

January 27, 2025

# Via Email and Express Mail

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# Re: Petition for Landmark Status: Pike Plan Historic Landmark Preservation Commission Resolution filed 10/10/2024

Ladies and Gentlemen of the Council:

We represent William Gottlieb Management Co., LLC and the various other petitioners seeking designation of the Pike Plan Canopy as an historic landmark pursuant to 405-26(L)(7) of the Code of the City of Kingston (the <u>"Kingston Code"</u>). You will recall that on November 4, 2024 I wrote

you a correspondence urging the Council to grant the application to designate the Pike Plan as an historic landmark, notwithstanding the October 14, 2024 recommendation to the contrary by the Kingston Historic Landmarks Preservation Commission (the <u>"HLPC"</u>).

The Council has not yet determined whether to accept or reject the HLPC's recommendation. We reaffirm our November 4 letter and trust that the Council will give it fair consideration. However, I write to present a recent development that further supports designation of the Pike Plan canopy an historic landmark. This development also warrants close attention in the Council's pending SEQRA review of the Mayor's misguided campaign to demolish the Pike Plan.

# The State Has Determined the Pike Plan is Eligible for Historic Designation.

On December 23, 2024 the New York State Historic Preservation Office (<u>"SHPO"</u>) determined that the Pike Plan *is eligible* for inclusion in both the State and National Registers of Historic Places. A copy of the SHPO determination is enclosed.

The SHPO determination is a compelling rebuttal the HLPC's erroneous recommendations concerning the historic criteria, and the Pike Plan's "integrity."

# The Pike Plan Satisfies "Criteria A," aka "Criteria 1"

As SHPO Survey & National Register Coordinator Chelsea Towers writes in the determination, concerning eligibility criteria:

The Pike Plan is individually eligible for the State and National Registers of Historic Places under Criterion A in the area of Community Planning and Development as a rare example of preservation oriented Urban Renewal practices at a time when demolition was seen as the prominent method for renewal. The plan is a structure and streetscape designed and built by local resident John Pike between 1969 and 1975 in Kingston's historic Uptown commercial core along Wall and North Front Streets...

(Emphasis added.) The SHPO determination goes on to elaborate on this finding, and I respectfully encourage the Council to read it directly. But I emphasize this portion because *Criteria* A for State and National Register eligibility is substantively the same as Kingston's "Criteria 1":

National and State Criteria A:	Kingston Criteria 1:
	"Exemplifies or reflects the broad cultural, political, economic or social history of the nation, state or community." <sup>2</sup>

SHPO's determination that the Pike Plan is eligible under Criteria A aligns with the September 24, 2024 report by the City's own retained expert for this application, Neil Larson, who opined that the Pike Plan satisfies National and State Criteria A and local Criteria 1. SHPO's determination also aligns with the reports of Kerri Culhane and Walter Wheeler that were presented in support of the application. Copies of the Larson, Culhane and Wheeler reports were included with my November 4 letter.

SHPO's determination further exposes the HLPC's recommendation regarding the eligibility criteria as arbitrary and unsustainable.

# The Pike Plan Satisfies the "Integrity" Element

In the SHPO determination, Ms. Towers acknowledges that some component replacements have occurred over the years, but explicitly determines that the existing Pike Plan satisfies the "Integrity" aspect of historic eligibility:

A number of original canopies remain substantially intact with distinctive posts and brackets tailored to the buildings they serve, however all canopies lost their decorative railings. Despite these changes, the experience of navigating through Wall and Front Streets, both on foot and by vehicle, is much the same as designed in the Pike Plan. In addition, many of the buildings retain their Colonial Revival alterations that helped define KURA's vision for the Uptown district. While the historic Rondout district was lost to demolition in 1966, the Uptown area remains as lasting reminder of the preservation oriented work of both the KURA and Kingston's Historic Landmarks Preservation Commission. For that reason, *the Pike Plan retains sufficient integrity* to be determined individually eligible for its significance in Community Planning and Development.

(Emphasis added.) SHPO's Integrity determination refutes the HLPC's conclusory and untenable recommendation to the contrary. The Council should reject the HLPC's recommendation or, at the very least, remand the recommendation back to the HLPC for reconsideration, in light of the SHPO determination.

<sup>&</sup>lt;sup>1</sup> See enclosed SHPO Eligibility Determination, pg. 1.

<sup>&</sup>lt;sup>2</sup> See <u>Kingston Code</u> §405-26(L)(7)(b).

# The SHPO Eligibility Determination Gives Further Urgency to the Council's Pending SEORA Review

I also respectfully refer the Council to the January 7, 2025 letter from Willliam A. Hurst, Esq. of Young / Sommer LLC, commenting upon Council's pending SEQRA determination of significance, as to the Mayor's proposal to demolish the Pike Plan.

Each and every one of the environmental concerns cited by Mr. Hurst continue to warrant close scrutiny. Moreover, SHPO's eligibility determination underscores the need for a "positive declaration" and full Environmental Impact Statement before the Council determines whether to approve the proposal.

Under SEQRA, the definition of "environment" (when considering environmental impacts) includes "archeological, historic or aesthetic significance." 6 NYCRR §617.2(l). The SEQRA regulations require the lead agency to take a hard look at the potential "impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources." *Id.* §617.7(c)(1)(5). If an action would result in even a "moderate" adverse impact to such resources, a lead agency must make a positive declaration and compel further study (in an EIS) to fully understand the impacts.

In light of SHPO's determination of the Pike Plan's eligibility for historic designation, surely the proposed *demolition* of the Pike Plan threatens more than a moderate impact to this historic resource. Accordingly, we respectfully reiterate and re-affirm our assertion that a negative declaration would be improper.

Sincerely,

Bage F. Na

Benjamin F. Neidl Direct: (518) 270-1253 Email: Bneidl@hackermurphy.com

And

YOUNG / SOMMER LLC By: William A. Hurst, Esq. (518) 438-9907 Whurst@youngsommer.com

(Enclosure)

RODENHAUSEN CHALE & POLIDORO LLP By: Victoria L. Polidoro, Esq. (845) 516-4323 Email: <u>Vpolidoro@rodenhausenchale.com</u> **USN** Details

## 11140.003125: Building - Eligible

The Pike Plan various N. Front bfw Crown & Fair & Wall Street to John , Kingston NY 12401

Overview Inventory Data NR Status (0) MCDs (1) Children (0) Determinations (1) Photos (8) Atts. (2) Agmts. (0) Projects (0) Surveys (0) Submitted (2)

Eligibility	Determined By	Determination Date	Edited By	Edited Date
Eligible	Chelsea Towers	12/23/2024 2:05:01 PM		
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Eligibility Determination: Eligible

Determined By: Chelsea Towers

**Determination Date:** 12/23/2024

**Edited By:** 

**Edited Date:** 

# Criteria for Inclusion in the National Register

A: Associated with events that have made a significant contribution to the broad patterns of our history

B: Associated with the lives of persons significant in our past

C: Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess

high artistic values; or represents a significant and distinguishable entity whose component may lack individual distinction

D: Have yielded, or may be likely to yield information important in prehistory or history

# **Criteria Considerations**

A: owned by religious institution or used for religious purposes

**B:** removed from its original location

**C:** a birthplace or grave

# **D:** a cemetery

- E: a reconstructed building, object or structure
- **F:** a commemorative property
- G: less than 50 years of age or achieved significance within the past 50 years

# **Summary Statement of Significance:**

The information provided within this determination of eligibility comes for :Pike Plan, Uptown Kingston, New York: Historic Research Findings & Recommendations," prepared by Kerri Culhane: The Pike Plan is individually eligible for the State and National Registers of Historic Places under Criterion A in the area of Community Planning and Development as a rare example of preservation oriented Urban Renewal practices at a time when demolition was seen as the prominent method for renewal. The plan is a structure and streetscape designed and built by local resident John Pike between 1969 and 1975 in Kingston's historic Uptown commercial core along Wall and North Front Streets. While Pike Plan falls within the Stockade Historic District - NRHP 1975 and updated in 2016 - the plan was not evaluated due to it only being 40 years of age at the time of the amendment. By the 1960s, Kingston's commercial district concentrated on Wall and North Front Streets was losing out to suburban-style shopping plazas and malls. Many Uptown stores tried modernizing their facades, storefronts and signage, though dozens of storefronts and buildings stood vacant. In response, Kingston's Urban Renewal Agency (KURA) was established March 16, 1964 and that same year the first Urban Renewal Plan was adopted by the City of Kingston, detailing a mix of clearance and adaptive reuse projects. New York State was second only to Pennsylvania for the number of clearance projects undertaken through Urban renewal, much of them funded through federal grant programs made through the Department of Housing and Urban Development (HUD) along with State and local funds. As urban renewal churned through many historic urban

neighborhoods, including in Albany, New York City and Newburgh, the backlash generated an increasing appreciation for historic preservation. There were two major and diametrically opposite projects that defined KURA's legacy: Displacement and clearance in the Rondout, contrasted against the preservation of Uptown's historic commercial core through streetscape enhancements that came to be known as the "Pike Plan." The later was seen as a way to "restore" the neighborhood's historic character. The Rondout clearance started in 1966 and in July, plans for Uptown were put on hold and reevaluated. Kingston's Historic Landmarks Preservation Commission (HLPC) was created by local law on August 1, 1966, just weeks after members of the Common Council expressed concern about the plans for "modernizing" historic Uptown. The Pike Plan was the response to these concerns. The Plan called for an unbroken line of Colonial revival-style wooden "awnings" (canopies or porticos) shading 59 stores on both sides of the street along North Front Street from Fair to Crown and Wall Street from John to North Front Street. Rather than closing the streets the vehicular traffic, they would remain open, but sidewalk enhancements would make the experience more pedestrian friendly. Buildings would be painted, shutters added, and modern facades "renovated" to appear Colonial. Building owners were asked to enter into an agreement with the city that placed an easement on the property, enable the city to attached the public appurtenance to the private property; and requiring an assessment for maintenance. This arrangement also enabled HUD to provide funding to this unique project. Construction began in 1974, and was completed in four phases, ending in 1975. The canopies were constructed to look like individual porticos for each building, with decorated columns in a variety of styles and varying rooflines and pitches to suit the variety of storefronts. While each canopy is slightly different due to trim treatments, columns and rooflines, the undersides of all of the canopies are clad in v-groove board, and all are painted uniformly white. Beneath the canopies, the sidewalk treatment consists of a bluestone travel path set into a brick frame, with

bluestone curbs, a treatment carried throughout the Uptown Renewal Project area. The original plan included coach lamp style pedestrian poles; the historic pedestrian poles remain, however the lamps themselves have been replaced by new lanterns that suggest a historic character. Canopy elements have been subject to varying degrees of change over time due to lack of maintenance as well as poorly conceived repairs conducted between 2011-13. According to rehabilitation plans prepared by RBA and Ashokan Architecture & Planning, PLLC (May 1, 2010), some canopies were reconstructed, and all received some level of intervention (electrical sockets, paint, replacement of failing components). Original columns were shortened and concrete bases poured, while a number of columns were replaced entirely. Some rooflines were changed and re-roofed, and skylights were inserted into canopies. A number of original canopies remain substantially intact with distinctive posts and brackets tailored to the buildings they serve, however all canopies lost their decorative railings. Despite these changes, the experience of navigating through Wall and Front Streets, both on foot and by vehicle, is much the same as designed in the Pike Plan. In addition, many of the buildings retain their Colonial Revival alterations that helped define KURA's vision for the Uptown district. While the historic Rondout district was lost to demolition in 1966, the Uptown area remains as lasting reminder of the preservation oriented work of both the KURA and Kingston's Historic Landmarks Preservation Commission. For that reason, the Pike Plan retains sufficient integrity to be determined individually eligible for its significance in Community Planning and Development.

## **Created By:**

- **Date Created:** 12/23/2024
- **Construction** 1973-1976 rehab in 2011-2012
- Year:
- Physical The Pike Plan is a structure and streetscape along portions of N. Front and Wall Summary: Streets in Kingston's Uptown/Stockade District. It consists of an unbroken line of contiguous but varied white wooden porticos in a range of styles sheltering the storefronts of the central business district, and streetscape treatments (paving, curb enlargements, plantings and lighting) to create a semi-mall. Each portico has been designed to match the facade of the predominantly 19th and early 20th century commercial buildings. Though modified in 2011-13 to remove some decorative features and to deal with the ravages of time and construction and maintenance deficiencies, the structure and related landscape features remain reflective of their time and purpose.
- Summary of The Pike Plan was designed in 1969 by noted local artist John Pike (1911-1979)
   Significance: in collaboration with Kingston Historic Landmarks Preservation Commission chair Fred Johnston and with the backing of the Kingston Uptown Business Men's Association and the Kingston Urban Renewal Agency (KURA) to enhance the streetscape of Uptown Kingston's core business district along Front and Wall Streets. The Pike Plan called for "Colonial" style canopies, street lamps, new landscaping, façade improvements and brick and bluestone sidewalk improvements to create an inviting semi-mall shopping district that could

complete with suburban malls and shopping plazas. Its final design was a collaboration between Pike and local architect Albert E. Milliken, and it used a semi-mall typology and materials palette devised by planning consultants Raymond & May. The plan may be considered a contributing resource (site and/or structure) to the Kingston Stockade local, state and national historic districts. This would extend the Stockade District's period of significance to 1975, the year the Pike Plan was completed. The Pike Plan was a reaction to a modernist urban pedestrian mall concept for Uptown designed by Raymond & May and promoted by KURA in the early 1960s. It can also be understood as a response to the growing historic preservation movement in the country in the wake of both losses to urban renewal and the destruction of Penn Station in New York City (1963-66). In July 1966, unease about Urban Renewal's impact on historic resources in Kingston caused the Common Council to pause the existing Uptown Urban Renewal Project; their concerns in turn inspired the creation of the Historic Landmarks Preservation Commission just three weeks later, with a mandate "to preserve, protect and promote the community's architecturally, historically, and culturally significant neighborhoods, buildings, and sites." Coming in the wake of the reevaluation of the Uptown Urban Renewal Project, the Pike Plan can be credited with fostering an appreciation of the historic character of Uptown; the preservation of Uptown's commercial core; and the revitalization of local businesses. Rather than modernizing, the Pike Plan intended to "return" Uptown to a revisionist "turn of the century motif," serving a growing interest in history and historic preservation. Renewed interest in

Uptown history culminated in an 1974 architectural survey followed by the local and National Register designation of the Stockade Historic District in 1975. The Pike Plan was started in 1974 and completed in 1975. The fact that it was actively in construction as the local and national historic districts were being designated is a testament to the local belief at the time, articulated by KHLPC chair Fred Johnston, that the Pike Plan was a "restoration" as well as an enhancement to the historic nature of the district. The plan actually replaced modern storefronts, building facades and signage with a Colonial revivalinspired structure and streetscape, which in effect sought to strip modern intrusions from the district. The Stockade Historic District and the Pike Plan must be understood together. Though the structure of the Pike Plan is 49-50 years old, its design and planning were in the works since 1969 (really, since 1961). Architectural plans were developed by architect Milliken alongside artist Pike in 1971, and actively being contracted for by 1974. The dedication of the Pike Plan in 1976 coincided with Bicentennial celebrations, a time of renewed interest in America's Colonial past. Though the 2016 update to the Stockade Historic District designation report did not evaluate the Pike Plan due to it not meeting the 50-year criteria, consideration may be warranted given its significance to the preservation and designation of the Stockade District. In an era (and city) known for destructive urban renewal, the Pike Plan is remarkable as a preservation-informed approach to renewal funded jointly by the KURA and the businesses of Uptown Kingston.

Sources: Kingston Urban Renewal Agency Files, held in the Ulster County Archives

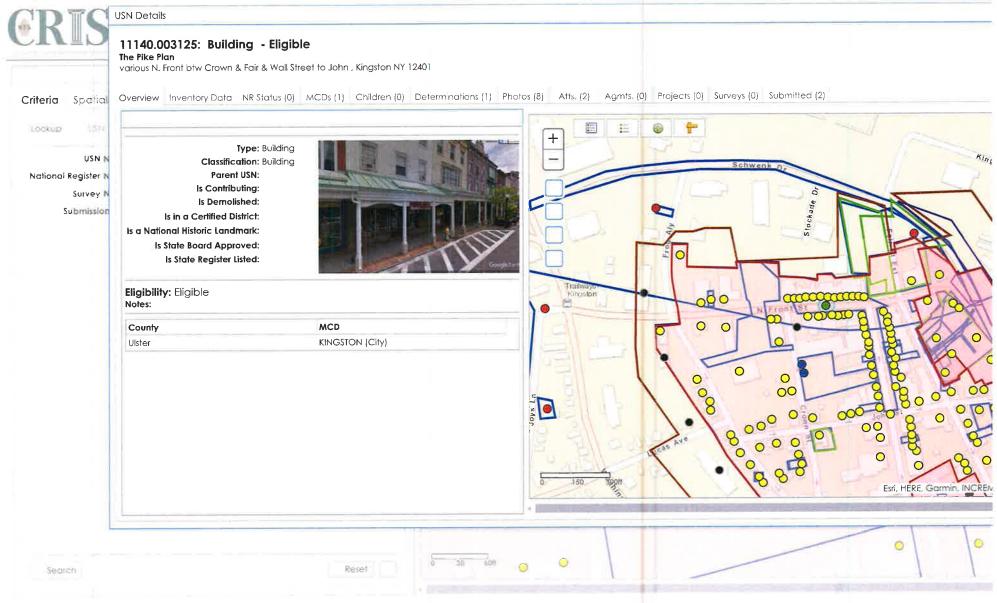
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**Property Asset:** 

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Cultural Resource Information System (CRIS)



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## 11140.003125: Building - Eligible

The Pike Plan various N. Front btw Crown & Fair & Wall Street to John , Kingston NY 12401

Overview Inventory Data NR Status (0) MCDs (1) Children (0) Determinations (1) Photos (8) Atts. (2) Agmts. (0) Projects (0) Surveys (0) Submitted (2)

## **Building Inventory**

Current Property The Pike Plan various N. Front btw Crown & Fair & Wall Street to John , Kingston NY 12401 Alternate Address: Parcel Id: Location Description: Historic Property The Pike Plan NY		Other Property Information
		Created By: Date 12/23/2024
		Created: Construction 1973-1976 rehab in 2011-2012 Year: Physical The Pike Plan is a structure and streetscape along portions of N. From Summary: and Wall Streets in Kingston's Uptown/Stockade District. It consists of unbroken line of contiguous but varied white wooden porticos in a range of styles sheltering the storefronts of the central business district
		and streetscape treatments (paving, curb enlargements, plantings and lighting) to create a semi-mall. Each portico has been designed to match the facade of the predominantly 19th and early 20th century commercial buildings. Though modified in 2011-13 to remove some decorative features and to deal with the ravages of time and
Architecture Classifications		
Classification	Туре	Other Description
LATE 19TH AND 20TH CENTURY REVIVALS	Colonial Revival	null
Major Alterations		
Major Alteration	Altera	ation Date
An attempt to repair the canopies in 2011-13 resulted boards. The columns were shortened and set onto co	in the loss of the balustrades and many of the original sign 2011-1 nerete piers to deal with rot.	13
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building Inventory		
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Architecture Classifications		
Classification LATE 19TH AND 20TH CENTURY REVIVALS	<b>Type</b> Colonial Revival	Other Description
Major Alterations Major Alteration An attempt to repair the canopies in 2011-13 resulted in boards. The columns were shortened and set onto conc	the loss of the balustrades and many of the original sign 2011-1	ion Date 3
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## Cultural Resource Information System (CRIS)

**USN Details** 

# 11140.003125: Building - Eligible

The Pike Plan various N. Front bfw Crown & Fair & Wall Street to John , Kingston NY 12401

Overview Inventory Data NR Status (0) MCDs (1) Children (0) Determinations (1) Photos (8) Atts. (2) Agmts. (0) Projects (0) Surveys (0) Submitted (2)

## **Building Inventory**

Foundation Materials			
Material	Туре	Other Description	
CONCRETE		null	
BRICK		null	
STONE	Sandstone (including brownstone)	null	
Other Materials			
Material	Туре	Other Description	
No Other Material Records			
Roof Materials			
Material	Туре	Other Description	
METAL	Copper	null	
METAL	Steel	null	
Wall Materials			
Material	Туре	Other Description	
WOOD		null	
Outbuildings			
Outbuilding	Quantity	Other Description	
No Outbuilding Records			
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ISN Details		
11140.003125:       Building       - Eligible         The Pike Plan       various N. Front btw Crown & Fair & Wall Street to John , K         Overview       Inventory Data       NR Status (0)       MCDs (1)       C	ingston NY 12401 Shildren (0) Determinations (1) Photos (8; Atts. (2) , Agmts. (0)	Projects (0) Surveys (0) Submitted (2)
Building Inventory		
Outbuilding	Quantity	Other Description
No Outbuilding Records		
Architects/Builders		
Architect/Builder		
Albert E. Milliken		
Raymond & May		
John Pike		
Areas of Significance		
Area of Significance	Туре	Other Description
No Area of Significance Records		
Cultural Affiliations		
Cultural Affiliation No Cultural Affiliation Records		
Periods of Significance		
Period of Significance		
No Period of Significance Records		
Significant Dates		
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## Cultural Resource Information System (CRIS)

USN Details

#### 11140.003125: Building - Eligible The Pike Plan

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Overview Inventory Data NR Status (0) MCDs (1) Children (0) Determinations (1) Photos (8) Atts. (2) Agmts. (0) Projects (0) Surveys (0) Submitted (2)

#### **Building Inventory**

No Cultural Affiliation Records		
Periods of Significance		
Period of Significance		
No Period of Significance Records		
Significant Dates		
Significant Date		
No Significant Date Records		
Significant Persons		
Significant Person		
No Significant Person Records		
Current Uses		
Use	Туре	Other Description
GOVERNMENT	government office	
OTHER		Wood Frame Sidewalk canopy
LANDSCAPE		null
Historic Uses		
Use	Туре	Other Description
No Historic Use Records		
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Overview Inventory Data , NR Status (0) MCDs (1) Children (0) Determinations (1) Photos (8) Atts. (2) Agmts. (0) Projects (0) Surveys (0) Submitted (2)

achment	Туре	Name	Description	Reference Number	Date Created
	Document	2024 08 30 Pike Plan Historic Research UPDATED	Built Resource attachment upload		12/23/2024
	Document	2024 08 02 Pike letter Hartgen	Built Resource attachment upload		12/23/2024
		Reset	20 AOM (3 (0	/	

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