



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Jeff Domanski, Ward 2
Councilmember Pam Wetherbee, Ward 3
Councilmember George Mansfield, Ward 4
City Administrator Chris White

**June 16, 2025
7:45 PM
City Council Agenda**

The Meeting will begin at 7:45 PM, or immediately following the conclusion of the Workshop.

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Announcement of 4th of July Reading of the Declaration of Independence Event](#)

Public Comment

Public Hearings

[Public Hearing for a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon](#)

[Public Hearing for the Proposed 2026-2030 Capital Program](#)

[Public Hearing for a Proposed Local Law Concerning Vehicles and Traffic](#)

Reports: Mayor, City Council, and City Administrator

- [1. Proclamation in Honor of Neurodiversity Pride Day](#)
- [2. Proclamation in Honor of Juneteenth](#)

Local Laws and Resolutions

- [1. Resolution No. 57 - Appointing Dar Sims to the Position of Fire Lieutenant](#)
- [2. Resolution No. 58 - Awarding a Contract to Sun Up Construction Corp. for the Fishkill Avenue Water and Sewer Replacement Project](#)
- [3. Resolution No. 59 - Adopting Local Law No. 6 of 2025 Concerning the Drought Emergency Plan](#)
- [4. Resolution No. 60 - Adopting Local Law No. 7 of 2025 Concerning Loitering](#)

Approval of Minutes

1. [June 2, 2025 Minutes](#)

Public Comment - Second Opportunity

Announcement of Next Meeting: July 7, 2025 at 7:00 p.m. (Workshop) & 8:00 p.m. (Meeting)

Executive Session

[Executive Session: Real Property](#)

Adjournment

City of Beacon City Council Agenda
06/16/2025

Title:

Announcement of 4th of July Reading of the Declaration of Independence Event

ATTACHMENTS

City of Beacon City Council Agenda
06/16/2025

Title:

Public Hearing for a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon

ATTACHMENTS

Keane & Beane, P.C. Memorandum Regarding Revised Proposed Local Law Concerning Accessory Apartment Requirements

Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon

Draft 223-17E Schedule of Use Regulations

Draft 223b Schedule of Use Regulations

Accessory Apartment Setback Diagrams

Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon - FEAF Part 1, Narrative

Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon - FEAF Part 1

Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon - FEAF Parts 2-3

Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon - FEAF Part 3, Attachment

KARC Planning Consultants, Inc. Memorandum Concerning Accessory Apartment Regulation Amendments

City of Beacon Building Department Accessory Apartment Data

City of Beacon Planning Board Memorandum Regarding a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon

Dutchess County Planning Memorandum Regarding a Proposed Local Law to Amend the Zoning

Code Concerning Accessory Apartment Requirements in the City of Beacon

MEMORANDUM

TO: Lee Kyriacou, Mayor
Members of the City Council

FROM: Keane & Beane, P.C.

RE: Revised Proposed Local Law Concerning Accessory Apartments

DATE: May 30, 2025

This memorandum discusses: (i) revisions to the proposed Local Law concerning Accessory Apartments; and (ii) data on the size of single-family dwellings in the City of Beacon.

I. Summary of Revisions to the Proposed Local Law.

Included in the City Council's agenda packet is a revised local law incorporating several revisions per comments made by Councilmembers at the May 27, 2025 meeting. Additionally, following discussions with the Building Inspector and City Planner further revisions were made in an effort to ensure the proposed Local Law is consistent with the Council's efforts to streamline and remove barriers to the creation of additional accessory apartments (i.e., ADU's) in the City.

These revisions are highlighted in the revised proposed Local Law and are as follows:

1. Removal of the phrase "small" and "rental" from the definition of Accessory Apartment (i.e., Beacon City Code § 223-63) and the Purpose and Intent of Section of the Zoning Code (Chapter 223 of the City Code) pertaining to accessory apartments (i.e., Beacon City Code § 223-24.1A). Specifically, these phrases are recommended for removal to avoid confusion that the accessory apartment must be rented to a third-party. "Small" is also an imprecise term.
2. Subsection C of Beacon City Code § 223-24.1 was revised to clarify that an accessory apartment may be "part of" of a detached single-family residence. This revision is intended to capture a circumstance when a portion of a residence is converted into an accessory apartment (e.g., basement unit) and when an accessory apartment is part of a new addition added onto the residence. Hence "part of" captures both circumstances.
3. Subsection C of Beacon City Code § 223-24.1 was also revised per Council comments to provide that "[a] newly constructed building containing an

accessory apartment shall be located at or behind the front line of the single-family dwelling.”

4. Subsection D of Beacon City Code § 223-24.1 was reorganized for ease of reading and now provides that an accessory apartment “with a floor area over 1,000 total square feet” requires site plan approval. The 1,000 square foot threshold is recommended because this is the maximum size of an accessory apartment under existing regulations. As there will no longer be a direct cap on the size of accessory apartments, the 1,000 square foot threshold will ensure that larger units are subject to site plan approval. Subsection D was also clarified that the threshold for site plan approval is tied to the “floor area” and not building footprint. Specifically, floor area is a better measurement of habitable space than building footprint, which is especially true for accessory apartments which are part of an existing single-family residence (i.e., when a portion thereof is converted into an accessory apartment).
5. Subsection E of Beacon City Code § 223-24.1 was revised to conform with the revision to Subsection C pertaining to the accessory apartment being “part of” the single-family dwelling.
6. Subsection F of Beacon City Code § 223-24.1 was revised per Council comments to provide that “[t]here is no required number of off-street parking spaces for accessory apartments.” The same revision was also made to footnote 3 of Beacon City Code § 223-26F concerning the City’s Schedule of off-street parking standards.
7. The proposed definition of “Occupied Primary Residence” was also revised per Council comments as well as a comment from the Planning Board concerning when a residence is owned by a trust. Here, the residence will be considered as being owner occupied if a “beneficiary” of the trust is an occupant of the property.
8. A new footnote “c” was added to the Schedule of Use Regulations for Accessory Buildings to clarify that the maximum square footage permitted for each accessory building and maximum cumulative square footage for all accessory buildings shall not be applicable to accessory apartments.

II. Data on the Size of Single Family-Dwellings in Beacon.

The City Planner was able to gather data from Dutchess County regarding the size of single-family dwellings in the City of Beacon. Specifically:

- There are 3,201 single-family dwellings in Beacon, excluding condos, properties under construction or ones recently constructed (i.e., data not available).

- The smallest home in Beacon is 330 square feet and the largest is 6,580 square feet.
- 391 homes (12%) are under 1,000 square feet;
- 1,912 (60%) are under 1,500 square feet; and
- 2,705 (85%) are under 2,000.

As such, 85% of single-family homes in Beacon are less than 2,000 square feet.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator
Bryan Murphy, Building Inspector
Natalie Quinn, City Planner

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW TO AMEND THE BEACON CITY CODE CONCERNING
ACCESSORY APARTMENT REQUIREMENTS

A LOCAL LAW to
amend the Beacon City
Code Chapter 223,
Zoning, concerning
accessory apartments.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-24.1, entitled “Accessory apartments” is hereby amended as follows:

§ 223-24.1 **Accessory apartments.**

- A. Purpose and intent. It is the purpose and intent of allowing accessory apartments on all existing ~~detached~~ single-family properties in all ~~residence~~ districts ~~and the Transitional District~~ to provide the opportunity and encouragement for the development of ~~small, rental~~ housing units designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income and relatives of families presently living in Beacon. It is the further purpose and intent of this provision to allow the more efficient use of the City's existing stock of dwellings and accessory buildings, to provide economic support for present resident families of limited income and to otherwise help to protect and preserve property values.
- B. Owner occupancy required. The owner of the single-family lot upon which an accessory apartment is located shall occupy at least one of the dwelling units on said lot.
- C. Location on the lot. An accessory apartment may be ~~located either in or attached to part of a detached~~ single-family dwelling or in an accessory building on such a single-family lot. ~~A newly constructed building containing an accessory apartment shall be located at or behind the front line of the single-family dwelling.~~
- D. Apartment size. ~~The floor area of an accessory apartment shall not exceed a maximum of 1,000 square feet or be less than a minimum of 200 square feet. Notwithstanding the foregoing, the Planning Board may permit a larger accessory apartment where appropriate in an existing accessory building which was issued a certificate of occupancy more than five years before the date of application to construct accessory apartment.~~ Site plan approval from the Planning Board is required for accessory

apartments with a floor area over 1,000 total square feet or with a total floor area square footage that is greater than 50% of the primary building's footprint floor area, whichever is greater site plan approval from the Planning Board is required. There shall be no more than one accessory apartment permitted per single-family lot.

- E. Exterior appearance. If an accessory apartment is located in part of a detached single-family dwelling, the entry to such unit and its design shall be such that, to the degree reasonably feasible, the exterior appearance of the building will remain that of a single-family residence.
- F. Off-street parking. ~~There is no required number of off-street parking spaces for accessory apartments. A minimum of one off-street parking space shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot. The Planning Board may, in its discretion, waive all parking requirements for an accessory apartment when deemed appropriate.~~
- G. The accessory apartment shall not be used for short-term rentals as defined in § 223-26.5.
- H. An existing structure that does not conform to the yard requirements of Chapter 223 may be converted into an accessory apartment without a variance from the Zoning Board of Appeals if the proposed use will not enlarge or increase the dimensional nonconformity. ~~However, an application to the City's Architectural and Community Appearance Board of Review certificate of appropriateness from the Planning Board shall be required if the proposed use is less than 10 feet from the property line and within 20 feet of any dwelling unit on an adjacent property. The Architectural and Community Appearance Board of Review shall consider the bulk, height, window placement and other design feature considerations to minimize visual, aesthetic and quality of life impacts associated with the accessory apartment being located within the proximity set forth above.~~
- H.I. ~~In the R1-10, R1-7.5 and R1-5 zoning districts, where a side and rear setback of 5 feet is required for accessory apartments, a certificate of appropriateness from the Planning Board review by the Architectural and Community Appearance Board of Review is required if the proposed accessory apartment is less than 10 feet from a dwelling unit on an adjacent property, using the design considerations set forth in Section (H) above.~~
- H.J. The Building Inspector shall have approval authority for all accessory apartments ~~entirely contained within an existing single-family dwelling and meeting provided that all setback requirements and the provisions of this section are met. All other~~ proposed accessory apartments, ~~whether expansions or new construction, that do not meet the setback requirements of this section, including any accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings,~~ shall require site plan approval from the Planning Board.

Section 2. Chapter 223 of the City Code of the City of Beacon, Article VI, Definitions and Word Usage, Section 223-63, entitled “Definitions,” is hereby amended to add definitions for “Occupied Primary Residence” and “Owner” as follows:

§ 223-63 **Definitions.**

For the purposes of this chapter, certain words and terms used herein are defined as follows:

ACCESSORY APARTMENT

A ~~small rental~~ housing unit, subject to the conditions in § 223-24.1, allowed on single-family properties in residential districts and designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income, or property owner relatives.

...

OCCUPIED PRIMARY RESIDENCE

A dwelling unit used by the owner or tenant as his or her or their primary residence. All owners of the business entity must use the premises as his or her or their primary residence. When a property is titled in the name of a trust, the property shall be considered an occupied primary residence if a beneficiary is an occupant of the property. When a property is occupied by an individual(s) who has a life estate, the property shall be considered an occupied primary residence.

...

OWNER

Any individual or individuals, partnership or corporation or other organization in possession of and having a fee interest in the real property. The term "owner" shall include a corporation, limited-liability company, partnership, association, trust, or other business entity or nonbusiness forms of ownership.

...

Section 3. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-26, entitled “Off-street parking, loading and vehicular access,” Subsection D(4) is hereby amended as follows:

§ 223-26 **Schedule of Off-Street Parking Standards.**

...

D. Schedule of off-street parking standards.

- (1) In order to promote walkability and other transportation alternatives and to avoid excessive automobile traffic and unnecessarily large paved parking lots, parking maximums have been established for all uses. Unless otherwise determined by the Planning Board, no minimum number of off-street parking

spaces are required within the CMS, L, and WD districts due to the proximity of these districts to municipal parking areas, public transportation, and pedestrian-oriented streetscapes.

- (2) The Planning Board shall determine the appropriate number of off-street parking spaces within the range provided in the table at § 223-26D(4) as part of its application review and based on the context of the property, including but not limited to, as applicable, the size of the parcel, proposed uses, existing buildings on the parcel, especially if they are designated as historic, availability of public and street parking in the area, access to public transit, a parking study submitted by the applicant, shared parking arrangements, land-banking authorized under § 223-26C(2), compliance with the Americans with Disabilities Act (ADA) and any state requirements for accessible parking, and input from any public hearing. The number of off-street parking spaces determined by the Planning Board to be appropriate shall become the required number of off-street parking spaces for the proposed use of the subject property.
- (3) Any professional parking study submitted by the applicant shall be based primarily on specific site-related information, a comparable analysis of similar uses and properties in the area or region, and an examination of demand reduction strategies, including such elements as promotion of walking, bicycle parking or storage facilities, alternative mobility options, transit access opportunities, car-share rentals, and ride-sharing or carpooling services.
- (4) The following table establishes the range of the minimum and maximum number of off-street parking spaces within which the Planning Board has discretion to determine the required number of such spaces based on the considerations set forth at § 223-26D(2). Where more than the maximum or less than the minimum number of off-street parking spaces are provided an area variance from the Zoning Board of Appeals shall be required. An area variance may also be sought from the required number of parking spaces determined to be appropriate by the Planning Board.

Schedule of Off-Street Parking Standards ¹				
Building Use	CMS, L, WD		R1, RD, LI, HI, WP, FCD, GB, T ²	
	Min	Max	Min	Max
Residential ³ (Including accessory apartment)	—	1 space per dwelling unit	1 space per dwelling unit	3 spaces per dwelling unit

Lodging	—	0.75 space per guest room	0.5 space per guest room	1.5 space per guest room
Commercial (Retail / Office / Service / Food / Auto-Oriented/ Social and Community)	—	3 spaces Per 1000 SF GFA	3 spaces Per 1000 SF GFA	5 spaces Per 1000 SF GFA
Health Care and Educational		4 spaces per 1000 SF GFA	1 space per 1000 SF GFA	4 spaces per 1000 SF GFA
Industrial (Industrial or Assembly)	—	—	0.25 space per 1,000 SF GFA	2.5 spaces per 1,000 SF GFA
Other Uses		Shall be determined by the Planning Board or the Building Inspector, as appropriate depending upon the permit or approval sought and upon consideration of relevant factors dictating the parking needs of each such use.		

NOTES:

1. The calculation of Gross Floor Area (“GFA”) shall exclude utility space. Pursuant to § **223-26B(3)(a)**, no more than 30% of the provided parking may be designated for compact automobiles at the sole discretion of and in accordance with the standards set forth in § **223-26D**, as determined by the Planning Board.
2. Where the Planning Board determines that a property within the T District is in proximity to available municipal parking, public transportation, and pedestrian-oriented streetscapes, parking standards from the CMS district may be applied to all proposed uses on said property.
3. There is no minimum required number of off-street parking spaces required for accessory apartments.

...

Section 4. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection C, Attachment 2 entitled “Schedule of Use Regulations”, is hereby amended to permit accessory apartments in all Zoning Districts as provided on the attached Schedule of Use Regulations.

SEE ATTACHED SCHEDULE OF USE REGULATIONS

...

Section 5. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection E, Attachment 3 entitled “Schedule of Use Regulations For Accessory BuildingS on Residential Lots”, is hereby amended to modify setback requirements in the R1-10 and RD-5 Zoning Districts.

SEE ATTACHED SCHEDULE OF USE REGULATIONS FOR ACCESORY BUILDINGS ON RESIDENTIAL LOTS

Section 6. Applicability.

This local law shall apply to all land use applications received on or after the effective date of this local law as set forth in Section 8 below. Notwithstanding the aforementioned, this local law shall also apply to pending and/or approved land use applications on the effective date of this local law unless a final certificate of occupancy is issued within one calendar year of the effective date of this local law as set forth in Section 8 below.

Section 7. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 223 of the City of Beacon Zoning Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 8. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 9. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or

inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 10. Effective Date.

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

ZONING

223 Attachment 3

CITY OF BEACON

§ 223-17E, SCHEDULE OF REGULATIONS FOR ACCESSORY BUILDINGS ON RESIDENTIAL LOTS [Added 1-19-2016 by L.L. No. 2-2016; amended 9-19-2022 by L.L. No. 8-2022]

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Square Footage Permitted for Each Accessory Building (Based on total square footage of principal building)	Maximum Number of Sheds Permitted
R1-120 1-Family Residence District	Not permitted in front yard	50	50	50%	2
R1-80 1-Family Residence District	Not permitted in front yard	30	30	50%	2
R1-40 1-Family Residence District	Not permitted in front yard	25	25	50%	2
R1-20 1-Family Residence District	Not permitted in front yard	20	20	50%	2
R1-10 1-Family Residence District	Not permitted in front yard	15	15	50%	2
R1-7.5 1-Family Residence District	Not permitted in front yard	5	5	50%	1
R1-5 1-Family Residence District	Not permitted in front yard	5	5	50%	1

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Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Cumulative Square Footage for All Accessory Buildings ^c	Maximum Square Footage Permitted For Each Accessory Building (Based on footprint ^a of principal building) ^b & c	Maximum Number of Sheds Permitted
RD-6 Designed Residence District	Not permitted in front yard	50	50	2,775	40%	2
RD-5 Designed Residence District	Not permitted in front yard	~~1530~~	~~3010~~	2,125	40%	2
RD-4 Designed Residence District	Not permitted in front yard	25	25	1,625	40%	2
RD-3 Designed Residence District	Not permitted in front yard	20	20	1,250	40%	2
RD-1.8 Designed Residence District	Not permitted in front yard	15	15	960	40%	2
RD-1.7 Designed Residence District	Not permitted in front yard	5	5	720	40%	1
~~RD-1~~ -5 Designed Residence District	Not permitted in front yard	5	5	720	40%	1

NOTES:

The following districts were not included in the Planning Board's recommendation: RMF-1.5 (Multifamily Residence District), SAHO (Senior Affordable Housing Overlay District).

^a Footprint includes attached garages but excludes open porches/decks.

^b The maximum square footage of each accessory building for any single-family dwelling located in the RD Zoning District shall be 50% based on the total square footage of the principal building.

^c The maximum square footage permitted for each accessory building and maximum cumulative square footage for all accessory buildings shall not be applicable to accessory apartments.

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations

[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022; 5-5-2025 by L.L. No. 4-2025; 6-2-2025 by L.L. No. 5-2025]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Residential												
One-family detached dwelling		P	P	P	X	X	X	X	X	X	X	X
One-family attached/semidetached	Including townhouses	X	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		X	P	P	X	X	X	X	X	X	X	X
Multifamily dwelling		X	SP*	P	P	P	P	P	X	P	X	X
Artist live/work space	Subject to § 223-14.2	X	X	P	P	P	P	P	X	P	P	X
Retail/Office/Service												
Retail, personal service, or bank		X	X	X	P	P	P	P	X	X	P	X
Office		X	X	P	P	P	P	P	X	P	P	X
Artist studio, art gallery/exhibit space		X	X	P	P	P	P	X	X	P	P	X
Funeral home		X	X	X	P	X	X	X	X	X	P	X
Commercial recreation, indoor		X	X	X	P	P	X	X	X	X	P	P
Auction gallery		X	X	X	P	X	X	X	X	X	P	P
Adult use	Subject to § 223-20.1	X	X	X	X	X	X	X	X	X	SP	X
Food/Lodging												
Restaurant or coffee house		X	X	X	P	P	P	P	SP*	P	X	X
Bar/brew pub/microbrewery/microdistillery		X	X	X	P	P	P	P	X	P	P	P
Food preparation business		X	X	X	P	SP	SP	X	X	X	P	P
Short-term rental	Subject to § 223-26.5	P	P	P	P	P	P	P	P	P	P	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP	SP	P	X	P	X	SP*	P	P	X
Inn		X	X	X	P	P	P	P	SP*	P	P	X
Hotel	Subject to § 223-14.1	X	X	X	P	P	P	P	X	X	P	X
Social/Community												
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	P	X	X	X	X	SP	X
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

¹ Editor’s Note: This local law also repealed former 223 Attachment 2, § 223-17D, Schedule of Regulations for Nonresidential Districts, as amended.

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale business		X	X	X	P	X	X	X	X	X	P	P
Self-storage facility and warehouse storage	Subject to § 223-24.5	X	X	X	P/SP	X	X	X	X	X	P/SP	P/SP
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	P	P	P	~~PX~~	~~PX~~	~~PX~~	~~PX~~	~~PX~~	~~PX~~	~~PX~~	~~PX~~
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Drive-through facilities, standalone or accessory		X	X	X	X	X	X	X	X	X	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

Notes:

GENERAL

- Yellow box shows permitted location of ADU based on the minimum required lot width/depth.
- Dark grey box shows location of primary structure based on minimum front yard requirement.
- Light grey box shows minimum setback of the ADU from the rear and side yards.
- ALL R1 and RD Districts permit single-family as a use, therefore all are permitted ADU's.
- Minimum requirements for the lot are shown for all examples unless otherwise noted (subdivided townhome examples)

R1-120

- Most parcels in this district are (much) larger than the minimum requirements.

R1-80

- Many parcels are the minimum required width but are typically deeper than the requirement.

RD-7.5

- The parcels associated with this district are all linked via a filed map. Smaller parcels (townhomes/apartments) were subdivided off the larger parcel in this district.
- There are no ADU requirements for this district on *223 Attachment 3*.
- The diagram shown mimics the townhomes/apartments on the smaller lots in this district. It should be noted that these lots are much smaller than the requirements set forth in *223 Attachment 1*.
- Due to the configuration/size of the lots/primary structures, ADU's are unlikely to fit on these lots.
- All setback requirements are not met for the townhome/apartment lots)

R1-5

- The ADU requirements for this district are listed twice on *223 Attachment 3*. We believe that one of these is meant to be RD-7.5 as there are no ADU requirements listed for that district.
- Setbacks listed on *223 Attachment 3* are the same for both listings, but the permitted size is different.

RD-6

- Some parcels in this district are either much larger than the requirements or much smaller (like RD-7.5).
- There is a group of lots that are smaller than the requirements, but all structures on these parcels are duplexes split into their own lots.
- The minimum requirements for lot area is shown in the diagram, with an example of both above-mentioned scenarios.

RD-5

- The setbacks for this district don't necessarily make sense. The minimum width is 50 feet and the setbacks for an ADU is 30 feet for the rear and 30 feet from the side. So, on a lot that is the minimum 50 feet wide, you can't fit an ADU on it without needing a variance for the setbacks.
- This district also has townhomes in the same situation as mentioned above.

RD-4

- Same situation as RD-7.5 with the parcels in this district being linked via a filed map. Smaller parcels were subdivided off the larger parcel.
- ADU requirements are listed but are not feasible on the subdivided lots as the lot coverage is too large and the lots are too small to accommodate an ADU.

RD-3

- The setbacks for this district don't necessarily make sense. The minimum width is 50 feet and the setbacks for an ADU is 20 feet for the rear and 20 feet from the side. So, on a lot that is the minimum 50 feet wide, you can only fit a small ADU in a small area (see diagram).
- All existing parcels in this district are larger than the minimum lot requirements.

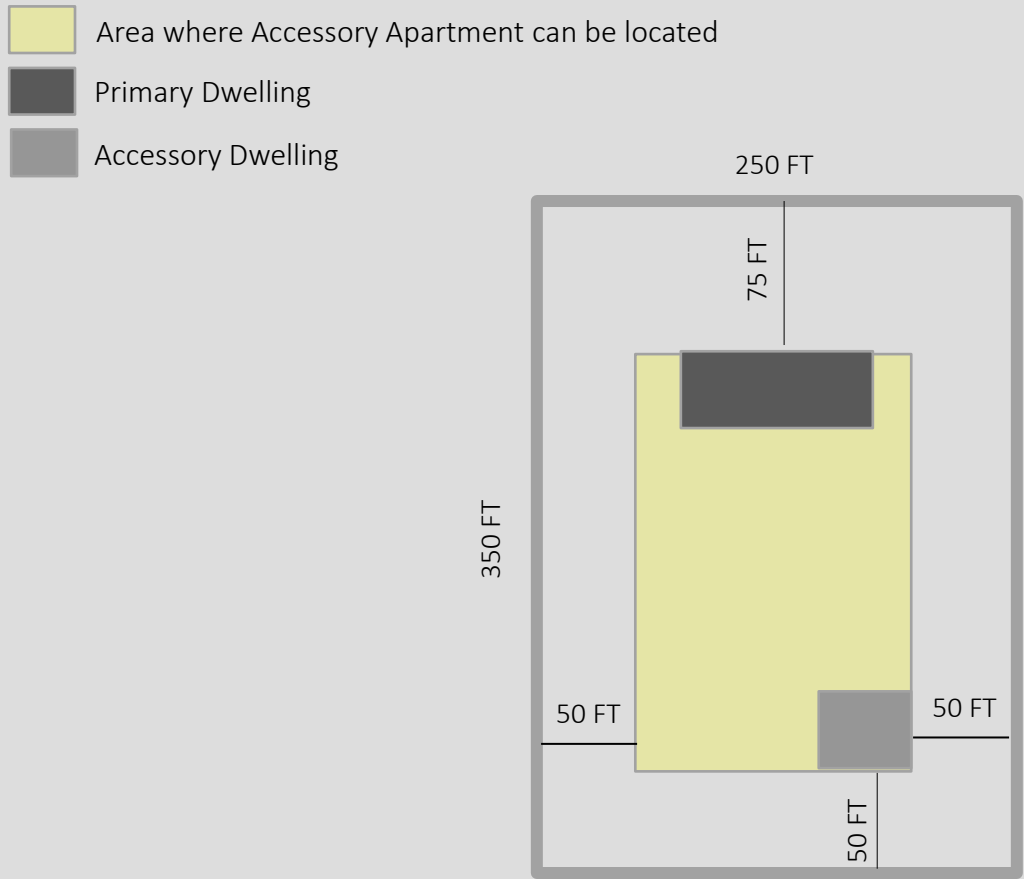
RD-1.8

- All parcels in this district are much larger than what is required. The minimum required lot area is depicted in the diagrams.
- Minimum required setbacks do not make sense for this district. If the minimum setbacks are applied, a primary building would only be permitted to be 10 feet wide (see diagram).

RD-1.7

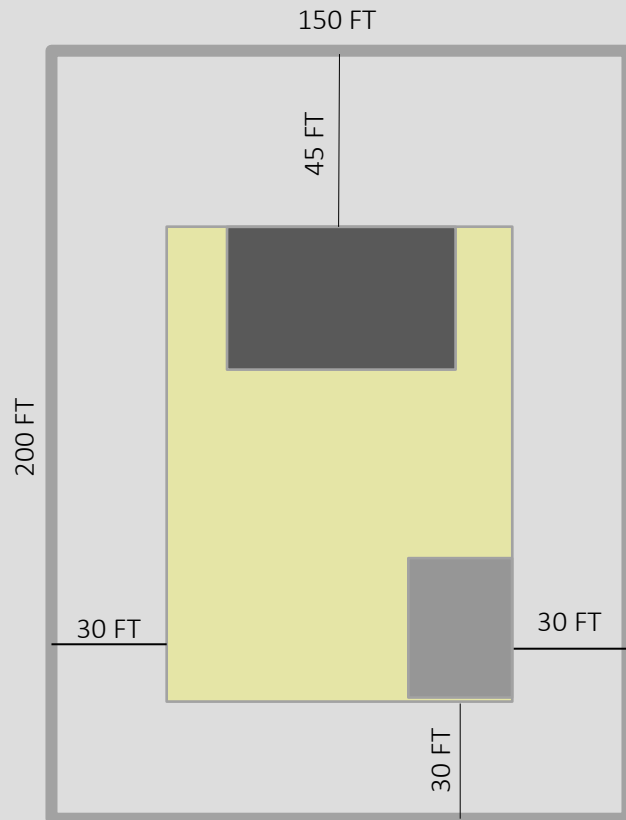
- There is only one parcel in this district, and it is much larger than the requirements.
- Minimum required setbacks do not make sense for this district. If the minimum setbacks are applied, a primary building would only be permitted to be 10 feet wide (see diagram).

R1-120 District



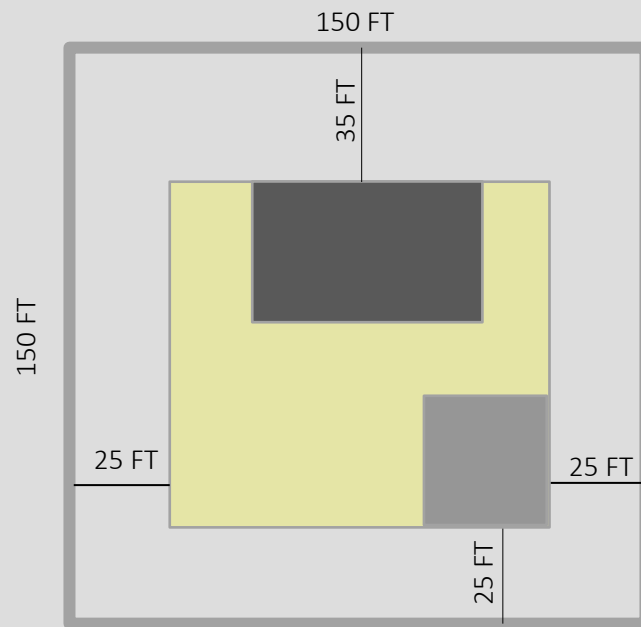
Parcel # 130200-6054-02-723821

R1-80 District



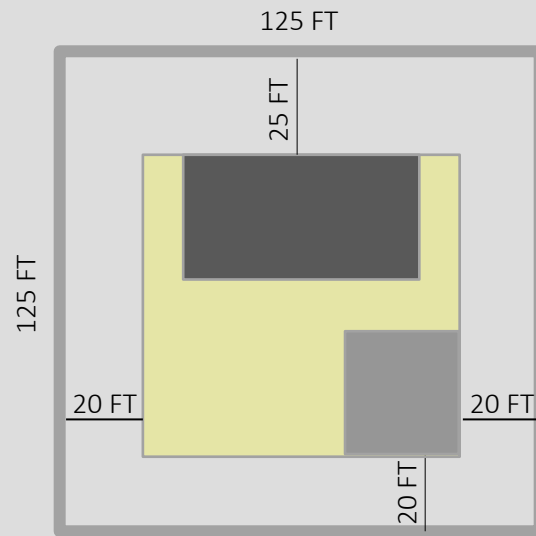
Parcel # 130200-6054-02-627660

R1-40 District



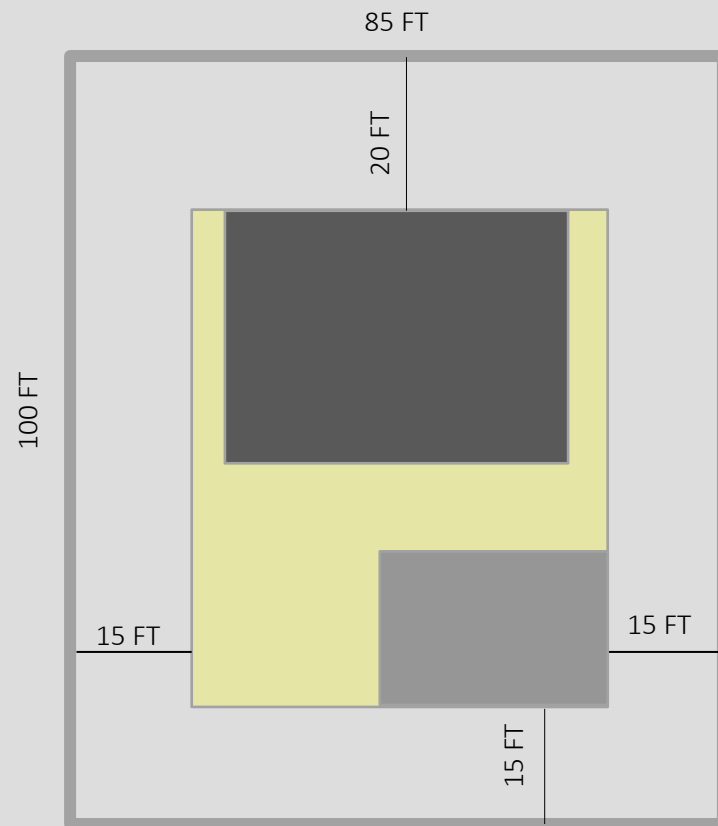
Parcel # 130200-5954-16-806472

R1-20 District



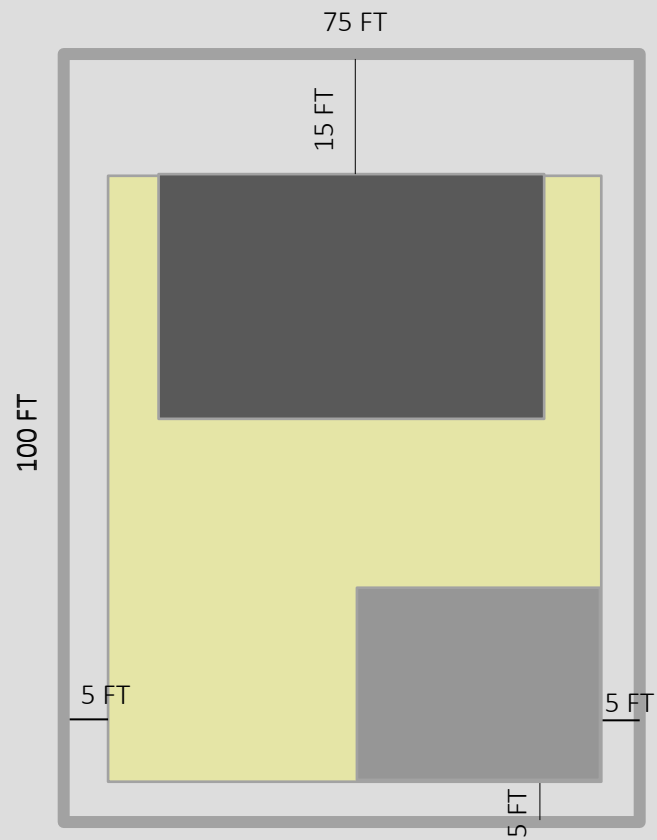
Parcel # 130200-5955-04-647233

R1-10 District



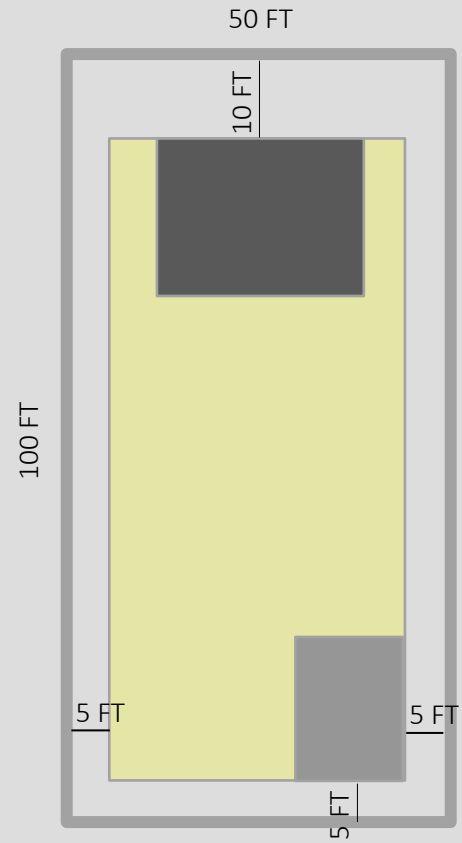
Parcel # 130200-6054-32-380829

R1-7.5 District



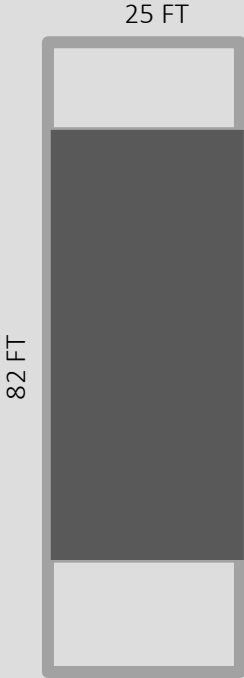
Parcel # 130200-5955-76-964127

R1-5 District



Parcel # 130200-6054-38-218709

RD-7.5 District



Note: No requirements for Accessory Dwelling Units are included for this district.
Bulk requirements for this district include a front yard setback of 20-35 feet, a side yard setback of 25 feet and a rear yard setback of 50 feet. None of these setbacks are met for any of the townhome/apartment lots.

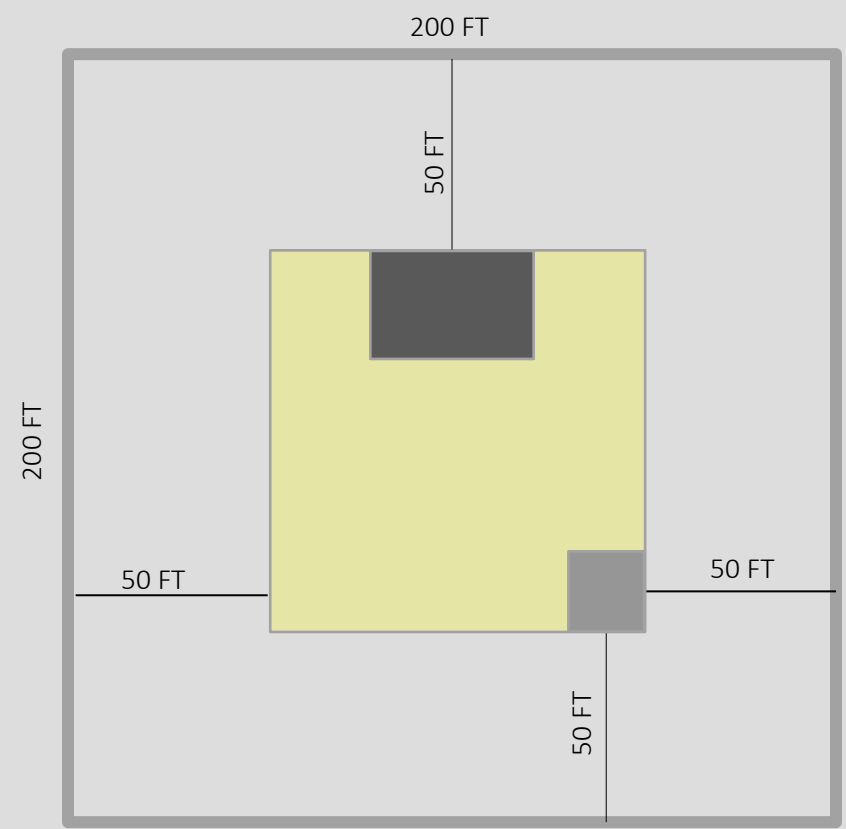
Pictured is one of the subdivided townhome lots.



Parcel # 130200-5954-34-644863

Parcel # 130200-5954-26-641872
Note: Subdivision (Filed Map)

RD-6 District

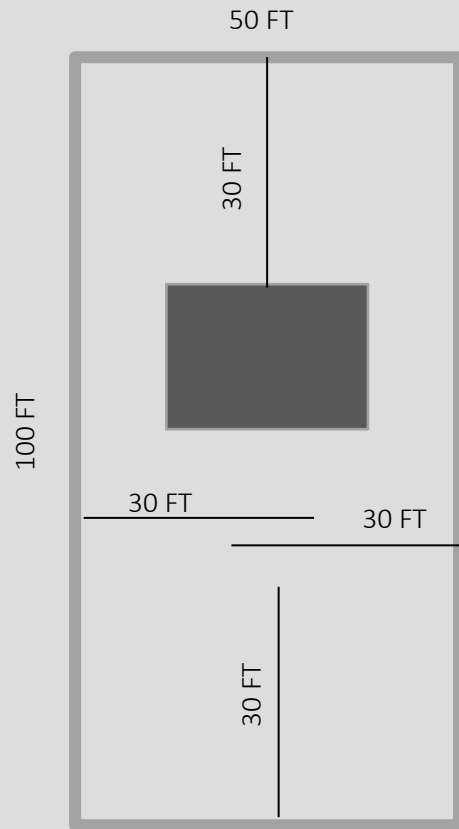


Parcel # 130200-5954-42-667670

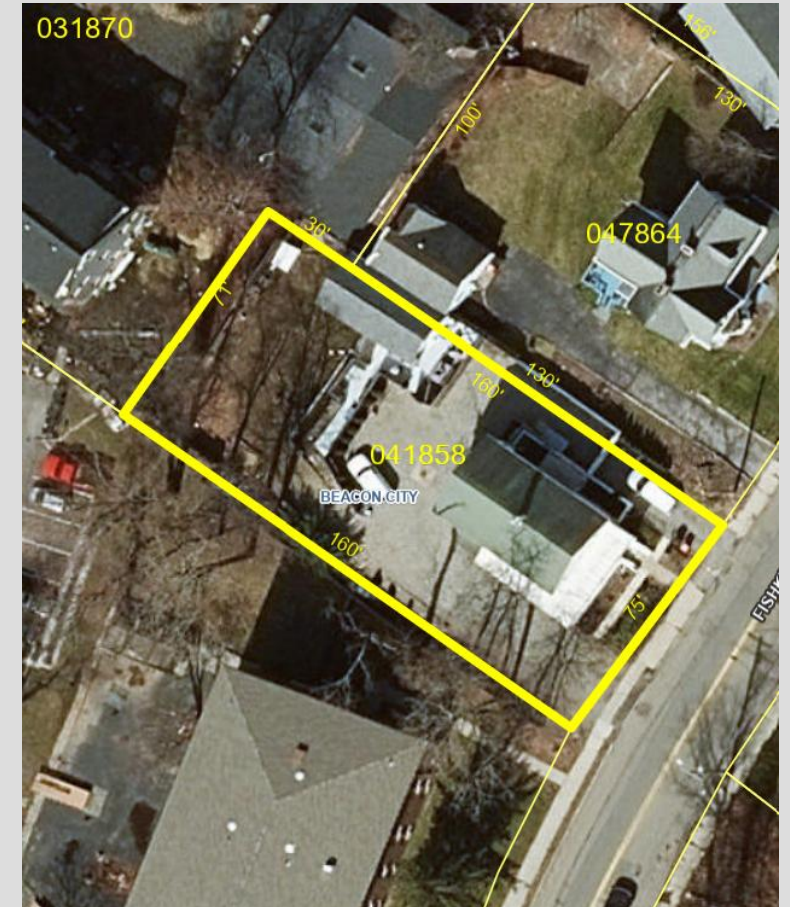


Parcel # 130200-6055-03-217160
(apartments)

RD-5 District

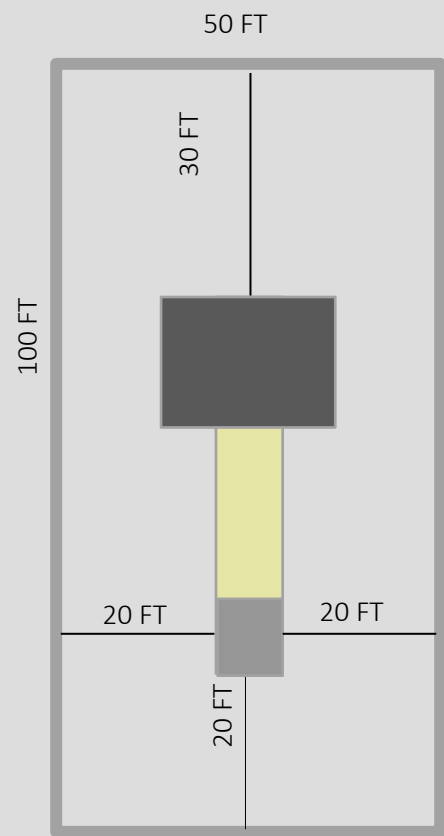


Note: Minimum requirements for this district do not make sense with the minimum setbacks for an ADU.



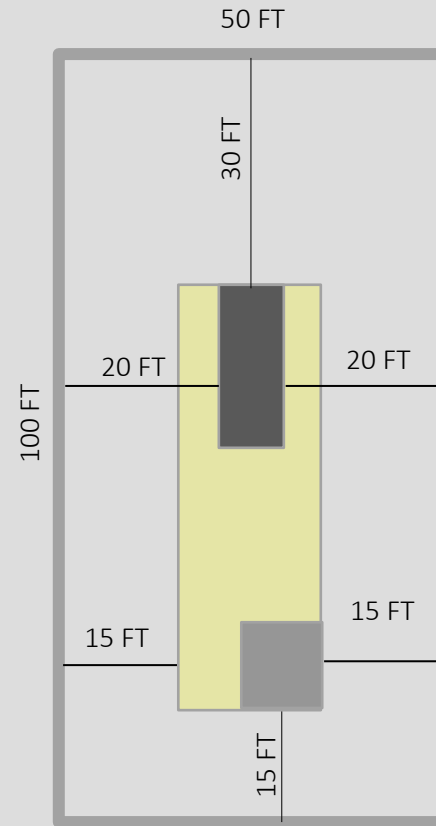
Parcel # 130200-6054-29-041858

RD-3 District



Parcel # 130200-6054-13-212498

RD-1.8 District

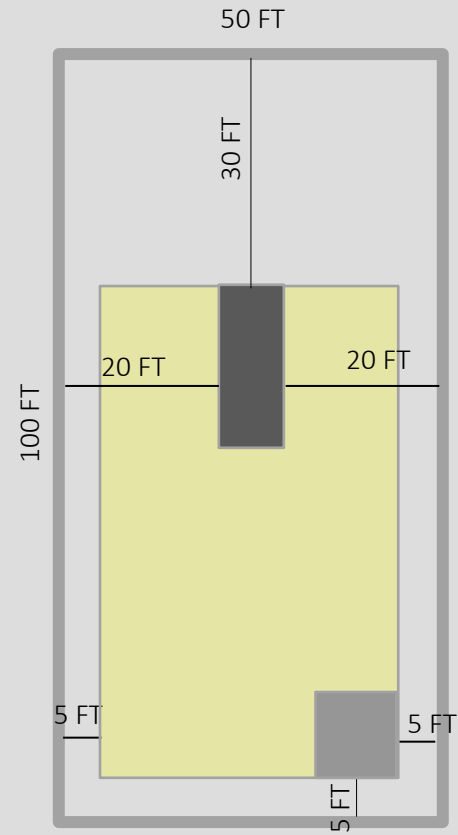


Note: Minimum requirements for this district do not make sense with the minimum setbacks for the primary building. The building would only be permitted to be a width of 10 feet on the minimum size lot.



Parcel # 130200-5954-42-746730

Note: Minimum requirements for this district do not make sense with the minimum setbacks for the primary building. The building would only be permitted to be a width of 10 feet on the minimum size lot.



Parcel # 130200-5955-19-590022

Beacon – FEAF Part 1 Narrative

Proposed Local Law Concerning Accessory Apartment Requirements

On March 10, 2025 a draft local law was introduced to amend the City of Beacon’s (the “City”) requirements and regulations for accessory apartments, also known as accessory dwelling units (“ADUs”). This proposed local law was introduced as a result of the City Council’s continued discussion on potential amendments to City’s Zoning Code, Chapter 223 of the Beacon City Code, to improve housing availability and affordability. The proposed local law is also intended to amend the Zoning Code to align with and leverage the City’s recent application to the New York State’s “Plus One ADU Program.”

ADUs are an important tool to increase housing stock as well as to lower housing costs for tenants/renters and to provide homeowners with a potential source of revenue. ADUs may also permit the elderly to age in home and/or to move into an ADU located at a family member’s home. ADUs also increase housing stock without necessarily requiring the development of new land as ADUs are generally constructed within a single-family home, attached to the existing home, or as a separate building in close proximity to the principal dwelling. As such, ADUs are a valuable tool to help broaden housing choices in single-family neighborhoods and thereby further the City Council’s goals of improving housing availability and affordability within the City.

Particularly, the proposed local law is intended to increase the number of single-family properties which can satisfy the requirements to construct an ADU. For example, ADUs will now be permitted in all zoning districts when such are currently permitted in all R1, RD and Transitional (T) zoning districts. Furthermore, ADUs will not be considered an impermissible expansion of a nonconforming use if developed on a legal nonconforming single-family residential property. The minimum size of ADUs would now be regulated by the New York State Building Code. The proposed local law would also amend the schedule of regulations for ADUs within the R1-10 and RD-5 to reduce the minimum rear and side yard setbacks. There would also be no minimum off-street parking requirements for ADUs, except that the Planning Board has the discretion to require parking if an owner seeks approval for an ADU with a maximum square footage that is greater than 50% of the primary building’s footprint.

The proposed local law will keep in place several important provisions intended to ensure that ADUs have as little impact on neighboring properties as possible while also balancing the need for additional and affordable housing within the City. Specifically, the owner of the single-family property must reside on the property in which the ADU is constructed. ADUs may not be utilized for short-term rentals. Additionally, only one ADU is permitted on each lot and ADUs are subject to approval by the City’s Building Inspector or the Planning Board if the ADU does not meet the minimum setback requirements. Furthermore, ADUs will require approval from the City’s Architectural and Community Appearance Board of Review if the ADU is proposed to be less an 10 feet from the property line and within 20 feet of another dwelling on an adjacent lot.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Local Law Concerning Accessory Apartment Requirements		
Project Location (describe, and attach a general location map): City of Beacon		
Brief Description of Proposed Action (include purpose or need): A proposed local law to amend the City of Beacon's Zoning Code, Chapter 223 of the City Code, concerning Accessory Apartments requirements and regulations in the City of Beacon. Specifically, the proposed local law would permit accessory apartments on properties containing detached single-family residences in all zoning districts when such accessory use is currently permitted in all R1, RD, and Transitional (T) zoning districts. Furthermore, the proposed local law would amend the dimensional requirements applicable to accessory apartments to enable such accessory use to be permitted on more properties. The proposed local law is intend to increase the number of accessory apartment dwellings in the City to increase housing availability and affordability . Finally, the proposed local law provides that accessory apartments shall not be considered an impermissible expansion of an legal nonconforming use if developed and maintained on legal nonconforming detached single-family properties.		
Name of Applicant/Sponsor: City Council of the City of Beacon		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Mayor Lee Kyriacou		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	City Council - Legislative Action re Adoption of Local Law.	Proposed local law first introduced at the March 10, 2025 City Council Meeting.
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Accessory apartments are currently permitted in all R1, RD, and Transitional (T) zoning districts. The proposed local law would expand this to permit accessory apartments in all other zoning districts.	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes,	☒ Yes ☐ No
i. What is the proposed new zoning for the site? <u>To permit accessory apartments in the GB, CMS, L, WD, WP, FCD, LI and HI zoning districts.</u>	
C.4. Existing community services.	
a. In what school district is the project site located? <u>Beacon City School District.</u>	
b. What police or other public protection forces serve the project site? <u>City of Beacon Police Department.</u>	
c. Which fire protection and emergency medical services serve the project site? <u>City of Beacon Fire Department and various emergency medical service providers, including the Beacon Volunteer Ambulance Corps.</u>	
d. What parks serve the project site? <u>Beacon City Parks.</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ _____ _____	

f. Does the project include new residential uses? ☐ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No	
If Yes,	
i. Total number of structures _____	
ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length	
iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? ☐ Yes ☐ No • Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☐ No If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ _____ • Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☐ No If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No			
If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No			
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No			
If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No			
If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No i. If Yes: explain: _____	
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No If Yes, i. Identify Facilities: _____ _____	
e. Does the project site contain an existing dam? ☐ Yes ☐ No If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No If Yes: i. Has the facility been formally closed? ☐ Yes ☐ No • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____ _____	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site	
☐ Moderately Well Drained: _____ % of site	
☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site	
☐ 10-15%: _____ % of site	
☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No	
ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
Project : Proposed LL re Accessory Apartments
Date : June 16, 2025

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i> ☐ NO ☒ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☒ NO ☐ YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☒ NO ☐ YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☒	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☒	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☒	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☒	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☒	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☒	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☒	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☒	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☒	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☒	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☒	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☒	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☒	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:					
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	☐	☐		
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐		
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐		
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐		
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐		
vi. 43 tons/year or more of methane	D2h	☐	☐		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐		
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐		
f. Other impacts: _____ _____		☐	☐		

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>				☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☒	☐		
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☒	☐		
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☒	☐		
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☒	☐		

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☒	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☒	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☒	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☒	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☒	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) If "Yes", answer questions a - g. If "No", go to Section 10.			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☒	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☒	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☒ ☒	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☒ ☒	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☒	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☒	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) If "Yes", answer questions a - e. If "No", go to Section 11.			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☒	☐

d. Other impacts: _____ _____		☐	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____ _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____ _____		☐	☐

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. ☐ NO ☒ YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. ☐ NO ☒ YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☒	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
e. Other Impacts: _____ _____		☐	☐

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☒ YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☒ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☒	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☒	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☒	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☒	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☒	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☒	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☒	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☒	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☒	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☒	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☒	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☒	☐
m. Other impacts: _____ _____		☐	☐

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

SEE ATTACHED

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
Consultant memorandums, diagrams, and reports, the draft local law and attached schedules, data on accessory apartments in the City of Beacon, the Full EAF part 1 and narrative, City of Beacon Planning Board referral response letter (dated May 16, 2025), and Dutchess County Department of Planning and Development referral response letter (dated April 15, 2025).

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City Council of the City of Beacon _____ as lead agency that:

☒ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Proposed Local Law Concerning Accessory Apartment Regulations

Name of Lead Agency: City Council of the City of Beacon

Name of Responsible Officer in Lead Agency: Christopher White (Delegated to the City Administrator per City Council Resolution)

Title of Responsible Officer: City Administrator

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer) /s/ Christian A.L. Gates, Esq. (City Attorney)

Date: June 12, 2025

For Further Information:

Contact Person: Ben Swanson, Secretary to the Mayor

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: (845) 838-5000

E-mail: cityofbeacon@beaconny.gov

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

Beacon – FEAF Part 3 Attachment
Negative Declaration of Environmental Significance

Proposed Local Law Concerning Accessory Apartments

On March 10, 2025, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to revise the City’s regulations for accessory apartments (“accessory dwelling units” or “ADUs”). By letter dated May 16, 2025, the City’s Planning Board issued its response letter, with comments, to the proposed Local Law. These recommendations were considered by the City Council and several have been incorporated into the proposed Local Law. By letter dated April 15, 2025, the Dutchess County Department of Planning and Development issued its response letter without comments. On June 2, 2025 the City Council held a duly noticed public hearing which was continued to, and subsequently, closed at its June 16, 2025 meeting. It must be noted that the proposed Local Law only concerns ADUs. Pursuant to the State Environmental Quality Review Act (“SEQRA”) and the promulgated under 6 NYCRR § 617.5, (*see* Subsections (c)(11), (c)(12), and (c)(18)), the construction of an ADU, or the modification of an existing single-family to incorporate an ADU, is a Type II action meaning such construction or modification will not have a significant adverse impact on the environment.

The proposed Local Law will not have a significant adverse impact on the environment for the following reasons:

The proposed amendment to the City of Beacon’s Zoning Code is not inconsistent with the City’s Comprehensive Plan. The Comprehensive Plan sets for a clear goal of increasing housing affordability in the City. The proposed Local Law will further this goal because approval process for ADUs is being streamlined in effort to lower costs of approval and thereby encourage more ADUs in the City. Specifically, ADUs may lower housing costs for tenants/renters, provide homeowners with a potential source of revenue, and permit senior residents to age in home or live with relatives or caretakers. ADUs are also a valuable tool to help broaden housing choices in single-family neighborhoods. ADUs will also now be permitted in all zoning districts, but may only be allowed on a lot containing a single-family residence, as is already required. The proposed Local Law will eliminate the maximum size of ADUs nor require site plan approval in all instances. However, ADUs will still be subject to site plan review by the Planning Board if the ADU has a floor area over 1,000 total square feet or exceeds 50% of the floor area of the primary building’s floor area, whichever is greater. When ADUs do not require site plan approval, the Building Inspector will be the approval authority.

As such, new ADUs will be subject to review and approval by the Planning Board or Building Inspector as the case may be. This oversight provides sufficient safeguards to promote sustainable development and preserve the character of neighborhoods in the City consistent with the Comprehensive Plan while also providing alternative housing options in the City.

The proposed Local Law does not create any adverse environmental impacts because the Local Law will not result in any direct or physical impacts to land. The Local Law may however have indirect and secondary impacts on land as ADUs will no longer have an explicit size limitation. ADUs will also require site plan approval and approval by the City's Architectural and Community Appearance Board of Review if the proposed ADU is less than 10 feet from the property line and within 20 feet of any dwelling unit on an adjacent property. In the R1-10, R1-7-5, and R1-5 zoning districts, site plan approval and aAll properties will also still be subject to maximum permitted building coverages allowed under the City's Schedule of Dimensional Regulations. Furthermore, ADUs are considered a Type II action pursuant to SEQRA (i.e., will not result in a significant adverse impact on the environment). As such, the potential for secondary or indirect effects of the proposed Local Law do not support the conclusion that the legislation will or may create a significant adverse environmental impact requiring preparation of an environmental impact statement. Further, potential secondary or indirect impacts do not give rise to any currently identifiable potential significant adverse environmental impacts as the creation of an ADU is a Type II action under SEQRA. Therefore, an environmental impact statement need not be prepared.

The proposed Local Law does not propose any actions or land uses which are sharply or drastically different from surrounding land use patterns. While the proposed Local Law may encourage more ADUs to be constructed in the City and thus there is a possibility of increased density in the City, this is consistent with the City Council's goals of promoting housing affordability. The City's infrastructure also has adequate capacity to support additional ADUs in the City as ADUs are generally occupied by only one or two persons. The proposed Local Law is not inconsistent with any known County or regional land use plan(s). In fact the proposed Local Law furthers the State's goals of increasing the number of ADUs as evidenced by the State's Plus One ADU Program.

This proposed Local Law is not expected to have significant adverse environmental impact because the construction of new ADUs or conversion of existing buildings into an ADU are a Type II action pursuant to SEQRA. The Local Law will not result in a substantial adverse change or impact in existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage. Specifically, ADUs may only be permitted on developed land where a single-family residence is also constructed and thus new ADUs will not have substantial impact on the aforementioned environmental elements.

The proposed Local Law will not result in the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources of the existing community or neighborhood. Nor will it create a hazard to human health or significant change in the intensity of land uses, or result in the loss of open space or recreation because ADUs will be accessory to existing single-family homes.

As such, for the reasons herein and the reasons set forth in the Full Environmental Assessment form Parts 1 and 2, and the information contained in the record, the proposed Local Law will not have a significant adverse environmental impact.

MEMORANDUM

TO: Lee Kyriacou, Mayor
Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants, Inc.

DATE: March 7, 2025

RE: Legislative Amendments to the City's Accessory Apartment Regulations

At the January 27, 2025, City Council workshop, Council members continued their discussion on potential zoning code changes aimed at improving housing availability and affordability in the City of Beacon. The Council specifically explored measures to further encourage the development of accessory apartments, also known as accessory dwelling units (ADUs), within the city. These regulatory improvements will align with and leverage the city's recent application to New York State Homes and Community Renewal's (HCR) Plus One ADU Program.

At the February 24, 2025, City Council workshop meeting, the City Council discussed amendments to the City Code to revise accessory apartment regulations in the City of Beacon. This memorandum outlines the questions the City Council considered, and the decisions rendered concerning such legislation. The City Council's decisions pertaining to each question are incorporated into the attached proposed local law.

1. Accessory apartments are currently permitted in all R1, RD, and T Districts. Does the City want to expand the districts where ADUs are permitted? For example, one-family attached/semidetached structures are also permitted in the L and FCD districts. Does the City want to permit accessory apartments on single-family lots in the L and FCD districts?

❖ **Answer:** At the City Council's recommendation, accessory apartments are proposed to be permitted on detached single-family properties in all districts.

2. Is the City satisfied with the requirement that the owner of a single-family lot must reside in either the primary or the accessory unit on said lot?

❖ **Answer:** The City Council decided it did not want to remove the owner occupancy requirement at this time. It was discussed that in the future the Council may consider allowing accessory apartments regardless of owner-occupancy by special permit, with criteria for special consideration of impacts to parking and community character. A definition for "owner" and "occupied primary residence" has been added to Section 223-63.

3. Based on the response above, if any property owner can build an accessory apartment (regardless of whether it is owner-occupied), does the City want to set restrictions based on whether one of the units onsite is owner-occupied or not owner-occupied?

❖ **Answer:** See previous answer.

4. Accessory apartments are currently regulated by a minimum square foot requirement of 200 sq ft. Does the City feel this requirement is necessary? It should be noted that the NYS Building Code also regulates the minimum size of dwelling units.

❖ **Answer:** At the City Council's recommendation, the minimum unit size requirement for accessory apartments has been removed. Dwelling unit sizes will now be regulated solely by the NYS Building Code, which currently permits a minimum size of 120 square feet for a studio or efficiency apartment, with additional square footage required per occupant or bedroom.

5. Is the City satisfied with the maximum 1000 sq ft requirement for accessory apartments? As the code stands, the Planning Board may permit larger apartments in existing accessory buildings that are larger than 1,000 sq ft if said structure was issued a certificate of occupancy more than five (5) years prior to filing application for an accessory apartment.

❖ **Answer:** At the City Council's recommendation, the maximum 1000 sq ft requirement for accessory apartments has been removed. Clarification was added to indicate that the maximum square footage permitted for accessory buildings is 50% of the total square footage of a principal building in all districts. For accessory apartments greater than 50% of the primary building, site plan approval from the Planning Board is required.

6. Does the City want to maintain the requirement for one (1) parking space per accessory apartment? As the code stands, the Planning Board may waive all parking requirements for an accessory apartment when deemed appropriate by the Board.

❖ **Answer:** At the City Council's recommendation, the minimum parking requirement of one space per accessory apartment has been removed. If an applicant is seeking site plan approval for an accessory apartment that is greater than 50% of the primary building, the Planning Board has the authority to require parking.

7. Are the minimum setback requirements for accessory buildings listed in section 223-17E appropriate for accessory apartments? Note that existing non-complying accessory structures may be utilized for accessory apartments without a variance from the ZBA as long as a structure is not being further enlarged or the non-compliance increased.

❖ **Answer:** At the City Council’s recommendation, diagrams have been prepared to assist the Council in visualizing the required setback requirements in each district. Potential modifications to Section 223-17(E), Attachment 3 entitled “Schedule of Regulations for Accessory Buildings on Residential Lots” requires additional discussion.

8. Does the City wish to further streamline the approval process for accessory apartments? The City Building Inspector currently has the authority to issue permits for accessory apartments entirely contained within an existing single-family home, if all other provisions are met. Accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings require site plan approval from the Planning Board. Should any of these typologies also be subject to permits by the Building Inspector without application to the Planning Board?

❖ **Answer:** At the City Council’s recommendation, the proposed local law streamlines the approval process by granting additional authority to the Building Inspector to issue permits for accessory apartments in existing accessory buildings as well as accessory apartments in expanded primary or secondary buildings if all setback requirements and other provisions are met. The City Council decided to retain the requirement for Planning Board approval of new accessory buildings dependent upon additional discussion of setback requirements.

9. Should the city provide financial incentives such as fee reductions for accessory apartment construction?

❖ **Answer:** The City Council noted that eliminating the site plan approval requirement for accessory apartments would provide the greatest cost savings for potential applicants as there would not be the need to retain design professionals to prepare a site plan and appear before the planning board. In lieu of lowering or waiving application fees, the proposed changes outlined above aim to ease the financial burden on homeowners developing accessory apartments. Eliminating site plan approval will also reduce the time to obtain approval to construct an accessory apartment by several months.



CITY OF BEACON New York Building Department

*Bruce Flower
Building Inspector*

845-838-5020
Email: bflower@beaconny.gov

To: Christopher White, City Administrator

From: Bruce Flower, Building Inspector

Re ADU Data from Building Department

Date: January 31, 2025

Cost for a detached accessory dwelling unit application which could be brought in front of the Planning Board for an approval. Planning board approval is only required for when ADU's are proposed in detached accessory structures or when proposed to be placed in a new addition to the existing home on the property as per Section 223-24.1 I of the City of Beacon Zoning Code.

Application fee	\$750	Fee which goes to the Planning Department
Escrow account initial	\$3,000	Escrow to cover the Planner, Engineer and Attorney

- Total application fee and establishing an escrow account would be \$3750 and must be submitted with the application and plans prior to be put on the agenda.
- The average amount of escrow used for the 3 projects which were presented to the Planning Board since January 2022 was \$2619.53. Once to approval is granted and all professional staff fees have been paid, the applicant will receive any unused escrow funds.
- There is also the cost for the owner to hire an Architect or Engineer to provide a site plan to be presented to the Planning Board for approval. Possible estimated cost \$5,00 to 10,000.

Additionally, I have calculated the building and associated permit fees which would be collected by the Building Department. I have estimated the cost based upon a 500-sf detached accessory dwelling unit which is newly constructed. The cost of a permit to renovate and existing structure would be less as the renovation cost per square foot would be .25/sf as opposed to .50/sf. Also, the plans for the building permit would need to come from an Architect or Engineer as per the

requirements of NYCRR title VIII Article 145 and Article 147. The architectural plans could be included in the cost of the Site Plan Approval or separately could cost around \$2,000 to 4,000.

BP Application and CO Fee	120
Fee based upon square footage @ .50 for new construction	250
Electrical Permit	60
Plumbing Permit bases upon 5 fixtures	70
HVAC Permit	60
Total fees	<u>\$460</u>

Permits which have been issued from 2022-2024 for ADU's

Detached ADU's	1
ADU's in new additions	2
ADU's within existing home	1



City of Beacon
 Planning Board
 One Municipal Plaza, Suite 1
 Beacon, NY 12508
 Phone: 845-838-5002

John Gunn, Chair

May 16, 2025

Mayor Lee Kyriacou
 Beacon City Council Members
 1 Municipal Plaza
 Beacon, NY 12508

Subject: City Council Referral of Local Law Amending the Zoning Code of the City of Beacon regarding Accessory Dwelling Units

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending the Zoning Code of the City of Beacon with respect to accessory dwelling units (ADU). The proposed Local Law was reviewed during the April 8, 2025 and May 13, 2025 Planning Board meeting. City Planner, Natalie Quinn, summarized the proposed local law with the Planning Board at each of these meetings. By letter dated April 17, 2025, the Planning Board provided preliminary comments to the City Council on the proposed ADU local law. The following comments are intended to supplement the Planning Board's previous comments.

After discussing the proposed local law, the Planning Board provided the following comments:

1. The proposed local law references a threshold square footage of "50% of the primary building footprint" as a measure of when site plan approval is required and when the Planning Board has authority to require parking for an accessory apartment. To make the ADU requirements easier for applicants to understand and navigate, the Planning Board recommends modifying this threshold to refer to a static square footage rather than a percentage.
2. The Planning Board is in favor of the proposed setbacks from property lines and structures on adjacent parcels.
3. The Planning Board is in favor of eliminating site plan review for accessory apartments under a certain square footage threshold, but architectural review by the Planning Board/Architectural and Community Appearance Board for the following types of applications:
 - a. Addition/expansion of a primary structure by a certain square foot threshold. The Planning Board discussed that this threshold should be somewhere between 500 and 1000 square feet.
 - b. Addition/expansion of an existing accessory structure
 - c. New construction of an accessory structure
4. With respect to off-street parking requirements, rather than exempt accessory apartments from any off-street parking requirements, the onus should be put on the Applicant to



City of Beacon
 Planning Board
 One Municipal Plaza, Suite 1
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 Phone: 845-838-5002

John Gunn, Chair

demonstrate that sufficient off-street parking exists to address the needs of the primary residence and the ADU. In other words, there should be a requirement for at least one off-street parking space for an ADU unless the Applicant sufficiently demonstrates that a waiver of that requirement is warranted.

5. The definition of "Occupied Primary Residence" and "Owner" should be evaluated with respect to its use of the term "trust" to avoid unintended consequences for an individual's estate planning.
6. Section 223-14.E of the Zoning Code regulates "accessory buildings on residential lots." Some of the requirements set forth therein conflict with ADUs such as a requirement that the building shall not be equipped with showers or bathing fixtures and the requirement that space provided above the grade story of the accessory building shall be used for storage only. However, there are other requirements therein that should be applicable to an ADU such as the requirement that the building shall be located behind the front line of the primary building. Section 223-14.E(4) of the Zoning Code contains a blanket exemption for ADUs which states "This subsection shall not apply to accessory apartments". Consider amending Section 223-14.E of the Zoning Code to make the exemption applicable only to those accessory building requirements that would be in conflict with the purpose of an ADU, rather than exempting ADUs from all the accessory building requirements set forth in Section 223-14.E.

Sincerely,



John Gunn
 Planning Board Chair

JG/mp

Dutchess County Department of Planning and Development		Fax Info Only	To	Date	#pgs
		Co./Dept.	From		
		Fax #	Phone #		

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon**

Applicant: **City of Beacon**

Address of Property:

Exempt Actions:*
239 Review is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☒ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)
- ☐ Rezoning involving all map changes
- ☐ Architectural Review
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other (Describe):

Parcels within 500 feet of:

- ☐ State Road:
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested: **4/18/2025**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted: 4/2/2025	Notes:	☐ Major Project	
Date Received: 4/2/2025		Referral #: ZR25-092	
Date Requested: 4/18/2025			
Date Required: 5/2/2025	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 4/15/2025			

City of Beacon City Council Agenda
06/16/2025

Title:

Public Hearing for the Proposed 2026-2030 Capital Program

ATTACHMENTS

[Draft 2026-2030 Capital Program](#)

[Draft 2026 Capital Financing Plan](#)

CITY OF BEACON

CAPITAL PROGRAM 2026-2030 (DRAFT)

	DESCRIPTION OF ITEMS	2026	2027	2028	2029	2030
GENERAL FUND						
FIRE DEPARTMENT						
	Firefighter Personal Protective Equipment	19,150	19,530	11,920	20,320	20,730
	Self-Contained Breathing Apparatus (SCBA)				54,000	
	Chevy Tahoe	81,000				
	Chevy Tahoe		83,000			
	Ford F-150 (Hybrid or Electric)		84,340			
	Self-Contained Breathing Apparatus Cylinders			20,000	6,800	4,200
	Ladder truck (authorized in 2025, additional funding)			195,415		
ROAD RECONSTRUCTION						
	Mill & Pave Streets/Install ADA Curb Ramps	500,000	500,000	500,000	500,000	500,000
	Beekman Street Pedestrian & Bicycle Improvements	245,000	100,000	3,461,150		
CITY BUILDINGS & LOTS						
	Parking Lot Improvements	25,000	25,000	25,000	25,000	25,000
SIDEWALKS						
	Sidewalk Improvements	250,000	250,000	250,000	250,000	250,000
STORMWATER SYSTEM						
	Repair Stormwater Main on Depuyster (Hiddenbrook to Violet)	143,000				
	Slip Line North Elm (Wilkes to Tilden)	100,000				

CITY OF BEACON
CAPITAL PROGRAM 2026-2030 (DRAFT)

	DESCRIPTION OF ITEMS	2026	2027	2028	2029	2030
HIGHWAY DEPARTMENT						
	Skidsteer	82,000				
	Front End Loader - John Deere	166,000				
	Street Sweeper	340,000				
	Dump Truck/Plow/Sander		328,000			
	Backhoe - John Deere		180,000			
	1-Ton Dump Truck with Plow		100,000			
	1-Ton Dump Truck with Plow			100,000		
	Dump Truck/Plow/Sander			393,750		
	2027 Track Loader			350,000		
	Debris Bucket				30,000	
	2-Ton Service Truck w/Utility body				275,000	
	Dump Truck/Plow/Sander					400,000
PARKS & RECREATION DEPARTMENT						
	Memorial Park - Renovation of Southwest Corner	400,000				
	Skate Park Phase 2 & Lighting	57,500				
	Riverfront Park - Court & Parking Reconstruction		1,600,000			
	Memorial Park - Hilltop Pavillion (Increase)			52,500		
	USC- Pool Restoration - Fiberglass			210,000		
	Memorial Park - Walkway			525,000		
	Riverfront Park & Memorial Park - Splash Pads				210,000	
	Riverfront Park & Memorial Park- Playgrounds				420,000	
	Community Center					5,250,000

CITY OF BEACON
CAPITAL PROGRAM 2026-2030 (DRAFT)

	DESCRIPTION OF ITEMS	2026	2027	2028	2029	2030
POLICE DEPARTMENT						
	Street Camera - Main Street and Tioronda Avenue	14,000				
	Communications Area Renovation	100,000				
	Women's Lockerroom Renovation	20,000				
	Body Worn Camera & Electronic Control Weapons	31,642				
	Patrol Vehicle - Interceptor (Hybrid)	80,400				
	Patrol Vehicle - Interceptor (Hybrid)	80,400				
	Unmarked Vehicle - Chevy Blazer EV	67,000				
	Unmarked Vehicle - Chevy Blazer EV	67,000				
	Body Worn Camera & Electronic Control Weapons		31,642			
	Patrol Vehicle - Interceptor (Hybrid)		84,500			
	Patrol Vehicle - Interceptor (Hybrid)		84,500			
	Drone Program		60,000			
	Body Worn Camera & Electronic Control Weapons			31,642		
	Patrol Vehicle - Interceptor (Hybrid)			88,600		
	Patrol Vehicle - Interceptor (Hybrid)			88,600		
	Body Worn Camera & Electronic Control Weapons				31,642	
	Patrol Vehicle - Interceptor (Hybrid)				93,000	
	Unmarked Vehicle - Interceptor (Hybrid)				66,500	
	Body Worn Camera & Electronic Control Weapons					71,281
	Patrol Vehicle - Interceptor (Hybrid)					97,700
	Unmarked Vehicle - Interceptor (Hybrid)					69,800
	Subtotal General Fund	2,869,092	3,530,512	6,303,577	1,982,262	6,688,711

CITY OF BEACON
CAPITAL PROGRAM 2026-2030 (DRAFT)

	DESCRIPTION OF ITEMS	2026	2027	2028	2029	2030
WATER FUND						
EQUIPMENT						
	Vacuum Truck	670,000				
	Ford F-150	60,000				
	1-Ton Dump Truck with Plow		90,000			
	E350 Cutaway Maintenance Truck		100,000			
	Valve Truck and Pacific Valve Operator			150,000		
	1-Ton Dump Truck with Plow			90,000		
	Meter Van (Electric)				70,000	
	Mini Excavator and Trailer				100,000	
WATER SUPPLY						
	Mt. Beacon Water Storage Tank- Construction	1,600,000				
	Rehabilitation of Cargill Water Main Engineering & Design	100,000				
	Well #1 Rebuild		250,000			
	Glendale Booster Control Upgrade			100,000		
WATER FILTRATION PLANT						
	Generator Replacement at Water Plant	250,000				
	High Lift Pump # 4- Construction		250,000			
Subtotal Water Fund		2,680,000	690,000	340,000	170,000	-

CITY OF BEACON
CAPITAL PROGRAM 2026-2030 (DRAFT)

	DESCRIPTION OF ITEMS	2026	2027	2028	2029	2030
SEWER FUND						
WASTEWATER TREATMENT PLANT						
	Concentration Tank Refurbishing, Weir and Collection System Replacement	330,000				
	Aeration Distribution Box Concrete Repair	72,000				
	Liquid Waste Screening Equipment Upgrade	167,000				
	Aeration Tanks/Air System Replacement (Engineering/Construction)		19,200	2,603,520		
SANITARY SEWER SYSTEM						
	Monell Pump Station- Construction	400,000				
	South Ave Interceptor Engineering & Construction				30,000	200,000
Subtotal Sewer Fund		969,000	19,200	2,603,520	30,000	200,000
GRAND TOTAL		6,518,092	4,239,712	9,247,097	2,182,262	6,888,711

CITY OF BEACON 2026 CAPITAL FINANCING PLAN (DRAFT)

	RED - General Fund	FUNDING SOURCES						
	BLUE - Water Fund	TOTAL	FUND		STATE &	GRANT	RECREATION	TOTAL
	GREEN- Sewer Fund	COST	BALANCE	BONDS	FEDERAL AID	SOURCES	TRUST	COST
GENERAL FUND								
FIRE DEPARTMENT								
	Firefighter Personal Protective Equipment	19,150	19,150					19,150
	Chevy Tahoe	81,000	81,000					81,000
								-
ROAD RECONSTRUCTION								-
	Milling & Paving Streets/Install ADA curb ramps	500,000			500,000			500,000
	Beekman Street Pedestrian & Bicycle Improvements	245,000	49,000		196,000			245,000
								-
CITY BUILDING & LOTS								-
	Parking Lot Improvements	25,000	25,000					25,000
								-
SIDEWALKS								-
	Sidewalk Improvements	250,000	82,000		168,000			250,000
								-
STORM DRAINS								-
	Repair Storm Line Main Depuyster (Hiddenbrook to Violet)	143,000	143,000					143,000
	Slip Line North Elm (Wilkes to Tilden)	100,000	100,000					100,000
								-
HIGHWAY DEPARTMENT								-
	Skidsteer	82,000		82,000				82,000
	Front End Loader - John Deere	166,000		166,000				166,000
	Street Sweeper	340,000		340,000				340,000
								-
PARKS & RECREATION DEPARTMENT								-
	Memorial Park - Renovation of Southwest Corner	400,000	200,000				200,000	400,000
	Skate Park Phase 2 & Lighting	57,500	57,500					57,500
								-
POLICE DEPARTMENT								-
	Street Camera - Main Street and Tioronda Avenue	14,000	14,000					14,000
	Communications Area Renovation	100,000	100,000					100,000
	Women's Lockerroom Renovation	20,000	20,000					20,000
	Body Worn Camera & Electronic Control Weapons	31,642	31,642					31,642
	Patrol Vehicle - Interceptor (Hybrid)	80,400	80,400					80,400
	Patrol Vehicle - Interceptor (Hybrid)	80,400	80,400					80,400
	Unmarked Vehicle - Chevy Blazer EV	67,000			67,000			67,000
	Unmarked Vehicle - Chevy Blazer EV	67,000			67,000			67,000
Subtotal General Fund		2,869,092	1,083,092	588,000	998,000	-	200,000	2,869,092

CITY OF BEACON 2026 CAPITAL FINANCING PLAN (DRAFT)

		FUNDING SOURCES						
	RED - General Fund BLUE - Water Fund GREEN- Sewer Fund	TOTAL COST	FUND BALANCE	BONDS	STATE & FEDERAL AID	GRANT SOURCES	RECREATION TRUST	TOTAL COST
WATER FUND								
	Vacuum Truck	670,000		670,000				670,000
	Ford F-150	60,000	60,000					60,000
	Mt. Beacon Water Storage Tank- Construction	1,600,000		1,600,000				1,600,000
	Rehabilitation of Cargill Water Main Engineering & Design	100,000	100,000					100,000
	Generator Replacement at Water Plant	250,000	250,000					250,000
	Subtotal Water Fund	2,680,000	410,000	2,270,000	-	-	-	2,680,000
SEWER FUND								
	Concentration Tank Refurbishing, Weir and Collection System Replacement	330,000		330,000				330,000
	Aeration Distribution Box Concrete Repair	72,000	72,000					72,000
	Liquid Waste Screening Equipment Upgrade	167,000	167,000					167,000
	Monell Pump Station- Construction	400,000		400,000				400,000
	Subtotal Sewer Fund	969,000	239,000	730,000	-	-	-	969,000
								-
	GRAND TOTAL	6,518,092	1,732,092	3,588,000	998,000	-	200,000	6,518,092

City of Beacon City Council Agenda
06/16/2025

Title:

Public Hearing for a Proposed Local Law Concerning Vehicles and Traffic

ATTACHMENTS

Proposed Local Law Concerning Vehicles and Traffic

Traffic and Safety Planning Committee Memorandum Regarding a Proposed Local Law
Concerning Vehicles and Traffic

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW TO AMEND THE BEACON CITY CODE CONCERNING
VEHICLES AND TRAFFIC

A LOCAL LAW to amend Chapter 211 of the Beacon City Code, Vehicles and Traffic, to add no stopping, standing, and parking areas and stop signs.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 211 of Beacon City Code, Article III – Parking, Standing and Stopping, Section 211-15 entitled “Parking, stopping and standing prohibited at all times,” Subsection B, Schedule X, is hereby amended as follows:

§ 211-15 **Parking, Stopping and standing prohibited at all times.**

- A.** No person shall park, stop or stand, as those terms are defined in § 1200 of the Vehicle and Traffic Law, upon any of the streets or parts thereof described in Schedule X below.
- B.** Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection **A**, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
...		
North Chestnut Street	~~Both~~ West	From Verplanck Avenue for a distance of 50 feet
<u>North Chestnut Street</u>	<u>East</u>	<u>From Verplanck Avenue for a distance of 80 feet</u>
...		

<u>Verplanck Avenue</u>	<u>South</u>	<u>From Willow Street for a distance of 85 feet east on the southern side of the traffic island</u>
...		
<u>Willow Street</u>	<u>West</u>	<u>From Main Street for a distance of 65 feet</u>
<u>Willow Street</u>	<u>East</u>	<u>From Main Street for a distance of 90 feet</u>
...		

Section 2. Chapter 211 of the Beacon City Code, Article II – Traffic Regulations, Section 211-10 entitled “Stop intersections,” Subsection B, Schedule VII is hereby amended as follows:

§ 211-10 **Stop intersections.**

- A.** The intersections described in Schedule VII below are hereby designated as stop intersections. Stop signs shall be installed as provided therein.
- B.** Schedule VII: Stop Intersections. In accordance with the provisions of Subsection **A**, the following described intersections are hereby designated as stop intersections, and stop signs shall be installed as follows:

Stop Sign on	Direction of Travel	At Intersection of
...		
<u>Washington Avenue</u>	<u>Both</u>	<u>Tillot Street</u>
...		

Section 3. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 211 of the Code of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Charter affected thereby.

Section 5. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 6. Effective Date.

This local law shall take effect immediately upon filing with the Office of the Secretary of State.



CITY OF BEACON New York

PARKING AND TRAFFIC SAFETY COMMITTEE

845-838-5010

MEMORANDUM

TO: Mayor Kyriacou and City Council

FROM: Benjamin Swanson, Secretary to the Parking and Traffic Safety Committee

RE: Proposed Changes to the City Code Chapter 211, Vehicles and Traffic

DATE: May 22, 2025

The Parking and Traffic and Safety Committee reviewed a number of Traffic and Safety related issues and make the following recommendations to the City Council.

1. North Chestnut Street No Parking Zone



Existing code link: <https://ecode360.com/7065926>

2. Verplanck Avenue No Parking Zone



Existing code link: <https://ecode360.com/7065926> & <https://ecode360.com/7065965>

3. Stop Sign at Washington Avenue and Tillot Street



Existing Code link: <https://ecode360.com/7065895>

4. Willow Street No Parking Zone



City of Beacon City Council Agenda
06/16/2025

Title:

Proclamation in Honor of Neurodiversity Pride Day

ATTACHMENTS

[Proclamation in Honor of Neurodiversity Pride Day](#)



Proclamation

In Honor of Neurodiversity Pride Day June 16, 2025

WHEREAS, June 16, 2025 marks the 8th annual celebration of Neurodiversity Pride Day, which honors and highlights the uniqueness of neurodivergent individuals and their contributions to society at large; and

WHEREAS, considered to be an identity, the term, "neurodivergent," is not just a medical diagnosis but also refers to the fact that neurodiverse individuals have a different way of perceiving the world that has value; and

WHEREAS, Neurodiversity Pride Day provides an important opportunity to increase public awareness of the unique strengths and significant potential of neurodivergent people, while reminding us that more must be done to increase activity at all levels of government to support neurodivergent people and their families.

NOW, THEREFORE, I, Lee Kyriacou, Mayor of the City of Beacon, New York, do hereby proclaim June 16, 2025 as Neurodiversity Pride Day in the City of Beacon, and I urge all citizens to strive for greater acceptance, inclusion, and appreciation for those who function differently than others, and to consider all we can do at the local level to ensure that our neurodivergent residents have pride in possessing the courage to be themselves.

Signature:  Date: 6/13/2025

Lee Kyriacou, Mayor

City of Beacon City Council Agenda
06/16/2025

Title:

Proclamation in Honor of Juneteenth

ATTACHMENTS

[Proclamation in Honor of Juneteenth](#)



Proclamation

In Honor of Juneteenth (Emancipation Day)

June 19, 2025

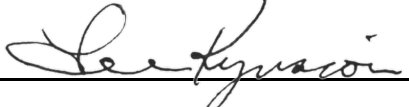
WHEREAS, President Abraham Lincoln issued the Emancipation Proclamation in 1862 declaring that all persons in the United States of America who are enslaved shall be “forever free”; and

WHEREAS, many freed African Americans were subsequently held captive as slaves for two years after President Lincoln’s Emancipation Proclamation took effect on January 1, 1863; and

WHEREAS, on June 19, 1865, Union Major General Gordon Granger arrived in Galveston, Texas, and announced the end of the Civil War and the end of slavery in this remote community; and

WHEREAS, since the original celebration in Galveston, the United States Congress, New York State, forty-eight other states and the District of Columbia have commemorated or recognized June 19th as a symbolic date representing African-American freedom with the names Emancipation Day, Freedom Day, and Juneteenth.

NOW, THEREFORE BE IT RESOLVED, that I, Mayor Lee Kyriacou, do hereby proclaim June 19, 2025 to be celebrated as Juneteenth in the City of Beacon, and I invite our community to reflect on ways we can support one another and strive towards greater equality and the realization of the promise of our Constitution to form a more perfect Union and establish justice.

Signature:  Date: 6/13/2025

Lee Kyriacou, Mayor

City of Beacon City Council Agenda
06/16/2025

Title:

Resolution No. 57 - Appointing Dar Sims to the Position of Fire Lieutenant

ATTACHMENTS

Resolution Appointing Dar Sims to the Position of Fire Lieutenant

Fire Chief Memorandum Regarding the Appointment of Dar Sims to the Position of Fire Lieutenant



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 57 OF 2025

**APPOINTING DAR SIMS TO THE POSITION OF
FIRE LIEUTENANT**

WHEREAS, there is currently a vacancy for the position of Fire Lieutenant; and

WHEREAS, Dar Sims is currently serving in the position of Temporary Fire Lieutenant, meets the qualifications for the permanent position of Fire Lieutenant, and is recommended for appointment to the position by the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Dar Sims to the position of Fire Lieutenant.

Resolution No. 57 of 2025			Date: June 16, 2025				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
Motion Carried							



CITY OF BEACON FIRE DEPARTMENT

**1140 Wolcott Avenue
Beacon, New York 12508
Office: (845)831-1334**

Dear City Administrator White,

On March 14, the City's Director of Human Resources and I interviewed the top three candidates from the Civil Service Promotional List for the position of Temporary Lieutenant. Since April 8, Dar Y. Sims has officially served in that temporary capacity, and I am pleased to formally recommend him for permanent appointment as Lieutenant with the City of Beacon Fire Department.

Dar Sims has over 15 years of diverse fire service and emergency medical experience and has been with the City of Beacon Fire Department since 2020. He is a decorated U.S. Marine Corps combat veteran, a certified New York State Fire Instructor II, and holds a wide range of national certifications, including Fire Officer I and II, Fire Instructor I and II, and Fire Inspector I and II. He has more than 1,100 hours of documented training across multiple disciplines including fire suppression, rescue operations, hazardous materials, and firefighter safety.

Mr. Sims is also a dedicated educator who has trained hundreds of volunteer and career firefighters throughout the region. His instructional roles with Dutchess Community College and regional academies underscore his leadership ability, technical expertise, and strong communication skills.

Beyond his impressive credentials, Dar has shown himself to be a driven and respected member of the fire service community. His combat experience, calm demeanor under pressure, and dedication to professional growth make him exceptionally well-suited for leadership. He has remained active in both EMS and fire service roles, continuously building upon his skills while staying connected to operational demands and evolving best practices.

Appointing Dar Sims to the rank of Lieutenant will not only recognize his proven capabilities but also enhance the department's strength through his mentorship, instructional experience, and operational leadership. His work ethic, integrity, and ability to lead diverse teams will continue to benefit both the department and the community we serve.

Please let me know if you would like to review his resume, certifications, or additional documentation in support of this recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Lucchesi", with a long horizontal stroke extending to the right.

Thomas Lucchesi
Chief of Department

City of Beacon City Council Agenda
06/16/2025

Title:

Resolution No. 58 - Awarding a Contract to Sun Up Construction Corp. for the Fishkill Avenue Water and Sewer Replacement Project

ATTACHMENTS

Resolution Awarding a Contract to Sun Up Construction Corp. for the Fishkill Avenue Water and Sewer Replacement Project

City Engineer Memorandum Regarding Fishkill Avenue Water and Sewer Replacement Project Bid Results



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 58 OF 2025

**AWARDING A CONTRACT TO SUN UP CONSTRUCTION CORP. FOR
THE FISHKILL AVENUE SEWER AND WATER REPLACEMENT PROJECT**

WHEREAS, the City of Beacon published an advertisement, pursuant to General Municipal Law § 103 and Chapter 53 of the Beacon City Code, seeking qualified contractors for COB Bid No. 2025-007, Fishkill Avenue Sewer and Water Replacement; and

WHEREAS, on April 10, 2025, six (6) sealed submissions were received and opened for said bid; and

WHEREAS, the City Engineer recommends awarding the Fishkill Avenue Sewer and Water Replacement to the lowest responsible bidder, Sun Up Construction Corp., which submitted a responsive and complete bid for said project, for a total base bid amount of two million, nine-hundred and seventy-nine thousand, two-hundred dollars (\$2,979,200.00).

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon hereby awards COB Bid No. 2025-007, Fishkill Avenue Sewer and Water Replacement, to Sun Up Construction Corp. in the amount of two million, nine-hundred and seventy-nine thousand, two-hundred dollars (\$2,979,200.00).

BE IT FURTHER RESOLVED, the City Administrator is hereby authorized to execute an agreement and any amendments with Sun Up Construction Corp., subject to approval by the City Attorney as to form and substance, and to take all actions necessary to effectuate the intent of this Resolution and to cause compliance with the agreement awarded to Sun Up Construction Corp.

Resolution No. 58 of 2025			Date: June 16, 2025				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
Motion Carried							



June 11, 2025

Mr. Christopher White
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

and

Mr. Ed Balicki
Water & Sewer Superintendent
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

RE: Fishkill Avenue
Sewer & Water Replacement
COB Bid No. 2025-007
City of Beacon
Award Recommendation

Dear Mr. White & Mr. Balicki:

A total of six (6) bid proposals were submitted and opened on June 9th, 2025, for the ***Fishkill Avenue Sewer & Water Replacement*** project. The six proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. Three of the submitted bid proposals were found to have mathematical errors but did not change the standings of the submitted bids. The bid submitted by Tam Enterprises had a mathematical error that increased their overall bid price by \$3,239.46, and the bid submitted by Scape-Tech was found to have a mathematical error that decreased their overall bid price by \$2,300.00. The bid submitted by Gianfia Corp. was found to have a mathematical error for a total on a line item, but the overall total for the contract was correct. All proposals submitted were found to be complete.

The following tabulation shows the order from the lowest bidder, the name of the bidder, the total contract amount, and the corrected contract amount if errors were found. The engineer's estimate for the project was approximately \$2.2 million to \$2.5 million.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT	CORRECTED CONTRACT AMOUNT
Sun Up Construction Corp. Wappingers Falls, NY	\$2,979,200.00	N.A.
TAM Enterprises, Inc. Goshen, NY	\$3,408,802.00	\$3,412,041.46
Arold Construction Co., Inc. Kingston, NY	\$4,442,155.00	N.A.
Scape-Tech Landscape Technology, Inc. Katonah, NY	\$4,865,000.00	\$4,862,700.00
Morano Brothers Corp. Croton-on-Hudson, NY	\$5,300,255.00	N.A.
Gianfia Corp. Hawthorne, NY	\$6,099,002.00	N.A.

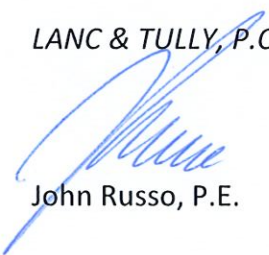
The lowest bidder is Sun Up Construction Corp., with the total base bid amount of \$2,979,200.00.

Sun Up Construction Corp. has submitted information related to projects in which they have completed the work as outlined within the proposed project, as well as completing the replacement of the sewer main on Fishkill Avenue & Hanna Lane in the past. References supplied were called and checked to verify the work completed by the prospective low-bidder and were found to be acceptable. In our opinion, Sun Up Construction Corp. should be considered the lowest responsible bidder based upon the submitted information and Chapter 53 of the City Code. Along with the bid, the contractor has submitted a Non-Collusive Bidding Certificate, and a Bid Bond.

It is our recommendation to the City Council to award the **Fishkill Avenue Sewer & Water Replacement** project to Sun Up Construction Corp. If you have any questions, or need any further information, please do not hesitate to contact our office.

Very truly

LANC & TULLY, P.C.


John Russo, P.E.

Cc: Nick Ward-Willis, City Attorney

City of Beacon City Council Agenda
06/16/2025

Title:

Resolution No. 59 - Adopting Local Law No. 6 of 2025 Concerning the Drought Emergency Plan

ATTACHMENTS

Resolution Adopting Local Law No. 6 of 2025 Concerning the Drought Emergency Plan

Local Law No. 6 of 2025 Concerning Drought Emergency Plan

Keane & Beane, P.C. Memorandum Regarding the Proposed Local Law Concerning the Drought
Emergency Plan



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 59 OF 2025

**ADOPTING LOCAL LAW NO. 6 OF 2025 TO AMEND THE BEACON CITY CODE
CONCERNING THE DROUGHT EMERGENCY PLAN**

WHEREAS, pursuant to Resolution No. 2025-048, passed on May 19, 2025, the City of Beacon City Council set a public hearing for June 2, 2025 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning the drought emergency plan; and

WHEREAS, notice for said Public Hearing was published in the City's official newspaper on May 23, 2025; and

WHEREAS, on June 2, 2025, the City Council opened and closed a duly noticed Public Hearing on the proposed Local Law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 6 of 2025 to amend the Beacon City Code concerning the drought emergency plan.

Resolution No. 59 of 2025			Date: June 16, 2025				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
		Motion Carried					

LOCAL LAW NO. 6 OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 24 OF THE BEACON CITY CODE
CONCERNING THE DROUGHT EMERGENCY PLAN

A LOCAL LAW to amend Chapter 24 of the Beacon concerning the procedures for the implementation of the City of Beacon Drought Emergency Plan.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 24 of the Beacon City Code entitled “Drought Emergency Plan” is hereby amended as follows:

§ 24-1 Purpose; findings~~Restrictions on water use.~~

A. Purpose. The purpose of this Chapter is to set forth procedures and guidelines in the event of a drought emergency to protect the health, safety and welfare of residents and businesses in the City of Beacon should the City’s potable water reservoirs reach certain capacities. These procedures, and thresholds set forth below, are not intended, nor shall they be construed, as limiting the powers reserved to the Mayor, City Council, or Department Heads under applicable local, state, and federal laws, rules or regulations to take such actions necessary to safeguard the general welfare, health, and safety of the residents and businesses of the City of Beacon resulting from drought conditions.

B. Findings. The City Council of the City of Beacon hereby finds that dDue to a significant shortfall of precipitation, a major water leak event, a water system failure, or excessive water consumption beyond the capacity of the City’s water system, etc., and ~~as a result of the above unless consumption of water in the City of Beacon water system is substantially reduced~~that the City’s water system will be unable to supply sufficient potable water to meet the ~~basic~~ needs of the citizens of the City of Beacon, ~~and the Mayor of the City of Beacon has, in light of these conditions, found the City of Beacon water system to be in a state of water emergency, the Mayor must accordingly exercise~~shall have the authority to mandate such measures as are necessary to reduce consumption of water with the City of Beacon water system to a level sufficient to preserve an adequate supply of water to meet the City's basic water needs.

§ 24-2 Restrictions on water use.

Upon the Mayor ordering the implementation of restrictions on water use pursuant to this Chapter, the City Administrator shall provide notice to the City Council and announce such restrictions at the soonest available City Council meeting, on the City's website, provide notice to local news outlets, and give notice in such other manner(s) as deemed advisable. The restrictions on water usage ordered by the Mayor pursuant to this Chapter shall take effect on such date and time set forth in the order. The restrictions on water usage herein and shall remain in place effect until modified due to a change in stage level or otherwise until the drought emergency is declared terminated by the Mayor with the advice of the Superintendent of Water and Sewers. The Mayor, with the advice of the Superintendent of Water and Sewers and upon a finding that an imminent peril to the public health and safety exists that the City's reservoirs have reached the capacities set forth below, may ~~adopt order~~ the following regulations be implemented as emergency measures to prevent the waste of water:

A. Stage I: 60% of reservoir capacity.

(1) No person or entity shall cause, permit or allow:

- (a) The continuing leak or waste from any water pipe, valve, faucet, conduit, equipment, facility, or device connected to the City of Beacon water system, or which utilizes City of Beacon water, on or in any premises owned, leased, managed, operated, or controlled by such person or entity.
- (b) The washing of any vehicle by means of a hose, fire hydrant, or other active source connection to the City of Beacon water system, except a commercial vehicle washing operation if equipment has been installed and is utilized so that at least 50% of the water used is recirculated by means of a system approved by the Department, or high-pressure restrictor hoses may be used in a coin-operated car wash.
- (c) The washing of any street, sidewalk, driveway, outdoor area, outdoor steps, building exterior, or other structures by means of a hose, fire hydrant, or other active source connected to the City of Beacon water system or which utilizes City of Beacon water.
- (d) The use of water from any source for any ornamental purpose, including but not limited to use in fountains, artificial waterfalls, reflecting pools, lakes and ponds.
- (e) The use of water from the City of Beacon water system to water any lawn, golf course, ornamental shrub, plant, or tree, except that:

[1] City of Beacon water may be used to water any lawn, tree, shrub, garden or golf course, greens and tees only from 7:00 p.m. to 8:00 p.m. and 10:00 p.m. to 11:00 p.m.

- [2] City of Beacon water may be used at any time to irrigate, from a hand-held container, vegetables or fruits for human consumption.
- [3] Plant nurseries and other commercial users engaged in the business of growing, distributing, or selling plants may use such water on their business premises for watering ornamental shrubs, plants, or trees, provided that each user reduces its use of water by 15% or such other percentages as may (hereafter) be prescribed for nonresidential water users.
- (f) The opening or use of any fire hydrant, or of the water there from, for any purpose other than fire protection except in accordance with a permit obtained from the Water Department and only for the period of and the purpose authorized by such permit and in strict adherence to all terms and conditions set forth therein.
- (g) The operation of an air-conditioning system utilizing water from the City of Beacon water system in a cooling tower, unless within 30 days from the effective date of this chapter a separate meter is installed to continuously measure the flow of water to the cooling tower or the water is recirculated.
- (h) The operation of any air-conditioning system in excess of two tons of rated capacity or greater or any refrigeration unit rated at 10 horsepower or greater using water from the City of Beacon water system unless such air-conditioning system or refrigeration unit is equipped with a water recirculating device approved by the Department.
- (i) The use of water from the City of Beacon water system to fill or maintain the water level in any swimming pool, except that, provided the pool is operated with recirculating equipment, City water may be used to fill the pool once during each calendar year and thereafter may be used as necessary to maintain the water level in such pool.
- (2) Each nonresidential user of water from the City of Beacon water system shall prepare and retain a water consumption reduction plan enabling it to reduce its use of water in stages of 15%, 20% and 25% based upon its water consumption during the calendar year. Such plans shall be designed to achieve and maintain a reduction of 15%, 20% or 25% immediately upon the declaration of a Stage I, Stage II or Stage III emergency, respectively. Each such user shall promptly implement the first phase of its plan during Stage I and shall reduce its consumption by 15%. On and after 30 days from the effective date of this chapter, each such user shall have its water consumption reduction plan

available at all times for inspecting and copying by employees of the Department.

- B. Stage II: 40% of reservoir capacity or one well out of service. If at any time the ~~Water~~ Superintendent of Water and Sewers determines that the measures set forth under Stage I of this chapter have not resulted in a sufficient level of conservation in light of existing water supply conditions, a Stage II drought emergency shall be declared. Upon declaration of a Stage II emergency, in addition to those measures set forth herein above, and in place of Subsection A(1)(e)[1] and [2] and (i) under Stage I:

(1) No person or entity shall cause, permit, or allow:

- (a) The use of water from the City of Beacon water system to fill or maintain the water level in any swimming pool.
- (b) The use of water from the City of Beacon water system to water any lawn, golf course, ornamental shrub, or plant, except that City of Beacon water may be used to irrigate with a hand-held container vegetables or fruits grown for human consumption.

(2) Each nonresidential City of Beacon water system water user shall fully implement its Stage II water consumption plan and shall immediately reduce use of water by no less than 20%.

- C. Stage III: 20% of reservoir capacity. If, after the imposition of the measures set forth in Stage II of this section, the ~~Water~~ Superintendent of Water and Sewers finds that water consumption must be further reduced, a Stage III emergency shall be declared and, in addition to the measures set forth hereinabove.

- (1) All nonresidential users of water from the City of Beacon water system shall reduce their consumption by no less than 25%.
- (2) All users, both residential and nonresidential, shall install water-flow-restricting devices on all shower heads.
- (3) All air-conditioning systems utilizing water from the City of Beacon water system shall be operated only in accordance with hourly restrictions established by the ~~Water~~ Superintendent of Water and Sewers.

§ 24-~~32~~ Penalties for offenses; termination of service.

- A. Violations of this chapter shall be punishable by the general penalty provisions of § 1-3A of the Beacon Code. The Building Inspector, Deputy Building Inspector, Code Enforcement Officer(s), and all sworn members of the Beacon Police Department are hereby expressly authorized to issue appearance tickets to any person or entity for any violation(s) of this Chapter.

- B. In addition to any penalties which may be imposed by the Beacon Code, where a leak and/or waste notice has been served in accordance with City regulations and the condition to which such notice relates has not been corrected, a penalty of up to \$50 per day may be imposed by the ~~Water~~ Superintendent of Water and Sewers and added to the water rents re-levied on the tax rolls.
- C. Water service may be terminated for violations of any provision of this chapter or for any waste of water.

§ 24-~~43~~ **Variance.**

- A. Upon the application of any person or entity, the City ~~Council~~ Administrator, with the advice and consent of the Superintendent of Water and Sewers, may, ~~at its~~ in their discretion, grant a variance relieving such person or entity from compliance with any of the requirements of this chapter if such person or entity demonstrates to ~~the satisfaction of the City Council~~ that:
- (1) Undue hardship would otherwise result.
 - (2) There are no possible alternatives.
 - (3) The applicant has taken and will take all possible measures to conserve water, with a complete description of such measures and the water savings to be effective.
 - (4) Such a variance is not inconsistent with the purpose of this chapter.
- B. In connection with any variance which may be granted, the City ~~Council~~ Administrator shall impose such terms and conditions as ~~it~~ deems appropriate.

~~§ 24-4~~ **Implementation:**

~~This chapter may be placed in effect by resolution of the City Council and remain in effect until modified or until the drought emergency has been declared terminated.~~

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 24 of the Beacon City Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish

such intention; that the Codifier shall make no substantive changes to this Local Law; that the word “Local Law” shall be changed to “Chapter,” “Section” or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

MEMORANDUM

TO: Mayor Lee Kyriacou
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law to Amend Chapter 24 Concerning the City's
Drought Emergency Plan

DATE: May 6, 2025

Recent years have seen increases in drought conditions in the State of New York, Dutchess County and the City of Beacon (the "City"), with 2024 being a particularly dry year. In 2024, the City saw the enactment of several burn bans and a drought emergency declaration. The City acquires its potable water from three (3) reservoirs and three (3) water wells, which except for one (1) well, are all owned and operated by the City. Hence, to safeguard the general welfare, health, and safety of residents and businesses, Chapter 24 of the Beacon City Code, entitled "Drought Emergency Plan," sets forth three (3) stages of drought emergencies for when the City's reservoirs and/or water wells reach critical thresholds and accordingly provides restrictions on water usage which escalate with the drought's severity.

Specifically, drought emergencies can develop on short notice and between City Council meetings. Thus, the current requirement that the City's Drought Emergency Plan be implemented upon the City Council's adoption of a resolution can cause delay with the Plan's enactment and implementation. This delay can potentially result in the loss of additional, and significant, amounts of water from the City's water sources before the next City Council meeting. As such, the proposed Local Law aims to alleviate this delay by streamlining the City's ability to effectively and readily respond to drought emergencies and hazardous dry conditions.

We have prepared the attached Local Law which, if adopted, provides the Mayor, upon the advice of the Superintendent of Water and Sewers, with the necessary authority to order and implement the Drought Emergency Plan set forth in Chapter 24 of the Beacon City Code. There are no changes currently proposed to Chapter 24's restrictions on water use during a drought emergency. However, additional edits have been proposed such as: (i) adding a "purpose" statement, (ii) setting forth methods for the City Administrator to publicize when the Drought Emergency Plan is implemented, (iii) authorizing the City Administrator to grant variances from the Plan, and (iv) clarifying that Building Inspector, Deputy Building Inspector, Code Enforcement

Officer(s), and sworn members of the Beacon Police Department are authorized to issue appearance tickets to persons or entities which violate Chapter 24.

Should there be any questions, please do not hesitate to contact our office. Thank you.

cc: Chris White, City Administrator
Ed Balicki, Superintendent of Water and Sewers

City of Beacon City Council Agenda
06/16/2025

Title:

Resolution No. 60 - Adopting Local Law No. 7 of 2025 Concerning Loitering

ATTACHMENTS

Resolution Adopting Local Law No. 7 of 2025 Concerning Loitering

Local Law No. 7 of 2025 Concerning Loitering

Keane & Beane, P.C. Memorandum Regarding the Proposed Local Law Concerning Loitering



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 60 OF 2025

**ADOPTING LOCAL LAW NO. 7 OF 2025 TO AMEND THE BEACON CITY CODE
CONCERNING LOITERING**

WHEREAS, pursuant to Resolution No. 2025-049, passed on May 19, 2025, the City of Beacon City Council set a public hearing for June 2, 2025 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning loitering; and

WHEREAS, notice for said Public Hearing was published in the City's official newspaper on May 23, 2025; and

WHEREAS, on June 2, 2025, the City Council opened and closed a duly noticed Public Hearing on the proposed Local Law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 7 of 2025 to amend the Beacon City Code concerning loitering.

Resolution No. 60 of 2025			Date: June 16, 2025				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
		Motion Carried					

LOCAL LAW NO. 7 OF 2025

CITY OF BEACON
CITY COUNCIL

A LOCAL LAW TO AMEND CHAPTER 145 OF THE BEACON CITY CODE
CONCERNING LOITERING

A LOCAL LAW to amend Chapter 145 of the Beacon City Code to conform with State law regarding the possession of cannabis in public places.

BE IT ENACTED by the City Council of the City of Beacon as follows:

Section 1. Chapter 145 of the Code of the City of Beacon, entitled “Loitering,” is hereby amended as follows:

§ 145-1 **Legislative findings and intent.**

~~The Council finds that the~~ General City Law Section 20(37) ~~has recently been amended by adding a new provision which~~ allows cities to adopt anti-loitering laws and ordinances. The Council ~~further~~ finds that "quality of life" issues are of paramount importance to citizens of Beacon ~~and, affecting not only their physical well-being and safety, but their very sense of urban self.~~ Persons engaged in unlawful conduct in public places harass and unduly interfere with the lawful use and enjoyment of such public places thereby constituting a danger to the public health and safety. The Council therefore finds it appropriate for the protection of the public safety and welfare to enact legislation to ensure that public safety is not jeopardized by acts of loitering when they are committed for the purpose of intimidation, coercion, harassment, menacing or assaultive conduct in violation of applicable state law. In addition, the City of Beacon ~~has recognizes that unlawful identified a significant~~ trade in controlled substances ~~and marijuana on the streets of~~ the City of Beacon ~~with the resulting increases increase in crimes, related to such street trade thereby posing a danger health, safety, and welfare of the community.~~ The purpose of the following provisions of this chapter is to add to the crime-fighting abilities of the City of Beacon Police Department by prohibiting loitering for the specific illegal purposes of unlawfully possessing or using ~~marijuana or~~ a controlled substance.

§ 145-2 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

CONTROLLED SUBSTANCES

~~The unlawful possession or use of any~~ Any substance listed in Schedule I, II, III, IV or V of § 3306 of the Public Health Law ~~other than marijuana.~~

~~MARIJUANA~~

~~Marijuana or concentrated cannabis, as those terms are defined in § 3302 of the Public Health Law.~~

...

§ 145-3 Loitering prohibited.

...

- C. Loitering for the purpose of using or possessing ~~marijuana or~~ a controlled substance prohibited. A person is guilty of loitering when he or she loiters or remains in a public place for the purpose of unlawfully possessing or using ~~marijuana or~~ a controlled substance.
- D. Guidelines for law enforcement. In order to make an arrest of a person under the section pertaining to ~~the unlawful possession or use of~~ possessing marijuana or a controlled substance, a police officer or other person must have observed conduct of the subject individually or in conjunction with another which would reasonably lead a police officer to the conclusion that the subject is present for the purpose of unlawfully using or possessing ~~marijuana or~~ a controlled substance.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 145 of the Beacon City Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the City Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Charter affected thereby.

Section 4. Severability.

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to

any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Office of the Secretary of State.

MEMORANDUM

TO: Mayor Lee Kyriacou
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law to Amend Chapter 145 Concerning
Loitering – Marijuana

DATE: May 6, 2025

The State of New York legalized the possession and recreational sale and use of cannabis for adults over the age of 21 and also determined that adults may use cannabis in most public places where it is also legal to use tobacco products. As such, the possession and use of cannabis is largely preempted under New York State Law, meaning municipalities may not adopt more stringent laws concerning the lawful sale, use, and possession of cannabis than what is set forth under State law.

Section 145-3(C) currently provides “a person is guilty of loitering when he or she loiters or remains in a public place for the purpose of possessing or using marijuana or a controlled substance.” Therefore, the proposed local law amends Chapter 145 of the City Code to bring the City’s loitering law in conformance with State law concerning the consumption of cannabis in public places.

Note the City can regulate the use of cannabis in City owned buildings and public parks and this amendment does not change Section 155-4 of the City Code which provides:

No person in a park shall smoke or carry a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco, cannabis, cannabinoid hemp or other product, and/or the use of an electronic smoking device that creates an aerosol or vapor shall not be permitted.

Please do not hesitate to contact our office with any questions or concerns. Thank you.

cc: Chris White, City Administrator

City of Beacon City Council Agenda
06/16/2025

Title:

June 2, 2025 Minutes

ATTACHMENTS

[June 2, 2025 Minutes](#)



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508
AND LIVE VIA ZOOM

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Jeffrey Domanski, Ward 2
Councilmember Pam Wetherbee, Ward 3
Councilmember George Mansfield, Ward 4
City Administrator Chris White

**June 2, 2025
7:00 PM
Draft
City Council
Minutes**

Regular Meeting

These minutes are for the regular meeting of the Beacon City Council. The City Council Meeting was held through video conference and in the Courtroom at 1 Municipal Plaza, Beacon NY 12508. A video recording of the meeting is available at

<https://www.youtube.com/@cityofbeacon8181>. The public was able to attend in-person or through video or telephone and were made aware via the City of Beacon website, beaconny.gov. Please take notice that the full transcript of this meeting is available upon request at City Hall Suite 1, 1 Municipal Plaza, Beacon NY 12508, or by calling (845) 838 – 5010, or by emailing cityofbeacon@beaconny.gov.

Councilmembers Present

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward One
Councilmember Jeffrey Domanski, Ward Two
Councilmember Pam Wetherbee, Ward Three
Councilmember George Mansfield, Ward Four

Also Present

Christopher White, City Administrator
Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

[Recognition of City of Beacon Retiree](#)

[Beacon Historical Society Discussion of Historical Markers](#)

Public Comment

Public Hearings

[Public Hearing for a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon](#)

Motion to continue the public hearing to June 16th by Councilmember Rhodes.

Second by Councilmember Grant.

Motion passes 7 - 0.

[Public Hearing for a Proposed Local Law Concerning the Drought Emergency Plan](#)

Motion to close the public hearing by Councilmember Wetherbee.

Second by Councilmember Grant.

Motion passes 7 - 0.

[Public Hearing for a Proposed Local Law Concerning Loitering](#)

Motion to close the public hearing by Councilmember Grant.

Second by Councilmember Wake.

Motion passes 7 - 0.

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 52 - Setting a Public Hearing for the Proposed 2026-2030 Capital Program](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Grant.

Motion passes 7 - 0.

2. [Resolution No. 53 - Setting a Public Hearing for a Proposed Local Law Concerning Vehicles and Traffic](#)

Motion to pass the resolution by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 - 0.

3. [Resolution No. 54 - Appointing Justine Bienkowski to the Tree Advisory Committee](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Wake.

Motion passes 7 - 0.

4. [Resolution No. 55 - Appointing Brian Donnelly to the Tree Advisory Committee](#)

Motion to pass the resolution by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 - 0.

5. [Resolution No. 56 - Adopting Local Law No. 5 of 2025 Concerning Self-Storage Facilities and Warehouse Storage](#)

Motion to pass the resolution by Councilmember Mansfield.

Second by Councilmember Wetherbee.

Motion passes 6 - 1. Councilmember Grant voted against the resolution.

Approval of Minutes

1. [May 19, 2025 Minutes](#)

Motion to approve the minutes, as amended, by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 - 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: June 16, 2025 at 7:00 p.m.

Executive Session

Executive Session: Real Property & Personnel

Motion to go into executive session for Real Property & Personnel and to adjourn therefrom with no further business by Councilmember Grant.

Second by Councilmember Wake.

Motion passes 7 – 0.

Adjournment

Motion to adjourn by Councilmember Rhodes.

Second by Councilmember Grant.

Motion passes 7 - 0.

City of Beacon City Council Agenda
06/16/2025

Title:

Executive Session: Real Property

ATTACHMENTS