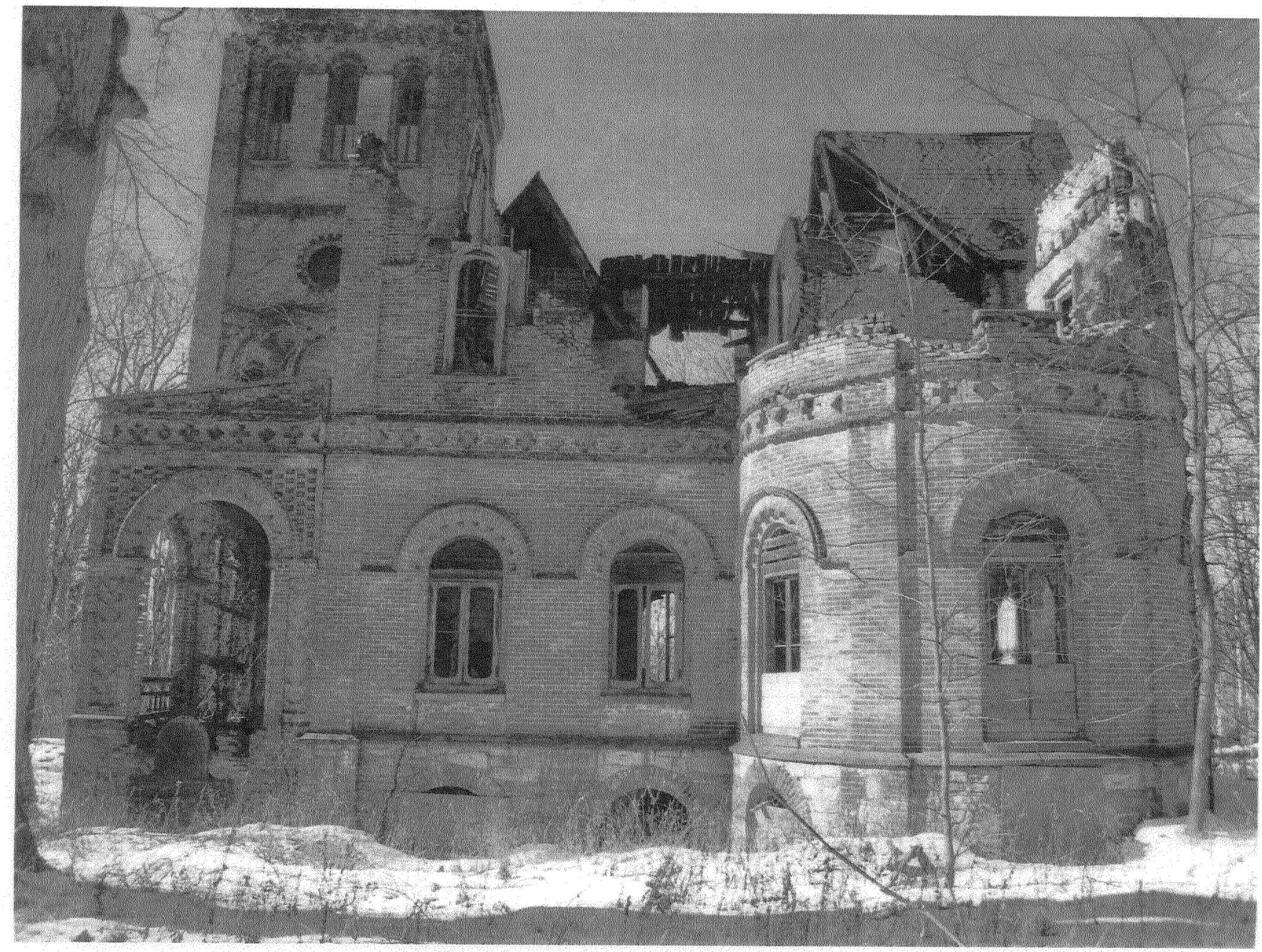
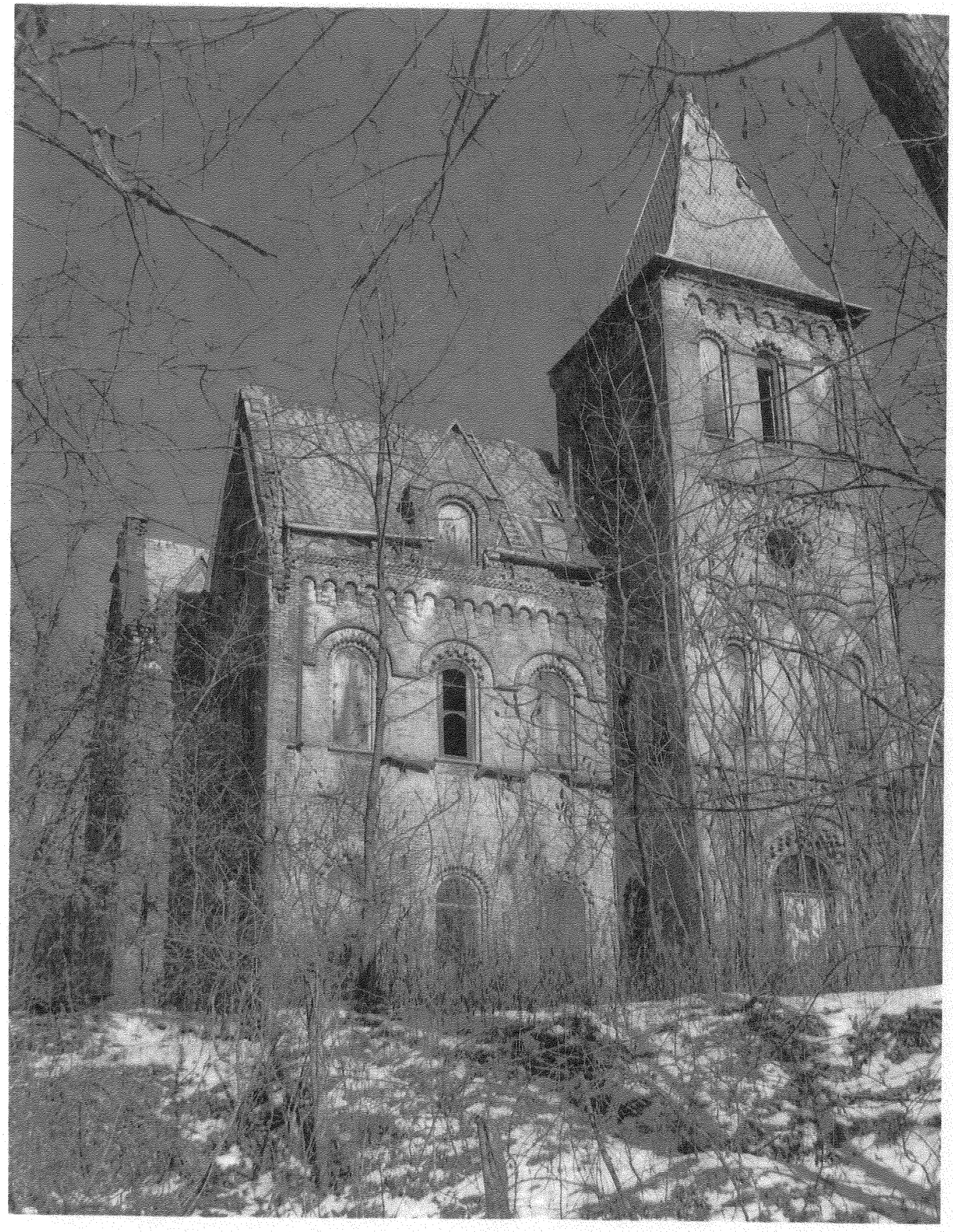
The deterioration of this building has progressed beyond any level that would be reasonable to rehabilitate or restore. I request that the Town Board of Rhinebeck allow the current owner to take some action on this property in the interest of public safety.

Best regards,

Robert J Murray, PE

STATE OF NEW YORK
ROBERT JAMES MURRAY
069933
LICENSED PROFESSIONAL ENGINEER

307 7th avenue - suite 1001 | new york, ny 10001| p: 212.741.1102 f: 212.741.1104


SUBDIVISION PLAN
LANDS OF
PAUL & GRACE LANINI
TOWN OF RHINEBECK
DUTCHESS COUNTY, N.Y.
SCALE 1" = 200' ~ 1 AUGUST 1973
AREA = 2.500 ± ACRES
AREA = 2.500 ± ACRES
R.O.W.
3 BR. HOUSE
WELL
ROUTE 9 MILL ROAD (A.K.A. FISHING FLATS RD.)
RICHARD J. GERN
N.Y.S.L.S. 45875