



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

**September 8, 2025
7:00 PM
City Council Agenda**

Roll Call

Workshop Agenda Items

1. [Proposed Local Law Concerning Residential Uses in the R1-5 Zoning District](#)
2. [Reappointment of Kathy Martin to the Position of Tax Assessor](#)
3. [Appointment of Brandon Travis to the Position of Water and Sewer Maintenance Helper](#)
4. [Proposed Local Law Concerning a Partial Property Tax Exemption for Accessory Apartments](#)
5. [Depuyster Avenue Drainage Replacement Project](#)

Announcement of Next Meeting: September 15, 2025 at 7:00 p.m.

City of Beacon City Council Agenda
09/08/2025

Title:

Proposed Local Law Concerning Residential Uses in the R1-5 Zoning District

ATTACHMENTS

Keane & Beane, P.C. Memorandum Regarding a Proposed Local Law Concerning Residential Uses in the R1-5 Zoning District

Draft 223b Schedule of Use Regulations

Proposed Local Law Concerning Residential Uses in the R1-5 Zoning District

City of Beacon Expanded Land Use Map

1,000 Foot Main Street Buffer Map

Map of R1-5 Zoning District Buffer (by Roads)

KARC Planning Consultants, Inc. Memorandum Regarding Modifications to the Transitional Zoning District (Aug. 28, 2025)

MEMORANDUM

TO: Lee Kyriacou, Mayor
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law Concerning Permitted Uses in the R1-5 Zone

DATE: September 5, 2025

At the City Council's September 2, 2025 workshop discussion, our office, in consultation with the City Planner, was directed to prepare a local law which will permit certain residential uses within the R1-5 Zoning District. These additional residential uses are only to be allowed within a close proximity to Main Street. The proposed Local Law also provides a carve-out in the City's Zoning Code, Chapter 223, to permit destroyed nonconforming multi-family dwellings in the R1-5 to be reconstructed. As such, this memorandum will address both aspects of the proposed Local Law.

Additional Residential Uses in a Limited Portion of the R1-5 Zoning District

In lieu of expanding the Transitional (T) Zoning District, the City Council determined that allowing certain additional residential uses in the R1-5 Zoning District would be more appropriate. As such, the Local Law will allow the following residential uses in the R1-5 Zoning District, provided that the parcel is located north of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue:

- (a) One-family attached/semidetached dwellings;
- (b) Two-family dwellings; and
- (c) Artist Live/Work Spaces.

For convenience, a map is attached to this memorandum showing the areas of the R1-5 Zoning District the above uses will be permitted. For clarity, the aforementioned uses will not be allowed in any other R1 Zoning District nor any other areas of the R1-5 Zoning District.

The Council also requested that a map be prepared showing parcels within 1,000 feet of Main Street as an alternative method of limiting the above uses within the R1-5 Zoning District. However, upon additional consideration several issues arose with a distance

threshold, including, but not limited to: (1) How will an applicant or the Building Department readily determine whether the property is 1,000 feet of Main Street (a survey appears to be burdensome for this limited purpose); (2) Would the 1,000 feet distance be measured from the centerline of Main Street or a Curb (Main Street is not a straight road); (3) Additional parcels east of the Fishkill Creek would be eligible; and (4) Certain parcels slightly more than 1,000 feet from Main Street would be omitted, contrary to the Council's intent.

As such, using defined roadways is a more precise manner of articulating parcels in the R1-5 Zoning District that are eligible for this exception.

Restoration of Destroyed Multi-Family Dwellings in the R1-5 Zoning District.

The proposed Local Law also provides a limited exception to Beacon City Code § 223-10D. This City Code provision prohibits the continuation of nonconforming uses when more than 50% of any nonconforming building is destroyed. If 50% or less of the nonconforming building is destroyed, Beacon City Code § 223-10D provides the nonconforming use may be continued if restoration commences within 6 months and is diligently pursued.

There are thirty (30) nonconforming multifamily buildings in the R1-5 Zoning District because multifamily buildings are not permitted uses in this District. Hence, if more than 50% of any one of those multifamily buildings are destroyed, the owner must cease the nonconforming use and may only continue with a permitted use.

As such, the proposed Local Law will allow destroyed nonconforming multi-family dwellings in the R1-5 Zoning District to be reconstructed subject to the following conditions:

- (1) The multi-family dwelling must be a nonconforming structure at the time of destruction registered with the City per Beacon City Code 223-10F;
- (2) The nonconforming multifamily dwelling must be located in the R1-5 Zoning District;
- (3) The reconstruction must be dimensionally in-kind and there shall be no increases to any dimensional nonconformity, including density or parking, that existed on the date of destruction. The owner may reduce or eliminate any prior dimensional nonconformities but is not required to do so;
- (4) The reconstruction shall be subject to planning board approval pursuant to § 223-25 of the Beacon City Code; and
- (5) A bona-fide and complete application for approval pursuant to § 223-25 of the Beacon City Code shall be submitted to the City within one (1)

year of the date of the destruction and the applicant shall diligently pursue approval of such application.

If 50% or less than of the nonconforming multi-family building is destroyed, the owner may rehabilitate the building pursuant to Beacon City Code § 223-10D. This exception to the continuance of nonconforming multi-family dwellings will be available in all areas of the R1-5 Zoning District but no other District.

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

cc: Chris White, City Administrator
Natalie Quinn, City Planner

BEACON CODE

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; 7-7-2025 by L.L. No. 8-2025]

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	XP ²	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		XP ²	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	XP ²	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.

² These uses are only permitted on a parcel within the R1-5 Zoning District and not any other R1 Zoning District. Additionally, these uses are only permitted on a parcel in the R1-5 Zoning District if such parcel is located north of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue.

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	P	P	P	P	P	P	P	P
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		

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW TO AMEND THE BEACON CITY CODE CHAPTER 223
CONCERNING RESIDENTIAL USES IN THE R1-5 ZONING DISTRICT

A LOCAL LAW to amend the Beacon City Code Chapter 223 entitled “Zoning” to allow certain one-family attached / semidetached dwellings, two-family dwellings, artist live/work spaces, and reconstruction of destroyed nonconforming multi-family dwellings in the R1-5 Zoning District.

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

Section 1. 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 add Footnote 2 to permit one-family attached/semidetached dwellings, two-family dwellings, and artist live/work spaces in the R1-5 Zoning District only and no other R1 Zoning District. Additionally, the aforementioned uses are only permitted as of right for any parcel in the R1-5 Zoning District that is located north of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue, as shown on the attached Schedule of Use Regulations.

SEE ATTACHED SCHEDULE OF USE REGULATIONS

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-10 entitled “Nonconforming uses and structures”, is hereby amended to add Subsection I as follows:

§ 223-10 **Nonconforming uses and structures.**

...

I. Restoration of destroyed multi-family dwellings in the R1-5 Zone. Notwithstanding Subsection D above, if a preexisting nonconforming multi-family dwelling in the R1-5 Zoning District shall be destroyed by any means to an extent of more than 50%, the

multi-family dwelling may be reconstructed in-kind and the nonconforming uses continued as follows:

- (1) The multi-family dwelling must be a nonconforming structure at the time of destruction registered with the City per Subsection F above and located in the R1-5 Zoning District;
- (2) The reconstruction must be dimensionally in-kind and there shall be no increases to any dimensional nonconformity, including density or parking, that existed on the date of destruction provided that the applicant may reduce any prior dimensional nonconformities;
- (3) The reconstruction shall be subject to planning board approval pursuant to § 223-25 of this Code; and
- (4) A bona-fide and complete application for approval pursuant to § 223-25 of this Code shall be submitted to the City within one (1) year of the date of the destruction and the applicant shall diligently pursue approval of such application.

Section 3. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 223 of the Beacon City Code 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 Code affected thereby.

Section 5. 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.

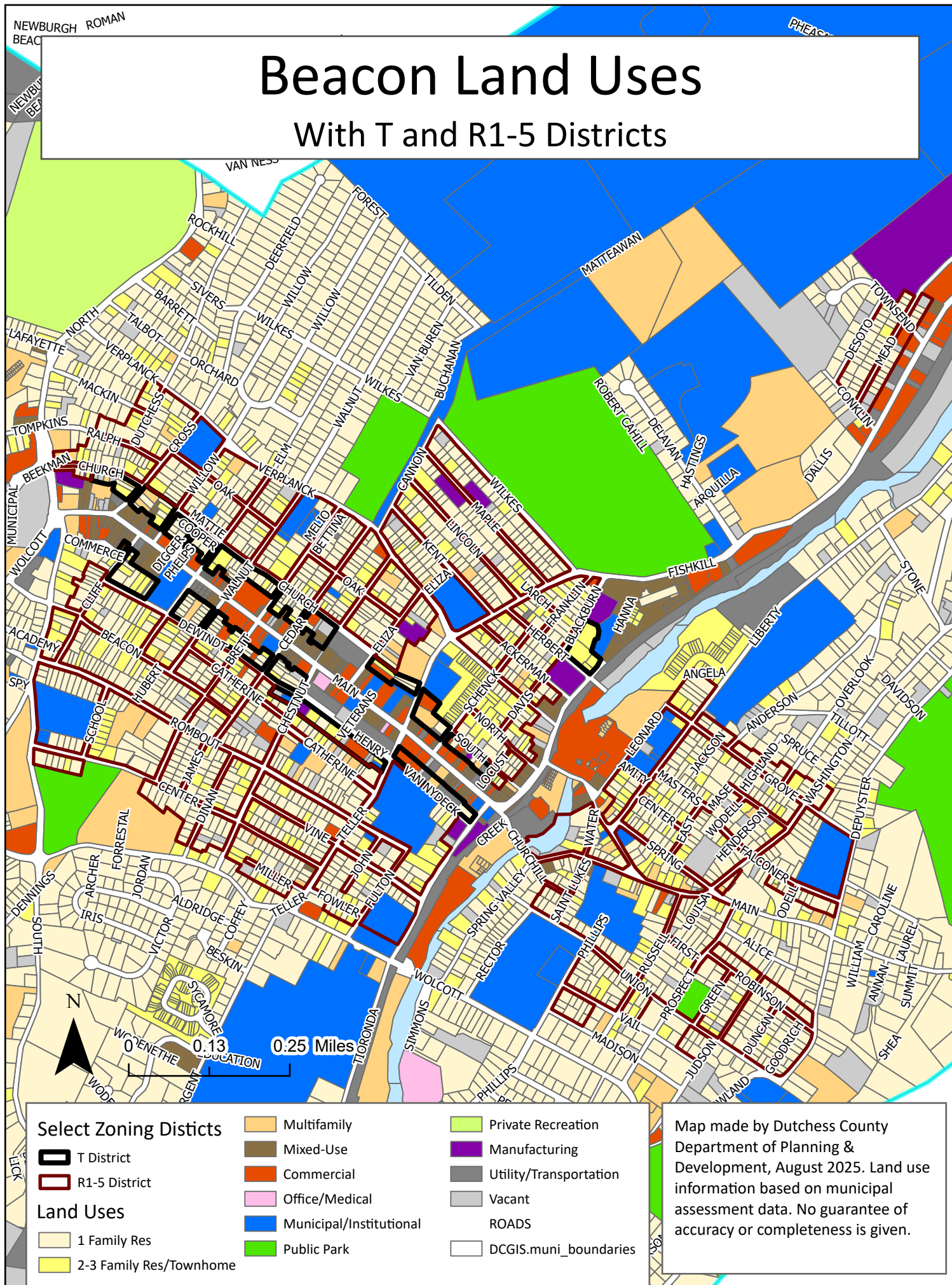
Section 6. Effective date.

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

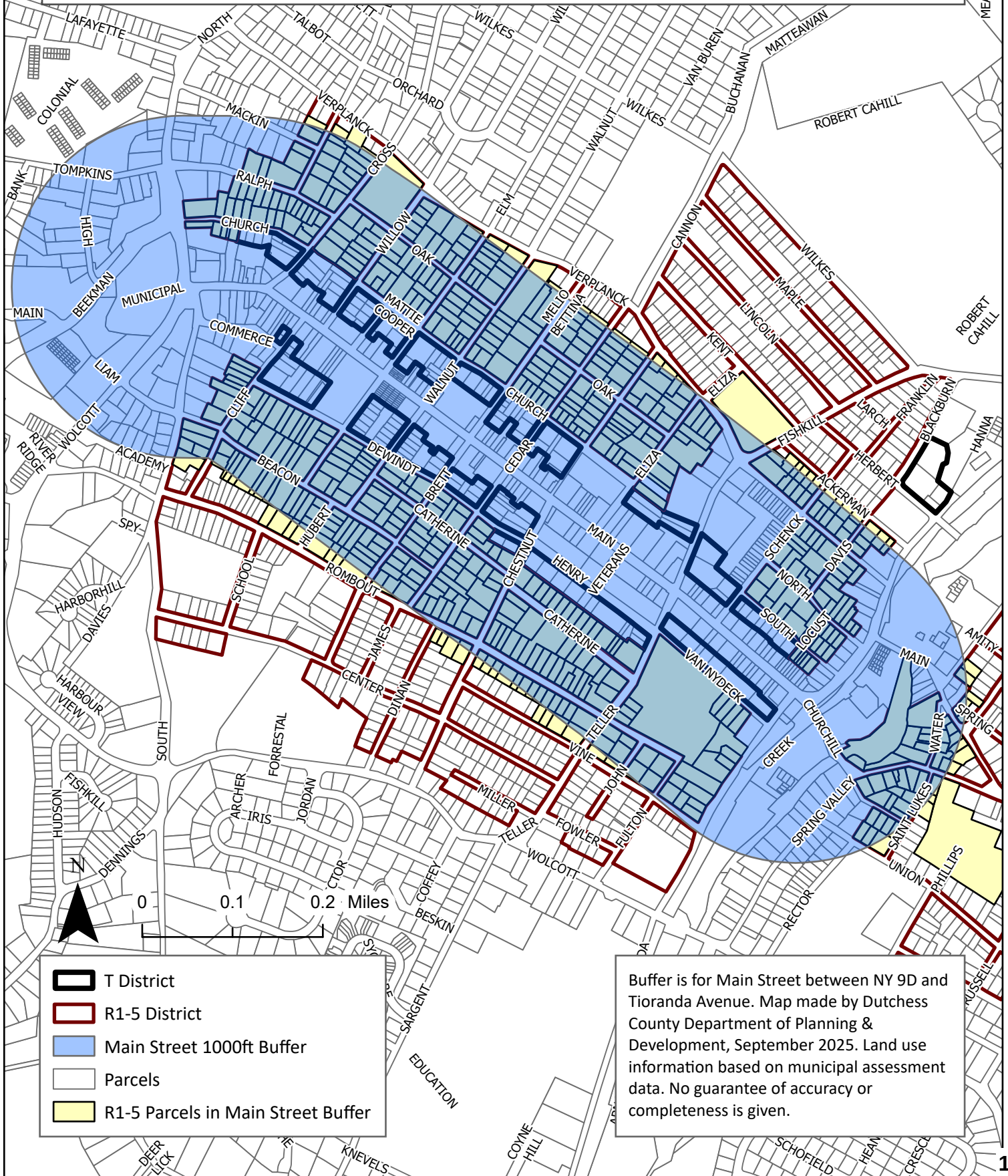
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Beacon Land Uses

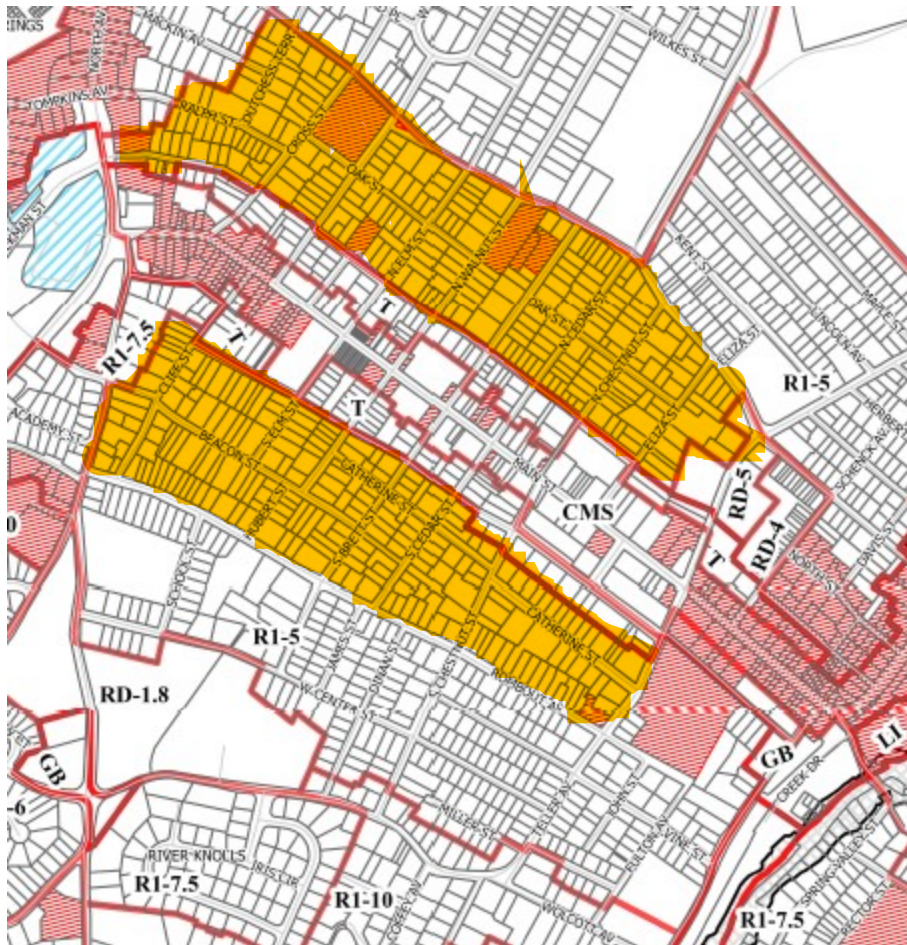
With T and R1-5 Districts



R1-5 Parcels within 1,000 Feet of Main Street City of Beacon



Map of R1-5: Additional Residential Uses



Boundary of Proposal: north of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue

TO: Lee Kyriacou, Mayor &
Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants, Inc.

DATE: August 28, 2025

RE: Follow-Up on Transitional (T) District Expansion Considerations

At the Council's request, this follow-up memo supplements my August 15th memorandum regarding potential expansion of the Transitional (T) District adjacent to the Central Main Street (CMS) District into areas currently zoned R1-5. Since that discussion, I have reviewed additional parcel- and land use-level data prepared by Dutchess County Planning & Development and conducted a site walk/drive-through of the study area. The County's analysis and on-the-ground observations provide a clearer picture of existing conditions within the R1-5 District. Together, this information highlights key considerations as the Council evaluates whether expanding the T District is the most effective tool for achieving the City's housing objectives. Based on my analysis, my recommendation is to expand the permitted residential uses in the R1-5 District and not expand the T District. This will increase residential options while limiting the potential for expansion of non-residential uses in these neighborhoods.

Attached are additional reference materials to illustrate the distinctions between the R1-5 and T districts:

1. Existing Land Use Map
2. Bulk Regulations Comparison
3. Use Regulations Comparison
4. Use Category Definitions

Parcel Size and Land Use Distribution in the R1-5 Zoning District

There are four distinct R1-5 neighborhoods containing approximately 1,495 parcels. The majority of lots (86%) are under 10,000 square feet. Based on the current Minimum Lot Size Area Per Unit requirement¹ within the T District, lots of 10,000 SF or less could not support more than four (4) residential units. Thirty percent of the lots within the R1-5 District are under 5,000

¹ One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

SF, which means if rezoned to T they would likely only be able to accommodate up to two (2) units.

R1-5 District Parcel Size		
Under 5,000 SF	444	30%
5,000-10,000 SF	837	56%
Over 10,000 SF	214	14%
Total	1,495	

Nearly one in five parcels within the R1-5 District are currently occupied by two-family, townhome, or multifamily residences, as shown on the attached Existing Land Use Map and summarized in the table below. This demonstrates that the district is not, in practice, exclusively single-family. Instead, it contains a significant share of housing types that are presently considered nonconforming under the zoning code.

Land Use	Number of Parcels	Percentage
1 Family Res	1,114	75%
2-3 Family Res/Townhome	245	16%
Vacant	57	4%
Multifamily	30	2%
Municipal/Institutional	23	2%
1 Family Res w/Apt	8	1%
Commercial	7	0%
Mixed-Use	4	0%
Manufacturing	3	0%
Utility/Transportation	1	0%
Parking Lot	1	0%
Public Park	1	0%
Water	1	0%

Discussion: Alternatives for Proceeding

One-family detached dwelling units are permitted as of right in both the T and R1-5 Districts. The following four residential uses are allowed as of right in the T District, but are not permitted in the R1-5 District (but as noted above, such uses exist in significant number as non-conforming uses):

- 1) One-family attached/semidetached Including townhouses
- 2) Two-family dwelling
- 3) Multifamily dwelling
- 4) Artist live/work space

Based on the Council's discussion at the August 15th meeting and the analysis here within, expansion of the T District may not be the most appropriate tool to achieve the desired policy outcomes. If the Council's priority is simply to preserve and modestly expand two-family housing opportunities without broadly introducing new commercial or multifamily uses, the following narrower alternatives that directly address the preservation and modest expansion of two-family housing within the R1-5 District may be considered:

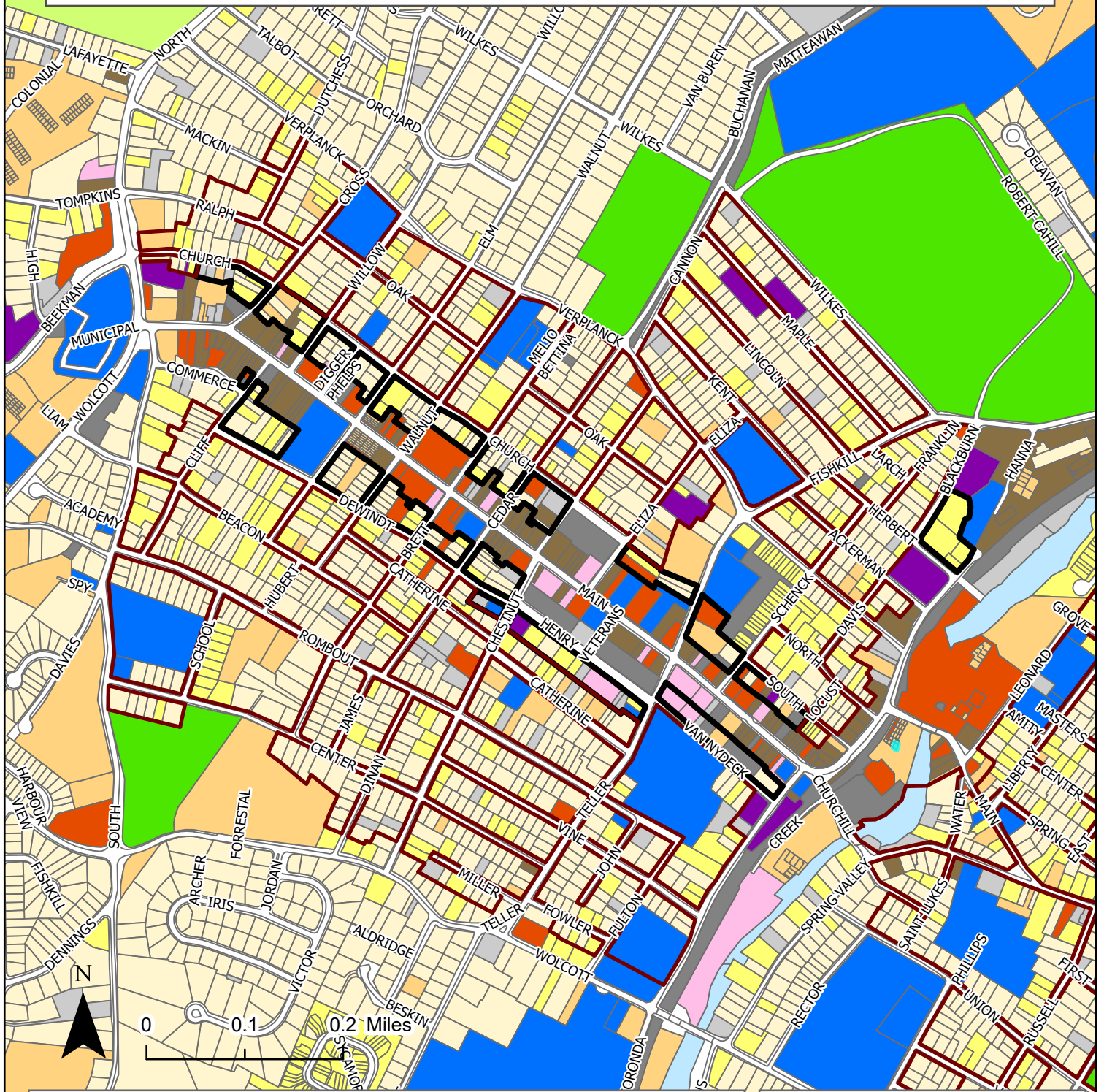
1. Allow all 4 residential uses as permitted as of right use in the R1-5 District.
2. Allow residential uses 1, 2 and 4 as of right, but prohibit multifamily uses in the R1-5 District.

Increasing the permitted uses in the R1-5 District instead of rezoning the properties to the T District avoids expanding the permitted non-residential uses in the R1-5 District. This will allow the R1-5 District to maintain its residential character, but increase housing opportunities as reflected in the Council's discussions over the past years. This would also remove the non-conforming use status for any property that would now be in compliance with the new zoning. In drafting the Local Law, there can be consideration of a provision that would allow reconstruction of nonconforming multifamily that are destroyed, provided that replacement is in-kind (cannot increase any nonconformities that existed prior to destruction and site plan approval is obtained).

Note there are four neighborhoods presently zoned R1-5 as per the attached zoning map - north and south of the T District on Main Street, Mead Avenue, and east of Fishkill Creek between Grove Street and Madison Avenue.

Downtown Beacon Land Uses

With T and R1-5 Districts



Select Zoning Districts

- T District
- R1-5 District

Land Uses

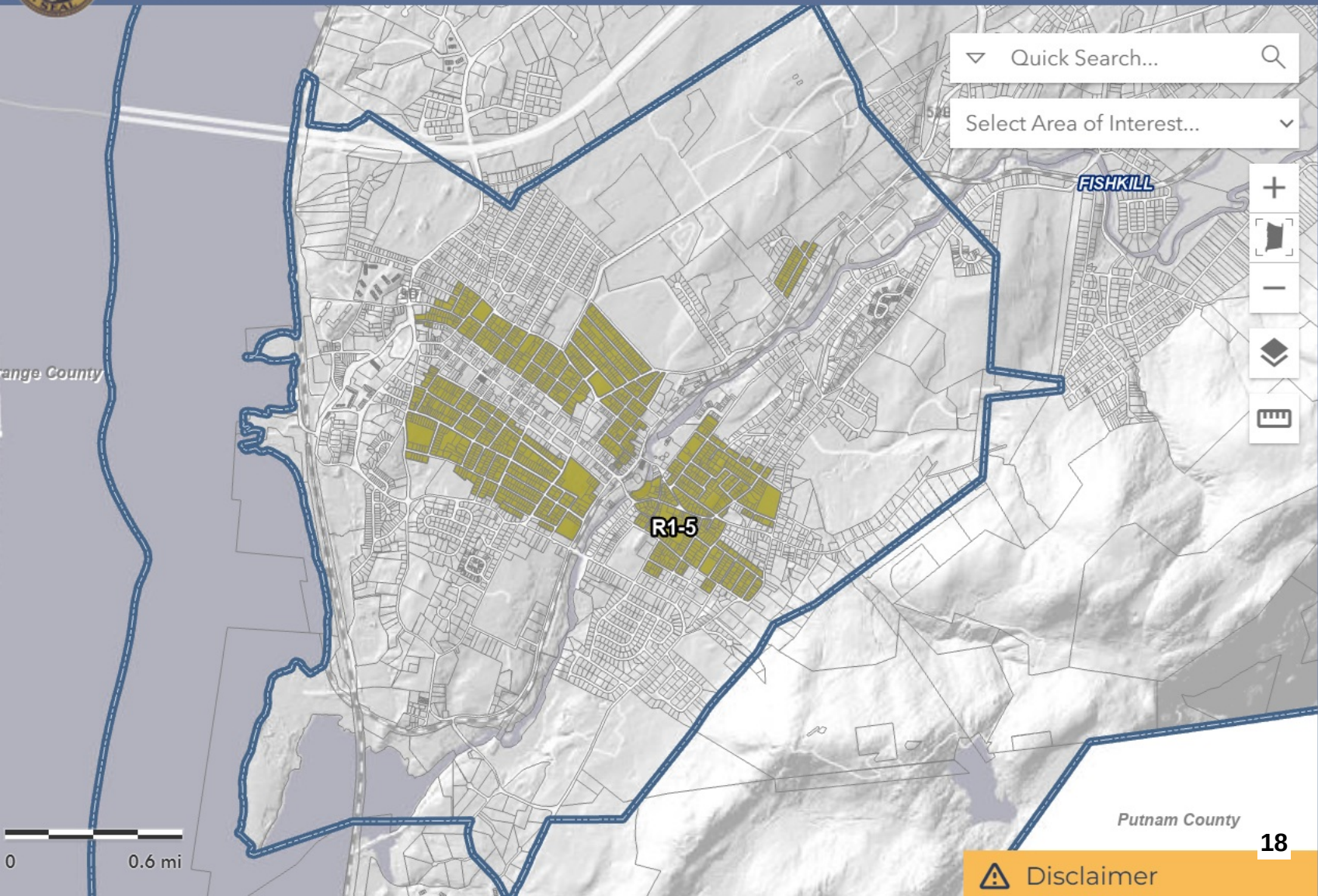
- 1 Family Res
- 2-3 Family Res/Townhome
- Multifamily
- Mixed-Use
- Commercial
- Office/Medical
- Municipal/Institutional
- Public Park
- Private Recreation
- Manufacturing
- Utility/Transportation
- Vacant

ROADS

Map made by Dutchess County
Department of Planning &
Development, August 2025. Land use
information based on municipal
assessment data. No guarantee of
accuracy or completeness is given.



Zoning Map | Dutchess County NY



Quick Search...

Select Area of Interest...



ZONING

City of Beacon

EDITED § 223-17. Schedule of Dimensional Regulations TO SHOW ONLY R1-5 AND T DISTRICT

Zoning District	Minimum Lot Size Area ^h (see also § 223-121)				Minimum Yards ^a			Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Zoning District
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear ^{d,e} (feet)		Multifamily	All Other		
R1-5	5,000	5,000	50	100	10	10	20	2.5 / 35	N.A.	40%	1	R1-5
T ^e	5,000	i	50	100	10	10	20	2.5 / 35	—	40%	—	T ^e

NOTES:

^a A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.

^b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.

^c But not more than 24 dwelling units in any building 3 1/2 stories or less in height.

^d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

^e In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setbacks for end unit dwellings shall not be reduced further than ½ the minimum side yard setback of the least restrictive adjoining residential district.

^f A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.

^g And each building shall not exceed 150 feet in length.

^h For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.

ⁱ One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

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ZONING

City of Beacon

MODIFIED City of Beacon Schedule of Use Regulations COMPARING R1 AND T DISTRICT

Permitted Uses by District	Reference Notes	All R1	T
Residential			
One-family detached dwelling		P	P
One-family attached/semidetached	Including townhouses	X	P
Two-family dwelling		X	P
Multifamily dwelling		X	P
Artist live/work space	Subject to § 223-14.2	X	P
Retail/Office/Service			
Retail, personal service, or bank		X	X
Office		X	P
Artist studio, art gallery/exhibit space		X	P
Funeral home		X	X
Commercial recreation, indoor		X	X
Auction gallery		X	X
Adult use	Subject to § 223-20.1	X	X
Food/Lodging			
Restaurant or coffee house		X	X
Bar/brew pub/microbrewery/microdistillery		X	X
Food preparation business		X	X
Short-term rental	Subject to § 223-26.5	P	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP
Inn		X	X
Hotel	Subject to § 223-14.1	X	X
Social/Community			
Spa/fitness center/exercise studio		X	SP
Day-care center		X	P
Park, preserve, community garden		P	P
Theater, concert or conference space		X	X
Museum		SP*	SP*
Place of worship/religious facility		P	P
Social club	Subject to § 223-24.2	SP	SP
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 -->		

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		T
Government facility		P		P
Golf course		SP*		X
Health Care				
Hospital or nursing home	Subject to 223-21.1/22	SP*		X
Animal care facility		SP		X
Educational				
College or university		SP*		X
Trade school or training program		X		X
Private school or nursery school		SP		SP
Parking/Auto-Oriented				
Off-street parking or parking structure	Subject to § 223-26	X		SP
Vehicle sales or rental lot		X		X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X		X
Auto body or repair shop	Subject to Chapter 210	X		X
Ambulance service		SP		SP
Industrial or Assembly				
Wholesale business		X		X
Self-storage facility and warehouse storage	Subject to § 223-24.5	X		X
Workshop		X		SP
Industrial or manufacturing use		X		X
Other				
Wireless communication facility	Subject to § 223-26.4	P		P
Small cell wireless facility	Subject to § 223-26.4	P		P
Farm		P		X
Horticultural nursery		P		X
Historic District Overlay Use	Subject to § 223-24.7	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
Private tennis court or pool	Subject to § 223-13	P		P
Home occupation or artist studio	Subject to § 223-17.1	P		P
Parking structure		X		SP
Drive-through facilities, standalone or accessory		X		X
Garden, roof garden, or greenhouse		P		P
Solar collectors	Subject to Article X	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 -->			

Definitions of commercial uses permitted in T District but not in R1

OFFICE

A building or part thereof used primarily for the conduct of business relating to administrative, clerical, financial, social services, or consulting, as well as medical, dental, veterinarian, and other professional or client services not related to retail sales.

[Added 6-15-2020 by L.L. No. 7-2020]

ARTIST STUDIO

The working and/or teaching space for one or more painters, print makers, photographers, jewelry makers, sculptors or artisans working with paper, ceramics, clay and/or other fine art or craft materials, persons working in the graphic or computer arts, or performing artists such as musicians, dancers or theater artists. Tattoo appliers, body piercers and similar businesses shall not be considered artists for the purposes of this definition. An artist studio as an accessory use is considered a home occupation, subject to § [223-17.1](#). See also “home occupation.”

[Added 6-16-2003 by L.L. No. 6-2003; amended 2-19-2013 by L.L. No. 3-2013; 6-15-2020 by L.L. No. 7-2020]

ART GALLERY or EXHIBIT SPACE

A space in which works of art are bought, sold, loaned, appraised and/or exhibited to the general public.

[Added 5-2-2005 by L.L. No. 2-2005]

SPA/FITNESS CENTER/EXERCISE STUDIO – not defined

DAY-CARE CENTER

A program or facility, which is not a residence, in which child day care is provided to more than six children for more than three hours but less than 24 hours per day per child for compensation or otherwise, as certified under the laws of the State of New York.

[Added 6-15-2020 by L.L. No. 7-2020]

PARKING AREA

An off-street area containing one or more parking spaces, with passageways and driveways appurtenant thereto. In general, there shall be an average of about 350 square feet of parking area per parking space.

PARKING STRUCTURE

A multilevel structure for the parking of vehicles, conducted as a business or to serve a business or district.

[Added 6-15-2020 by L.L. No. 7-2020]

WORKSHOP

Workplaces, including retail sales, for carpenters, plumbers, cabinetmakers, upholsterers, electricians, printers, tailors, dressmakers, shoemakers, jewelers, sculptors, watch and clock makers, opticians and musical or scientific instrument repairers, or shops which employ similarly skilled persons.

[Added 6-15-2020 by L.L. No. 7-2020]

City of Beacon City Council Agenda
09/08/2025

Title:

Reappointment of Kathy Martin to the Position of Tax Assessor

ATTACHMENTS

City of Beacon City Council Agenda
09/08/2025

Title:

Appointment of Brandon Travis to the Position of Water and Sewer Maintenance Helper

ATTACHMENTS

[Brandon Travis Resume](#)

[Superintendent of Water and Sewers Memorandum for the Appointment of Brandon Travis to the Position of Water and Sewer Maintenance Helper](#)

BRANDON M. TRAVIS

[REDACTED]
[REDACTED]
[REDACTED]

OBJECTIVE | To obtain long term employment with a company where I can learn new skills, increase my responsibilities, and expand my knowledge base.

SKILLS & ABILITIES | Ability to work under pressure, self motivated, communicates well, ability to maintain strict levels of confidentiality, computer literate, willing to take on more responsibilities, extremely good people skills, solid organization skills, and ability to multi-task, very innovative and active listener.

EMPLOYMENT | **Mountainside Landscaping - Groundskeeper**

103 Washington Avenue Beacon, N.Y. 12508

845 - 838 - 2733

September 17, 2018 - present

Responsibilities include: pouring concrete, laying sewer lines, retaining walls, weekly lawn maintenance for commercial and residential areas, tree care, snow plowing, excavating

Carpentry - building fences, demo/ renovations of decks, porches, six by six retaining walls, wooden patios, sheds

Masonry – demo and rebuild sidewalks, curbs, patios, footings, solid concrete walls, rat slabs, driveway, concrete stairs

Hudson Hil's Café

EXPERIENCES | 129 - 131 Main Street Cold Spring , N.Y. 10516

845 - 265 - 9471

Responsibilities include: washed dishes and kept work stations clean as well as prepare food as orders were placed.

Volunteer Fireman | Mase Hook And Ladder Beacon, N.Y. 12508

June 1, 2016 to present

During my training exercises I collaborated with team members, worked in high stressful situations in full gear for a successful



CITY OF BEACON New York

WATER DEPARTMENT

845-831-3136

To: Christopher White
City Council

From: Edward Balicki

Re: New Hire Recommendation of Brandon Travis
Water and Sewer Maintenance Helper

Date: 9/5/2025

Please accept this recommendation to hire Brandon Travis to fill the vacant position of Water and Sewer Maintenance Helper. The interview committee consisted of HR Director Sara Morris, Working Supervisor Richard Kolakoski, and myself.

Brandon is a resident of the City of Beacon, has experience in the field of construction, installing patios and decks, excavation for residential water and sewer line repairs, landscaping, snow removal, and masonry work. Brandon is an active City of Beacon Volunteer Fire Fighter and holds certification in adult and pediatric CPR/AED. We feel that Brandon will be asset to the Department and the City of Beacon.

The vacant position is budgeted for and was posted in all City Departments. I thank you for your consideration.

Respectfully,

Edward Balicki
City of Beacon Water and Sewer Department

City of Beacon City Council Agenda
09/08/2025

Title:

Proposed Local Law Concerning a Partial Property Tax Exemption for Accessory Apartments

ATTACHMENTS

Proposed Local Law Concerning a Partial Property Tax Exemption for Accessory Apartments

Keane & Beane, P.C. Memorandum Regarding a Proposed Local Law Concerning a Partial Property Tax Exemption for Accessory Apartments

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

**A LOCAL LAW TO AMEND BEACON CITY CODE CHAPTER 199
CONCERNING A PARTIAL REAL PROPERTY TAX EXEMPTION
FOR ACCESSORY APARTMENTS**

A LOCAL LAW to amend the Beacon City Code Chapter 199 entitled “Taxation” to create a new Article XIV granting a partial real property tax exemption to newly built accessory apartments.

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

Section 1. Chapter 199 of the Beacon City Code entitled “Taxation” is hereby amended to add Article XIV entitled “Exemption for Accessory Apartments” as follows:

Article XIV Exemption for Accessory Apartments

§ 199-84 Exemption Granted.

The City Council of the City of Beacon adopts partial real property tax exemption provided under the provisions of § 421-f of the New York State Real Property Law and as set forth herein.

§ 199-85 Applicability.

This exemption shall only apply to capital improvements made after the effective date of this local law and only to residential new construction involving the creation of attached and detached accessory apartments. For the purposes of this Article, “accessory apartment” shall have the same definition as is provided in § 223-63 of this Code.

§ 199-86 Amount and term of exemption.

- A. Term of Exemption. A parcel containing an accessory apartments subject to the partial exemption hereunder shall be exempt for a period of eight (8) years as set forth herein. The eight (8) year exemption shall commence as of the first taxable status date following the issuance of a certificate of occupancy for the accessory apartment.

B. Amount of Exemption. The newly constructed accessory apartment shall be exempt to extent of 100% of the increase in the assessed value attributable to the creation of the accessory apartment in the first year. In the second through eighth year, the extent of such exemption shall be decreased by twelve and one-half centum (12.5%) of the “exemption base” each year during such years.

C. Exemption Base. The “exemption base” shall be the increase in assessed value as determined in the initial year of the term of the exemption, except as provided Real Property Tax Law § 421-f(2)(a)(ii).

D. Limitation of Exemption. The partial exemption granted hereunder shall be limited to no more than \$80,000 of the increase in market value attributable to such reconstruction, alteration or improvement resulting in the creation of the accessory apartment. Any increase in market value greater than such amount shall not be eligible for the exemption pursuant to this Article. For the purposes of this Section, market value shall be determined as set forth in Real Property Tax Law § 421-f(2)(a)(iii).

§ 199-87 Eligibility.

Under this Article, property owners shall only be eligible for the partial real property tax exemption if the following criteria are met:

A. The accessory apartment subject to the partial exemption hereunder was constructed in conformance with Chapter 223 of this Code, including, but not limited to § 223-24.1, and Chapter 119 of this Code;

B. Such reconstruction, alteration, improvement, or new construction subject to the partial real property tax exemption results in the creation of an accessory apartment on the same parcel as the detached single-family residence is located;

C. The property owner(s) received a building permit from the City of Beacon Building Department for the creation of an accessory apartment and has received a certificate of occupancy from the City of Beacon Building Department;

D. The reconstruction, alteration or improvement which created the accessory apartment was commenced subsequent to the effective date of the local law;

E. The greater portion, as so determined by square footage, of the building reconstructed, altered or improved is at least five years old; and

F. The value of such reconstruction, alteration or improvement exceeds three thousand dollars and is not considered ordinary maintenance and repairs.

§ 199-88 Authority to approve, carry out and revoke exemption status.

The City of Beacon Assessor shall approve, carry out and revoke the partial real property exemption status in accordance with the provisions of § 421-f of the Real Property Tax Law and this Article.

Section 2. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 199 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.

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: Beacon City Council

FROM: Judson K. Siebert
Christian A.L. Gates

RE: Real Property Tax Law § 421-f –
Accessory Dwelling Unit Tax Exemption

DATE: September 5, 2025

Real Property Tax Law § 421-f/ADU Exemption

Section 421-f of the Real Property Tax Law (“RPTL”) authorizes a partial property tax from the increase in assessed value attributable to reconstruction, alteration or improvements made to residential property. Under this section of the RPTL, the exemption applies to properties upon which residential buildings¹ are reconstructed, altered or improved. Per RPTL § 421-f(7)(a)(iii) the City Council may limit eligibility for the partial exemption to the creation of new accessory apartments (commonly known as “Accessory Dwelling Units” or “ADUs”). The exemption is optional – each taxing jurisdiction (County of Dutchess, City of Beacon and Beacon City School District) may determine to extend it to properties subject to their respective levies. Municipalities, such as the City of Beacon, may adopt a local law, after a public hearing, to make the exemption available to eligible property owners.

A. What is Exempt under RPTL § 421-f?

a. Exemption Base

This exemption is partial in nature – the extent of exemption relief afforded is limited to the increase in a property’s value resulting from the creation of an ADU. In this regard, RPTL § 421-f utilizes an “exemption base” as the unit by which the amount of the exemption is determined.

The exemption base is the increase in a property’s assessed value after the ADU is ready for occupancy, as set in the initial year of the exemption term. RPTL § 421-f(2)(a)(i). For example, if a property is initially assessed at \$100,000 in 2024 and is subsequently assessed at \$125,000 in 2025 due to the creation of an ADU, the

¹ A residential building is any building or structure designed and occupied exclusively for residential purposes by not more than three families. RPTL § 421-f(5).

exemption base equals \$25,000. Because the City of Beacon engages in an annual revaluation program (with assessments subject to a 100% NYS-established equalization rate), the exemption base will essentially equal the increase in a property's market value brought about by the creation of the ADU.²

b. Term and Amount of Exemption

The total exemption period is eight (8) years and commences on the first taxable status date after a certificate of occupancy is issued for an ADU.³

Pursuant to RPTL § 421-f(2)(a), one hundred (100%) percent of this exemption base is rendered exempt from real property taxation for one (1) year. After this initial one year exemption period, the exemption base is annually decreased by twelve and one-half per centum (12.5%) percent in subsequent years until the partial exemption is eliminated after year 8. The amount of the exemption throughout this eight-year (8) term is thus computed as follows:

Term	Years	Percent of Exemption
Initial One (1) Year Exemption Term	Year 1	100% (of Exemption Base)
Additional Seven (7) Year Terms	Year 2	87.5% - (Exemption Base * 0.875)
	Year 3	75% - (Exemption Base * 0.75)
	Year 4	62.5% - (Exemption Base * 0.625)
	Year 5	50% - (Exemption Base * 0.50)
	Year 6	37.5% - (Exemption Base * 0.375)
	Year 7	25% - (Exemption Base * 0.25)
	Year 8	12.5% - (Exemption Base * 0.125)

² However, should there ever be a change in the City of Beacon's annual level of assessment of fifteen (15%) percent or more, as certified in the final assessment roll, the exemption base will be multiplied by a fraction where the numerator is the total assessed value of the parcel on the current final assessment roll, and the denominator is the total assessed value of the parcel on the immediately preceding final assessment roll. This fractional approach is not anticipated on account of the City of Beacon's revaluation practices.

³ The City of Beacon taxable status date is March 1st of each calendar year.

c. Limits on Exemptions

The partial real property tax exemption is limited to a total of Eighty Thousand (\$80,000) Dollars in increased market value of the property attributable to such reconstruction, alterations, improvement, or new construction creating the ADU. RPTL § 421-f(2)(a)(iii). Any increase in market value greater than this amount is not eligible for the exemption. *id.*

B. Under what conditions may the exemption be granted?

Pursuant to RPTL §§ 421-f(b)(i)-(iii), the exemption will not be granted for reconstruction, alterations, improvements, or new construction unless the following conditions have been met:

- (1) The subject reconstruction, etc., commences after the effective date of the Local Law authorizing the exemption;
- (2) The value of the reconstruction, etc., exceeds Three Thousand (\$3,000) Dollars;
- (3) Such reconstruction, etc., creates an accessory apartment;
- (4) The parcel for which the exemption is sought contains a single-family⁴ residence; and
- (5) The greater portion, as so determined by square footage, of the building reconstructed, altered or improved is at least five years old.

Under RPTL §421-f(2)(c), reconstruction, alteration, improvement and new construction does not include ordinary maintenance and repairs.

C. How can a property owner obtain an exemption?

To obtain the exemption, the owner of the subject parcel must apply for the exemption prior to March 1st of each year to the City Assessor on a NYS-prescribed form. RPTL 421-f(3). This is the standard deadline for all real property exemption applications.

If the application is deemed satisfied, the assessor will approve the application, and the exemption will commence as of the governing taxable status date (March 1st of each year) following the issuance of a certificate of occupancy.

⁴ While RPTL 429-f(5) provides the exemption is limited to one-and-two family homes, Beacon City Code § 223-24.1 only permits accessory apartments on parcels containing a detached single-family homes. Therefore, the exemption cannot apply to accessory apartment constructed on a parcel containing a two-family home as accessory apartments are only allowed on parcels containing a single-family home and the exemption will only apply to the “forms of reconstruction, alterations or improvements” which create an accessory apartment.

D. How may a municipality change the terms of the exemption?

Under this section of the RPTL, a municipality⁵ is only permitted to vary from the RPTL §421-f provisions, as follows:

- (1) Reduce the percent of exemption otherwise allowed;
- (2) Reduce the maximum value of an improvement which may receive the exemption to an amount less than the statutorily prescribed \$80,000, but not less than \$5,000; and
- (3) Limit the eligibility for the exemption to those “forms” of reconstruction, alterations, improvements, or new construction as are prescribed by each municipality. RPTL 421-f(7)(a)(ii).

Although a municipality may pass a local law that changes the terms of the exemption, no such local law can repeal an exemption granted until the expiration period for such exemption has expired. RPTL 421-f(7)(b).

Proposed Local Law

We have prepared the attached draft Local Law implementing this exemption for purposes of City taxes (again, the exemption is subject to optional implementation by other taxing jurisdictions). It follows the parameters concerning the amount of exemption and staggered reductions of said exemption as prescribed in RPTL § 421-f without modification. The draft Local Law also aligns with Beacon City Code provisions related to accessory apartments. If enacted, the exemption would be available for any qualifying property as of the City of Beacon 2026 assessment roll, which is used to determine the 2027 City tax.

We are available to answer any questions concerning this exemption and the draft Local Law. Thank you.

Encl.

cc: Mr. Christopher White, City Administrator
Ms. Kathleen Martin, City Assessor
Nicholas M. Ward-Willis, Esq.

⁵ A county, city, town or village may do so by local law. School districts may also adjust the exemption terms by resolution.

City of Beacon City Council Agenda
09/08/2025

Title:

Depuyster Avenue Drainage Replacement Project

ATTACHMENTS