



COURTROOM, CITY HALL
1 MUNICIPAL PLAZA
BEACON, NY 12508
THE PLANNING BOARD WILL
MEET ON TUESDAY,
DECEMBER 8, 2020 AT 7:00
PM. A TRAINING WORK
SESSION WILL TAKE PLACE
AT 7:00 PM AND THE
REGULAR MEETING AND
PUBLIC HEARINGS WILL
BEGIN IMMEDIATELY
THEREAFTER, BUT NOT
LATER THAN 7:30 PM.

August 16, 2022
7:00 PM
Zoning Board of Appeals Agenda

Regular Meeting

1. Review and hold Public Hearing on application submitted by Jorge Munera-Rodriguez, 67 Kent Street, Tax Grid No. 6054-21-043953, in the R1-5 Zoning District, for relief from section 223-17 to extend an existing one-story rear addition to the edge of the house and build second story addition over the existing one-story rear addition, with a proposed 3.4 ft. side yard setback (10 ft. required)

City of Beacon Zoning Board of Appeals Agenda
08/16/2022

Title:

Review and hold Public Hearing on application submitted by Jorge Munera-Rodriguez, 67 Kent Street, Tax Grid No. 6054-21-043953, in the R1-5 Zoning District, for relief from section 223-17 to extend an existing one-story rear addition to the edge of the house and build second story addition over the existing one-story rear addition, with a proposed 3.4 ft. side yard setback (10 ft. required)

ATTACHMENTS

[67 Kent Street ZBA Application.pdf](#)

[PS2207_67 Kent - Zoning Application.pdf](#)

[ZBA Resolution_67 Kent St.pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

OWNER: Jorge Munera-Rodriguez

ADDRESS: 67 Kent St

Beacon, NY 12508

TELEPHONE: 845.728.5074

E-MAIL: munerusa@hotmail.com

APPLICANT (if not owner): —

ADDRESS: —

TELEPHONE: —

E-MAIL: —

REPRESENTED BY: James Petty / Postscript Studio

ADDRESS: 146 Varplack Ave

Beacon, NY 12508

TELEPHONE: 646.883.9708

E-MAIL: james@postscriptstudio.com

PROPERTY LOCATION: 67 Kent St

ZONING DISTRICT: R1-5

TAX MAP DESIGNATION: SECTION 6054

BLOCK 21 LOT 043953

Section of Zoning Code appealed from or Interpretation desired:

Relist from 223-A-Side Yard Setback. Existing house and extension
3.4 feet from property line.

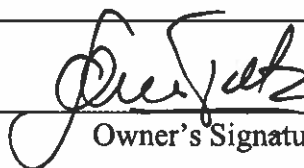
Reason supporting request:

Existing basement steps, flue, and internal stair location makes other
options not feasible.

Supporting documents submitted herewith: Site Plan, Survey, etc. as required:

axonometrics, site plan, survey, elevations

Date: 5/31/22



Owner's Signature

Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250

Applicant's Signature

****escrow fees may apply if required by Chairman****

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Jorge Munera-Rodriguez

If owned by a corporation, partnership or organization, please list names of persons holding over 5% interest.

List all properties in the City of Beacon that you hold a 5% interest in:

Applicant Address: 67 Kent St Beacon, NY 12508

Project Address: 67 Kent St Beacon, NY 12508

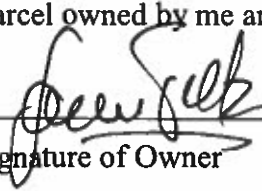
Project Tax Grid # 130200-6054-21-043953

Type of Application Area Variance

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

I, Jorge Munera-Rodriguez, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon X
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon
3. ALL tax payments due to the City of Beacon are current X
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current X


Signature of Owner

Title if owner is corporation

Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)

ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)

ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO	YES	Initial
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

Telephone (845) 838-5000 • <http://cityofbeacon.org/>

INDIVIDUAL DISCLOSURE FORM

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any person(s))

Disclosure of the names and addresses of all persons filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A

Name of Applicant: Jorge Munera-Rodriguez
 Address of Applicant: 67 Kent St Beacon NY 12508
 Telephone Contact Information: 845.728.5074

SECTION B. List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Jorge Munera Rodriguez	67 Kent St Beacon, NY 12508	845.728.5074	6.20.2007 Purchased	06.25.2007 Dutchess County
Ekira Gomez-Barrrios	67 Kent St Beacon, NY 12508	845.728.5074	6.20.07 Purchased	06.25.07 Dutchess County

SECTION B. Is any owner of record an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☒

YES

☐

NO

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship
Beacon School District	Custodian	10 - 2005	Owner

SECTION C. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application.

SECTION D. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐

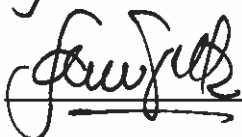
YES

☒

NO

I, Jorge Munoz-Rodriguez being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Jorge Munoz

(Signature) 

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information							
Name of Action or Project: Expansion of 67 Kent Street							
Project Location (describe, and attach a location map): 67 Kent Street, Beacon NY 12508							
Brief Description of Proposed Action: The residence will be expanded above the existing footprint as well as six feet to the north.							
Name of Applicant or Sponsor: James Petty // Postscript Studio		Telephone: 646.883.9708					
		E-Mail: james@postscriptstudio.com					
Address: 146 Verplanck Ave							
City/PO: Beacon		State: NY	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: City of Beacon Planning Board - Subdivision Application			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action?		0.12 acres					
b. Total acreage to be physically disturbed?		0.01 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.12 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO ☐	YES ☒	N/A ☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO ☒	YES ☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	☐	☒	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	☐	☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: The proposed house will exceed New York State energy codes.	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO ☐	YES ☒	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO ☒	YES ☐	
b. Is the proposed action located in an archeological sensitive area?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO ☒	YES ☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	☒	☐	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Indiana Bat	NO ☐	YES ☒	
16. Is the project site located in the 100 year flood plain?	NO ☒	YES ☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☒ NO ☐ YES	NO ☐	YES ☒	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	☒ NO ☐ YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>James Petty // Postscript Studio</u>		Date: <u>05/30/2022</u>
Signature: _____		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☐	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☐	☐
3. Will the proposed action impair the character or quality of the existing community?	☐	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☐	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☐	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☐	☐
7. Will the proposed action impact existing:	☐	☐
a. public / private water supplies?	☐	☐
b. public / private wastewater treatment utilities?	☐	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☐	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☐	☐

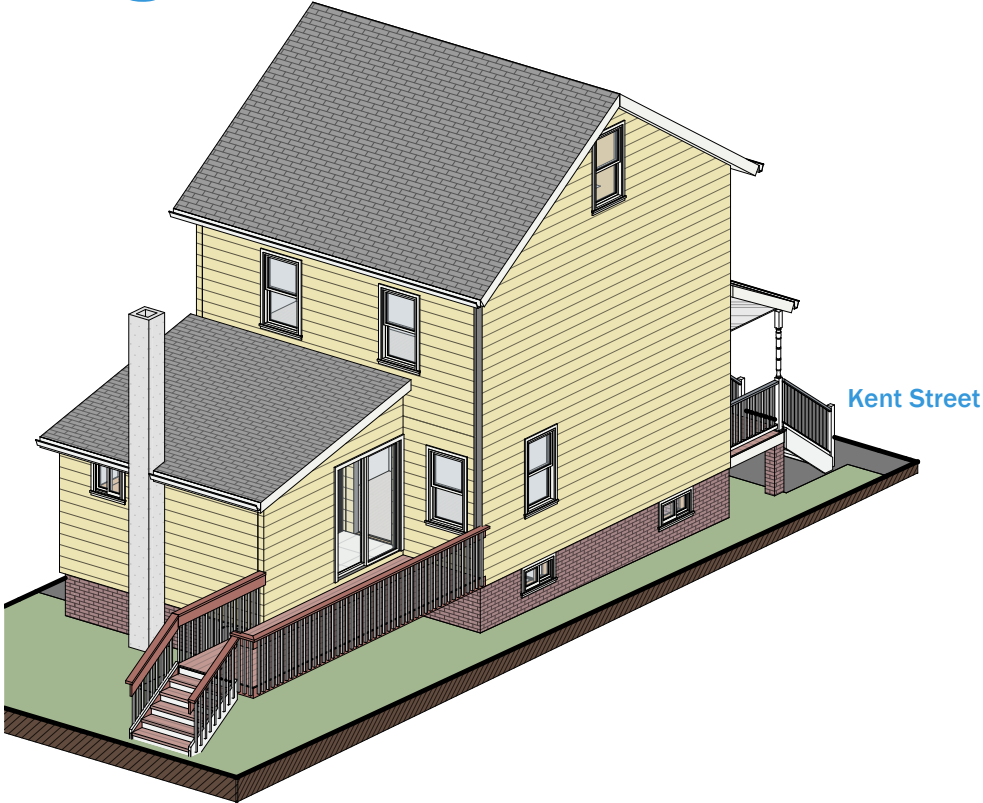
	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☐	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☐	☐

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

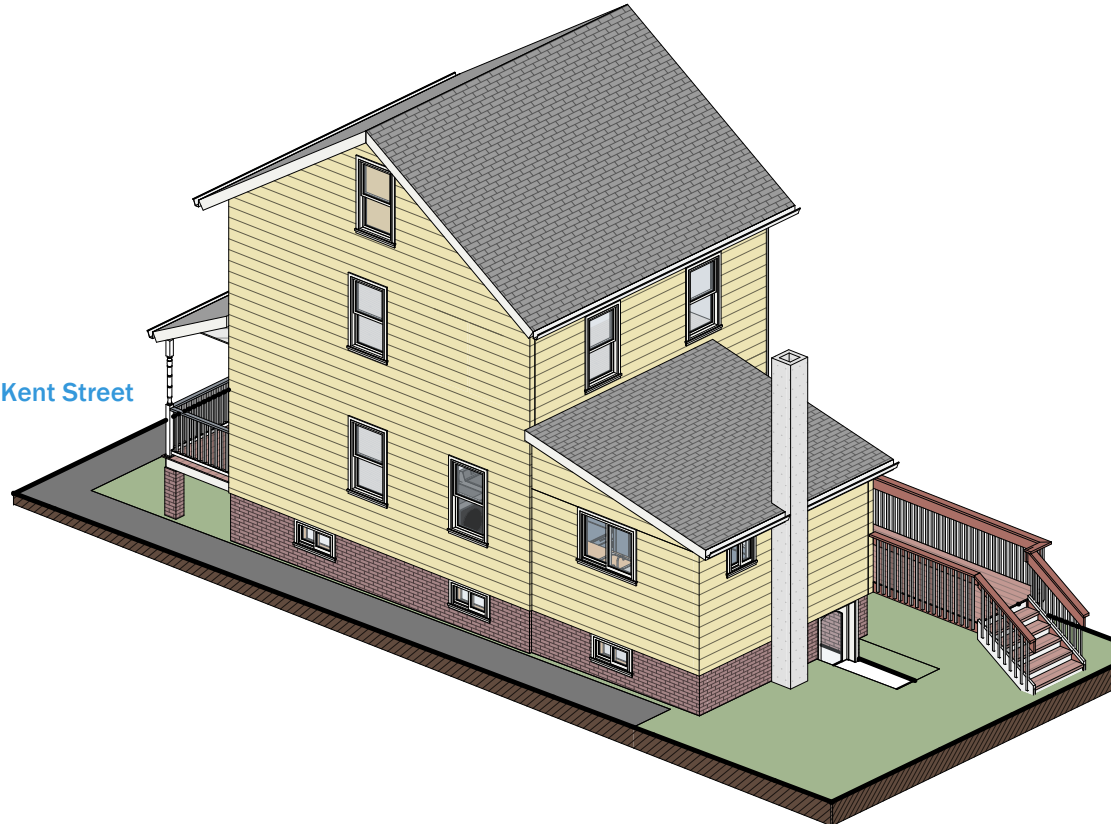
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
☐	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Name of Lead Agency Date	
Print or Type Name of Responsible Officer in Lead Agency Title of Responsible Officer	
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from Responsible Officer)	

PRINT

Existing

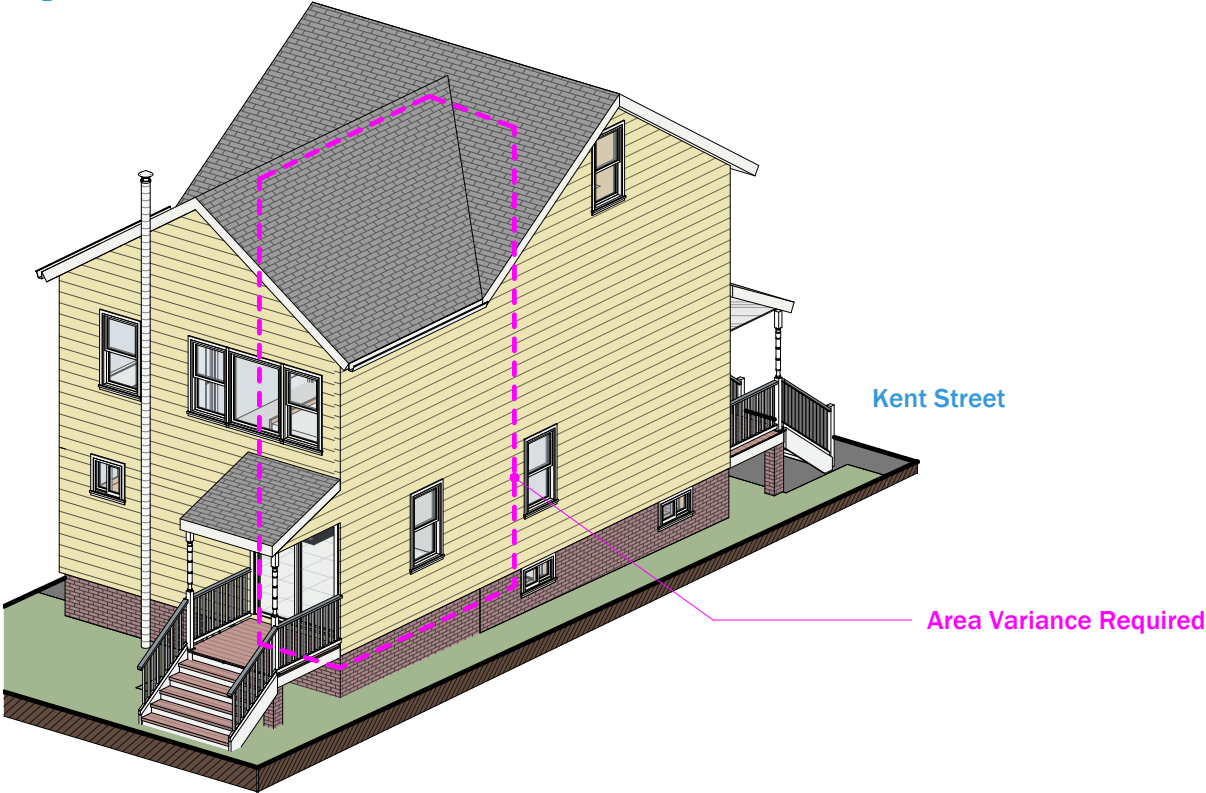


1 Existing Residence - Zoning Axo - North
SCALE:

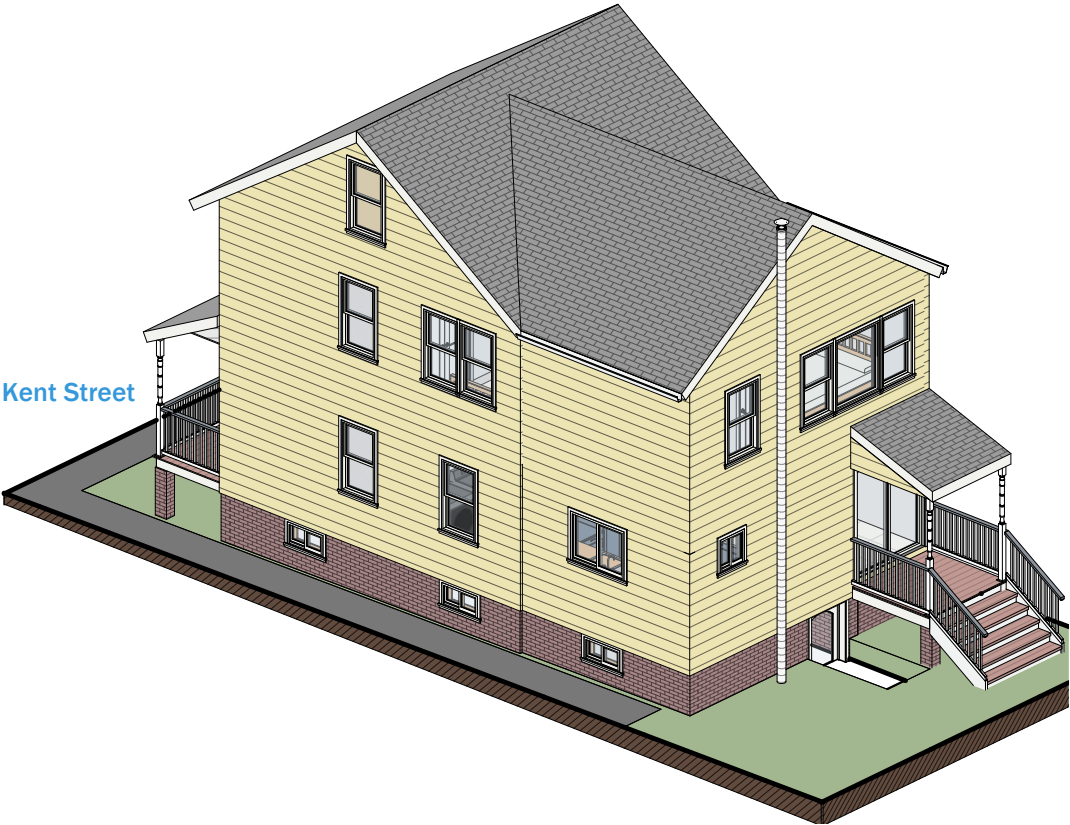


2 Existing Residence - Zoning Axo - South
SCALE:

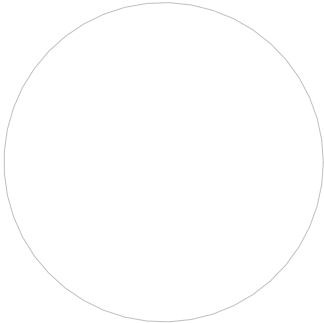
Proposed



3 Proposed Residence - Zoning Axo - North
SCALE:



4 Proposed Residence - Zoning Axo - South
SCALE:



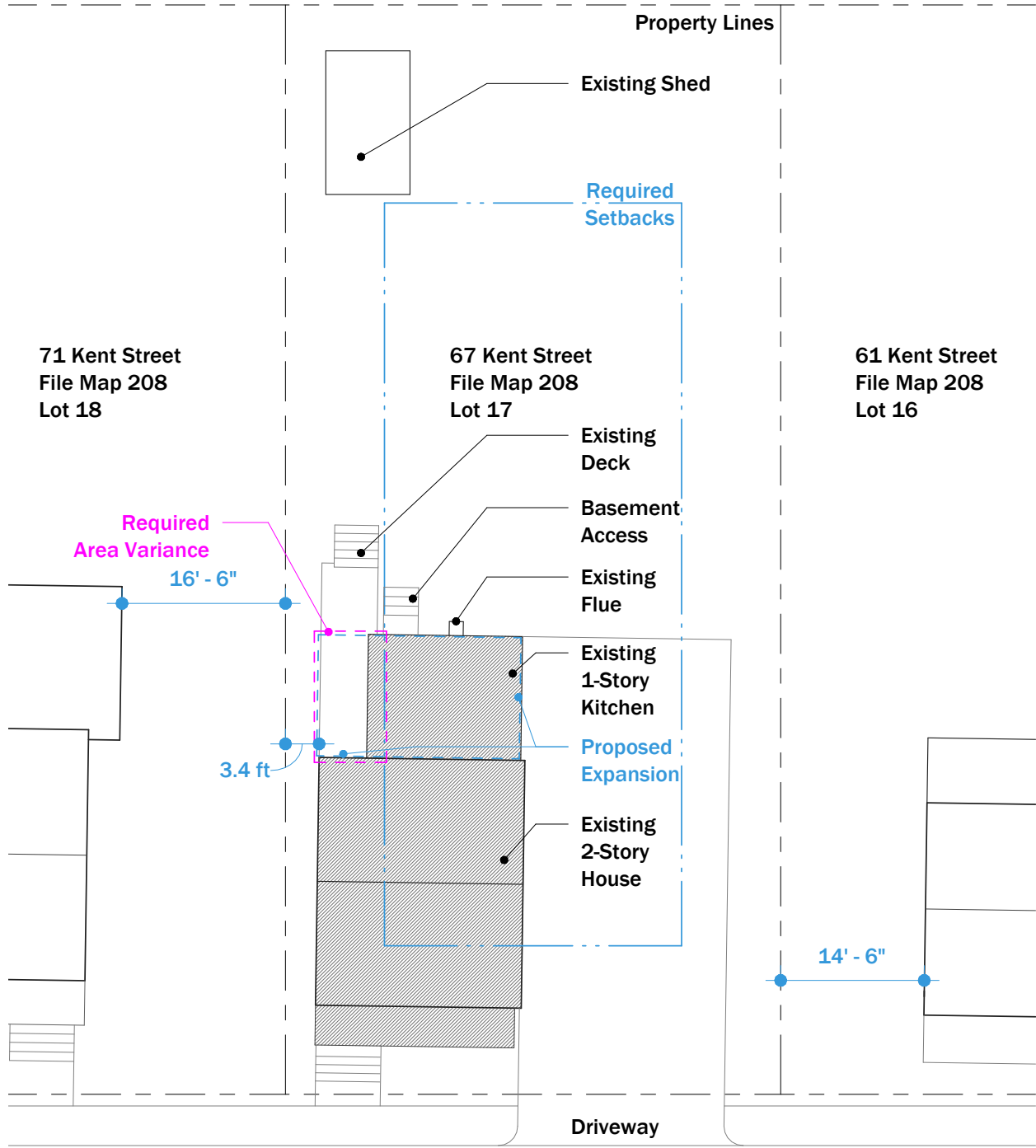
Axonometrics

SCALE:

Z0.0

DRAWN BY: J.Petty

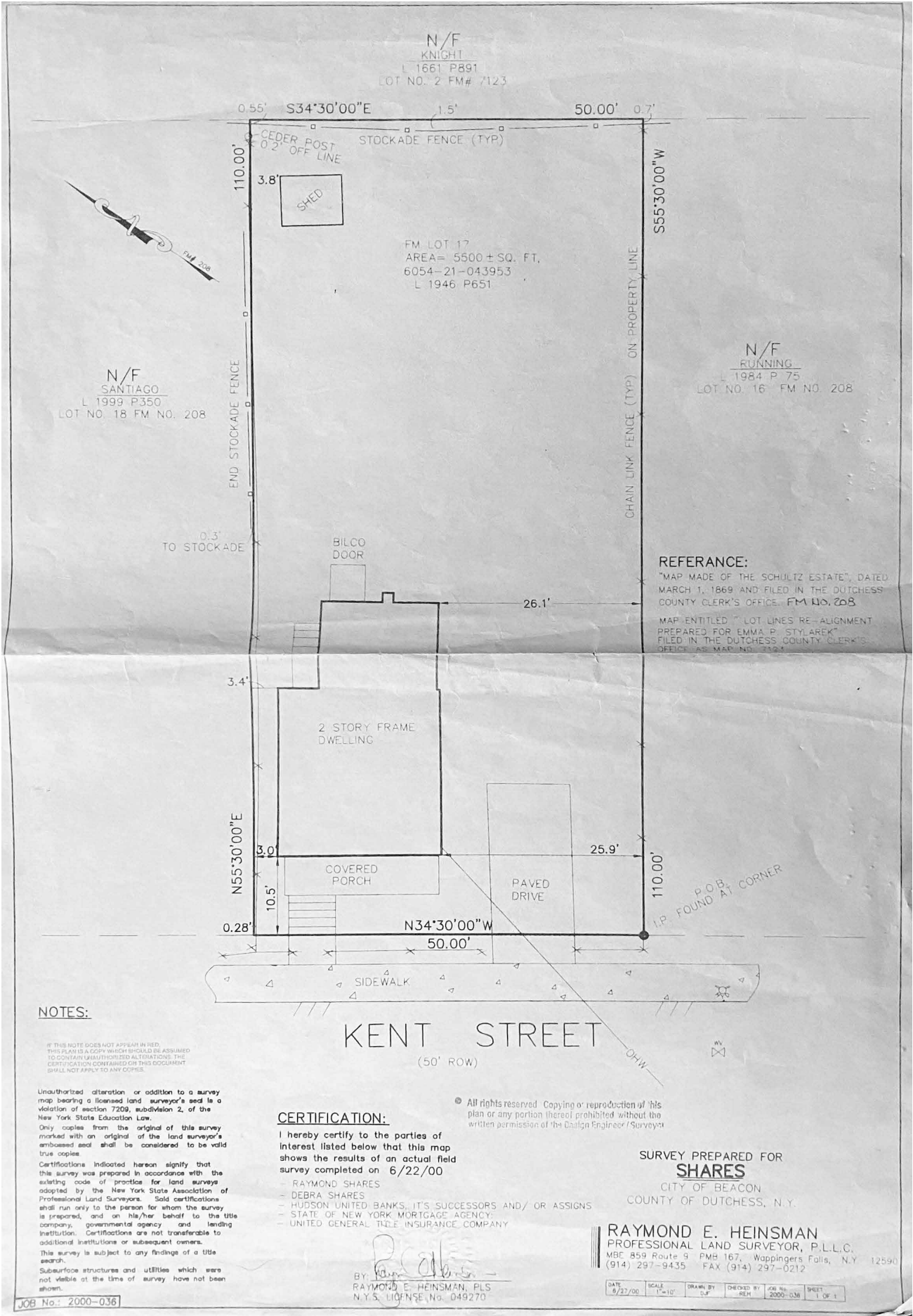
§ 223-17. Schedule of Dimensional Regulations									
Zoning District	Minimum Lot Size Area			Minimum Yards			Maximum Height (stories/ft)	Max Coverage	
	Area (sq ft)	Width (ft)	Depth (ft)	Front (ft)	Side (ft)	Rear (ft)		Multifamily	All Other
R1-5	5,000	50	100	15	10	20	2.5/35	N.A.	-
67 Kent Street	Complies	Complies	Complies	Existing Non-Compliant	Variance Required	Complies	Complies	N.A.	Complies



1

Zoning Site Plan
SCALE: 1/16" = 1'-0"

Kent Street

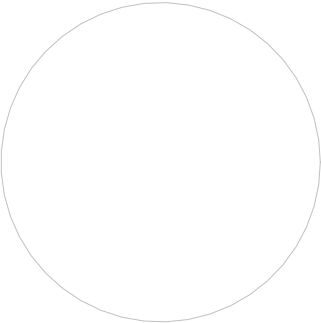


PS
postscript
studio

646.883.9708
Beacon, New York
ps@postscriptstudio.com

PROJECT:
67 Kent St
Beacon, New York

DATE: 05/31/22
PROJECT NO 2207

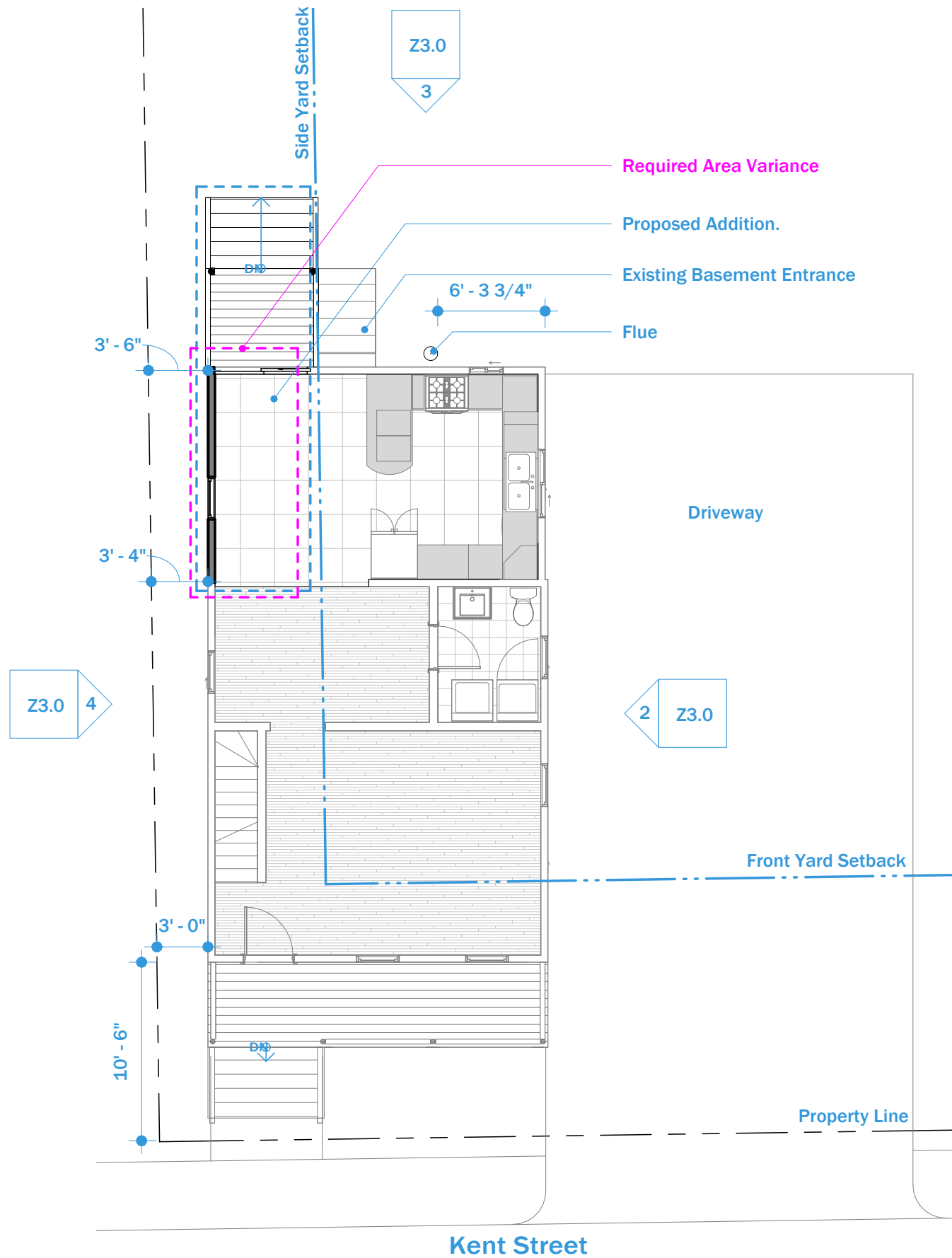


Site Plan

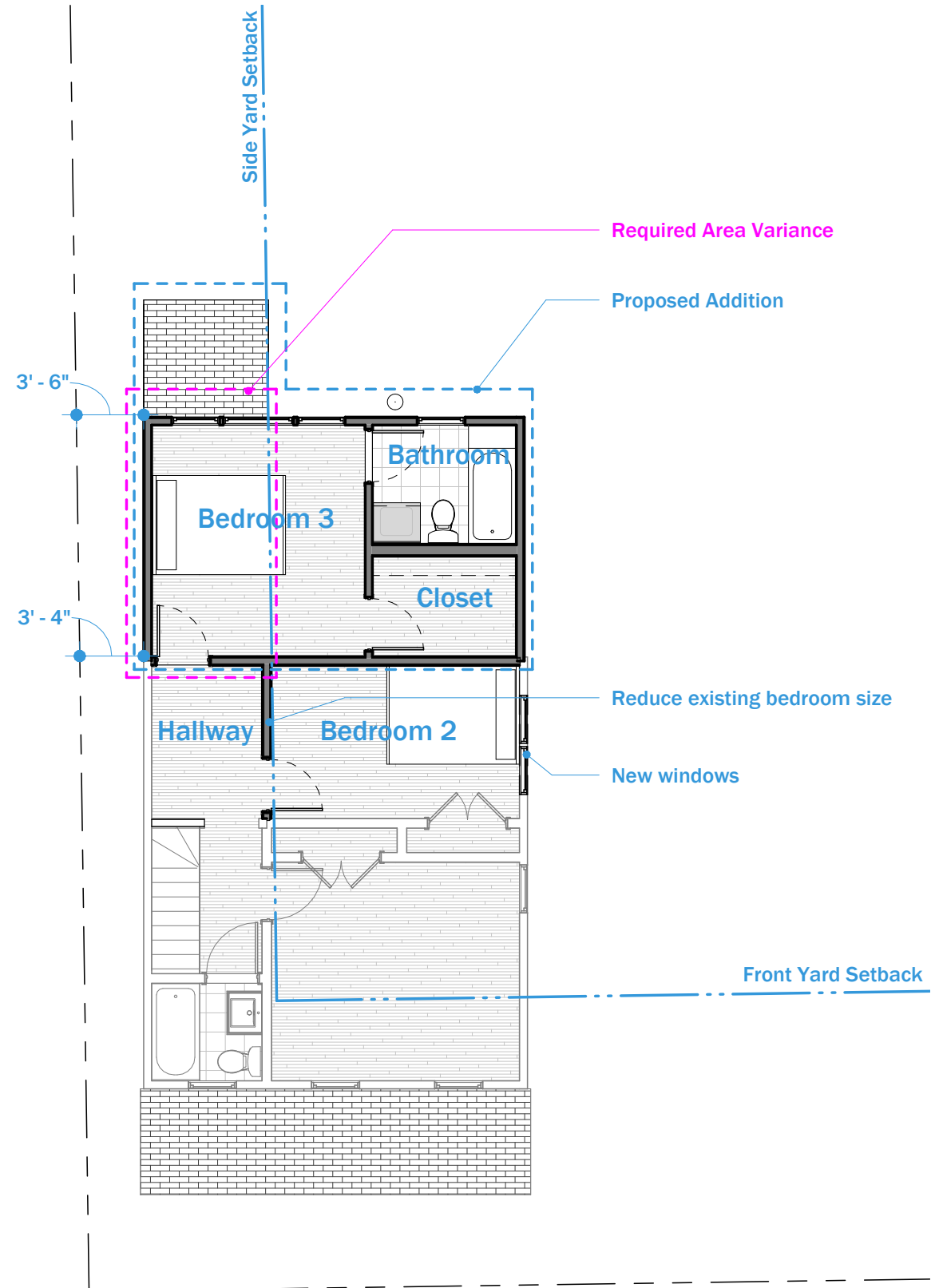
SCALE: 1/16" = 1'-0"

Z1.0

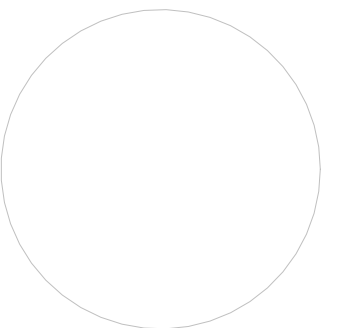
DRAWN BY: J.Petty

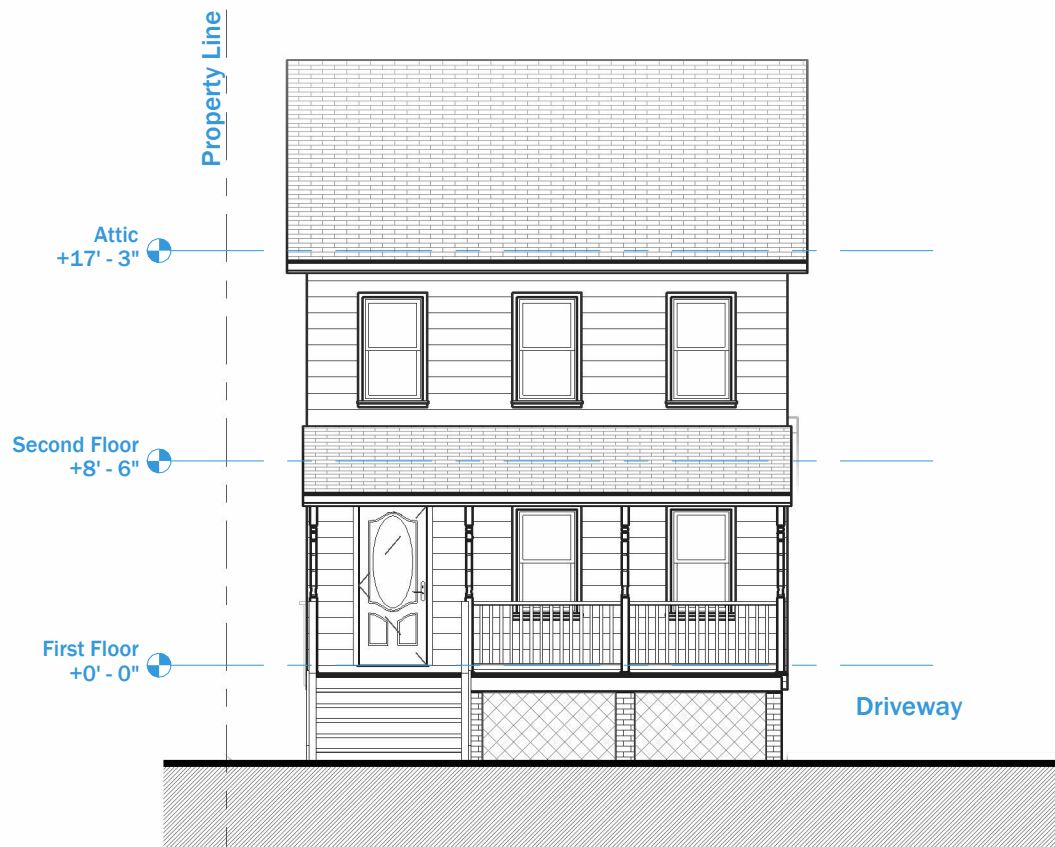


1 First Floor Plan
SCALE: 1/8" = 1'-0"

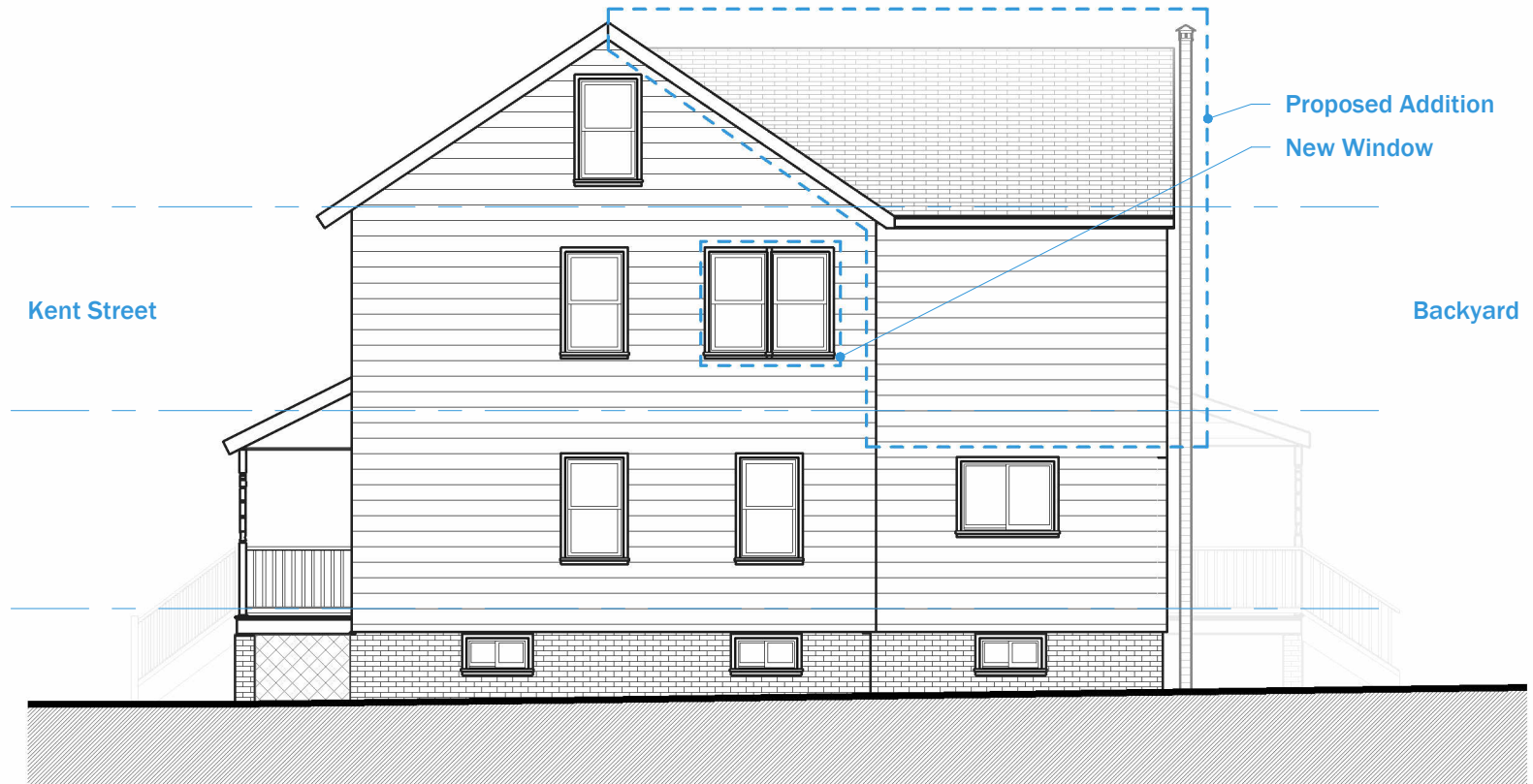


2 Proposed Second Floor
SCALE: 1/8" = 1'-0"

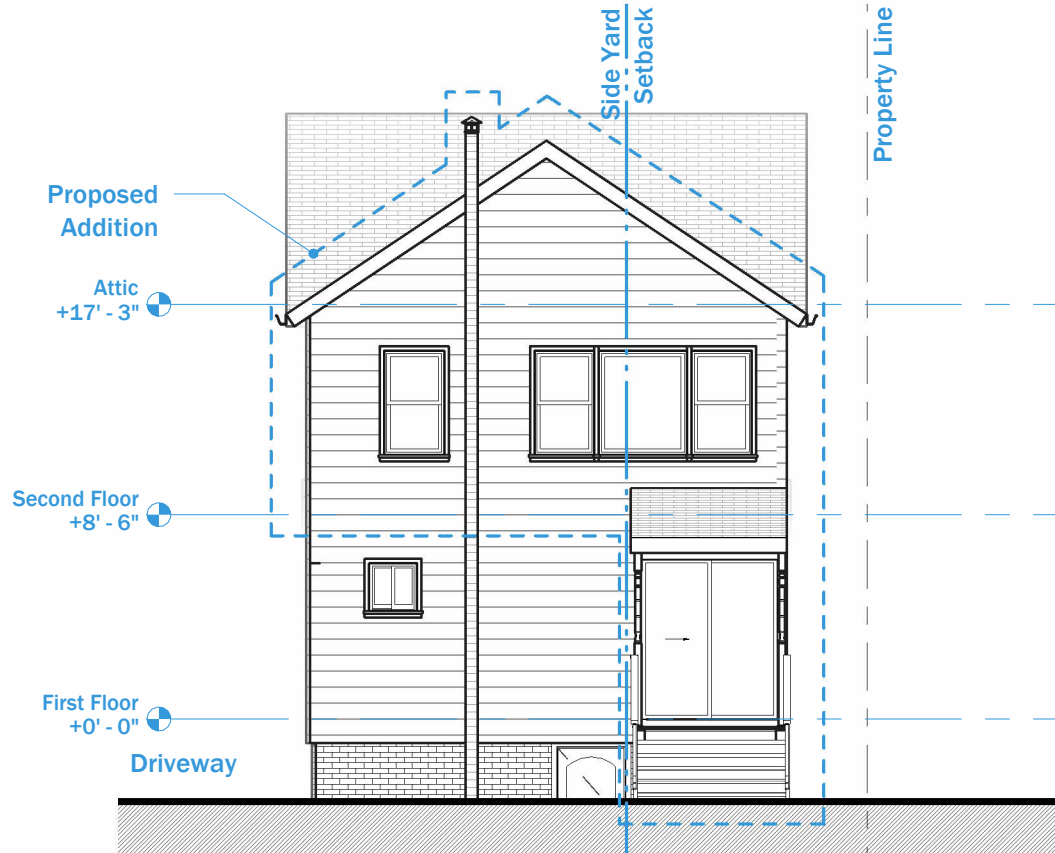




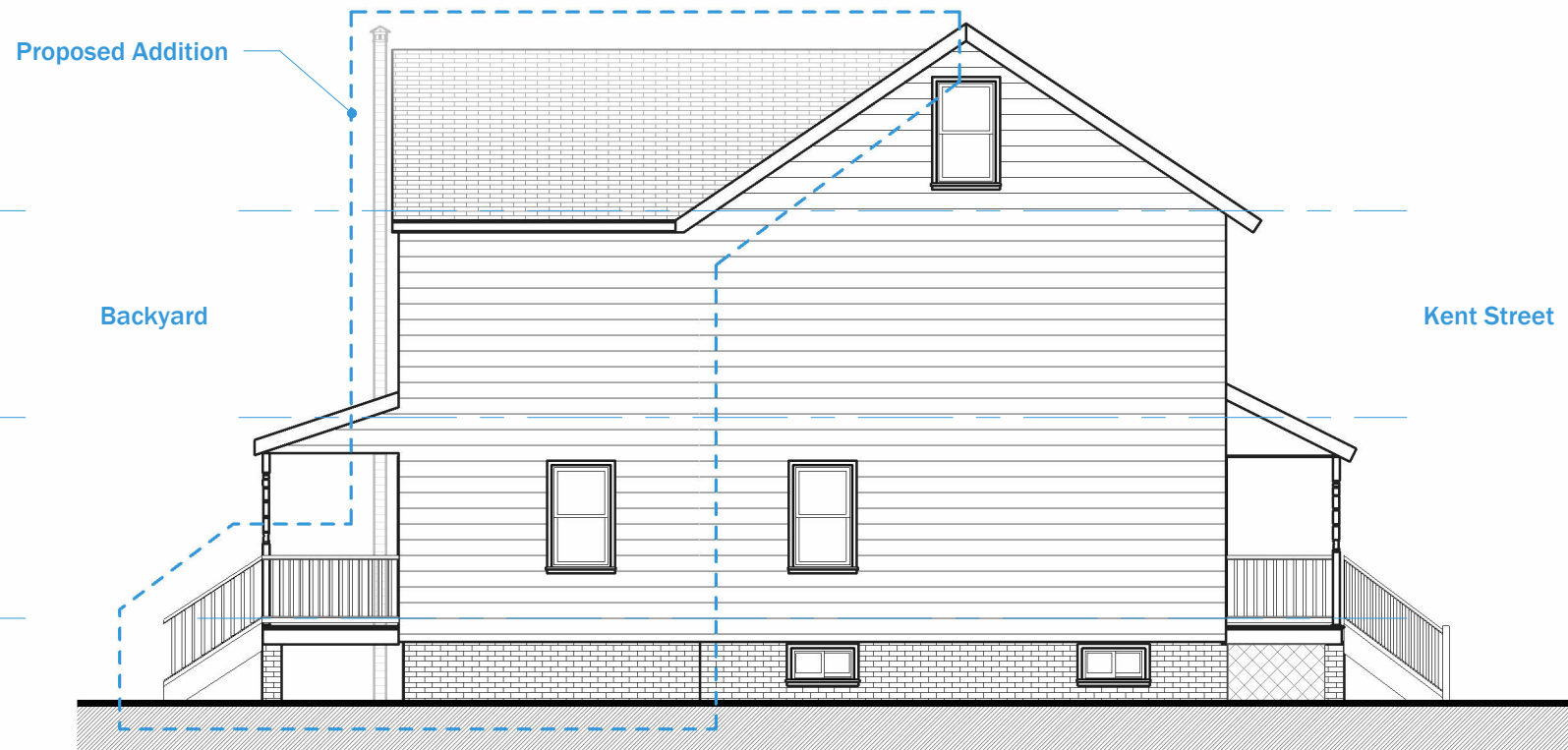
1 Proposed Front Elevation
SCALE: 1/8" = 1'-0"



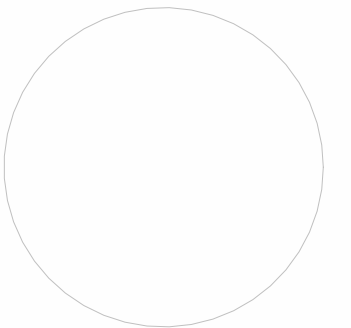
2 Proposed South Elevation
SCALE: 1/8" = 1'-0"



3 Proposed Rear Elevation
SCALE: 1/8" = 1'-0"



4 Proposed North Elevation
SCALE: 1/8" = 1'-0"



Elevations

SCALE: 1/8" = 1'-0"

Z3.0

DRAWN BY: J.Petty

CITY OF BEACON
ZONING BOARD OF APPEALS

RESOLUTION
Parcel ID# 6054-21-043953

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by **Jorge Munera-Rodriguez** (the “Applicant”) for a 6.6 foot side yard setback variance where the minimum required side yard setback is 10 feet pursuant to City Code §§ 223-17(D) and 223 Attachment 1 to construct an addition with a proposed side yard setback of 3.4 feet on property located at 67 Kent Street in the R1-5 Zoning District. Said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 6054-21-043953** (the “Property”); and

WHEREAS, a duly advertised public hearing on the application was held on August 16, 2022, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on August 16, 2022; and

WHEREAS, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, and accordingly, no further environmental review is required; and

WHEREAS, the Board considered the benefit to the Applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

NOW, THEREFORE, BE IT RESOLVED, that the Board, from the application, considered each of the factors set forth at Section 81-b(4)(b) of the General City Law and found, with respect to those considerations, as follows:

- 1) As to whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance, the Board found that....
- 2) As to whether the benefit the Applicant seeks can be achieved through another method, feasible for the Applicant to pursue, that does not require the area variance, the Board found that...

- 3) As to whether the requested variance is substantial, the Board found that...
- 4) As to whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, the Board found that
- 5) As to whether the alleged difficulty is self-created, the Board found that ...

BE IT FURTHER RESOLVED, that the Board finds that the requested variance [IS/IS NOT] the minimum variance necessary and adequate to preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

BE IT FURTHER RESOLVED, that said application for a 6.6 foot side yard setback variance where the minimum required side yard setback is 10 feet pursuant to City Code §§ 223-17(D) and 223 Attachment 1 to construct an addition with a proposed side yard setback of 3.4 feet on property located at 67 Kent Street, is hereby [GRANTED/DENIED], subject to the following conditions:

1. No permit or certificate of occupancy shall be issued until the Applicant has paid in full all application and consultant fees incurred by the City in connection with the review of this application.
2. The variance shall be void if the Applicant fails to (i) obtain a building permit within six months from the date of this Resolution; (ii) commence construction within six months following the date of issuance of the building permit; or (iii) complete construction and obtain a certificate of occupancy within 24 months after the date of issuance of said building permit.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals may grant a six month extension of the variance provided that a written request for an extension is submitted before the variance expire. Such extension shall only be granted upon a showing by the Applicant that the circumstances and conditions upon which the variance were originally granted have not substantially changed.

Dated: August 16, 2022

Mr. David Jensen, Chairman

Chairman Jensen called the roll:

Motion	Second	Zoning Board Member	Aye	Nay
		David Jensen		
		Judy Smith		
		Montos Vakirtzis		
		Jordan Haug		
		Elaine Ciaccio		
		Motion Carried		