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 Dan Aymar-Blair, Ward 4
City Administrator Chris White

July 15, 2024
8:00 PM
City Council Agenda

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing on a Proposed Local Law Concerning Parking Requirements

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 69 - Appointing Thomas Durkin to the Position of Police Detective Sergeant
2. Resolution No. 70 - Appointing Kelvin Grey to the Position of Police Sergeant
3. Resolution No. 71 - Referring an Amended Concept Plan for 248 Tioronda Avenue to the Planning Board
4. Resolution No. 72 - Setting a Public Hearing for Proposed Local Law No. 5 of 2024 Concerning Prohibition of Eviction Without Good Cause
5. Resolution No. 73 - Referring Proposed Local Law No. 6 of 2024 Concerning Soil Stabilization to the City of Beacon and Dutchess County Planning Boards
6. Resolution No. 74 - Referring Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations for the Transitional District to the City of Beacon and Dutchess County Planning Boards

Approval of Minutes

1. June 1, 2024 Minutes

Public Comment - Second Opportunity

Announcement of Next Meeting: August 5, 2024 at 7:00 p.m. (Workshop) & 8:00 p.m. (Meeting)

Executive Session

1. Executive Session: Real Estate

Adjournment

City of Beacon City Council Agenda
07/15/2024

Title:

Public Hearing on a Proposed Local Law Concerning Parking Requirements

ATTACHMENTS

Proposed Local Law Concerning Parking Requirements

Proposed Local Law Concerning Parking Requirements - SEAF Part 1

Proposed Local Law Concerning Parking Requirements - SEAF Part 1, Narrative

Dutchess County Department of Planning and Development Memorandum on a Proposed Local Law Concerning Parking Requirements

LOCAL LAW NO. _ OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW TO AMEND PARKING REQUIREMENTS IN THE CITY OF BEACON

A LOCAL LAW to amend the Beacon City Zoning Code concerning parking requirements.

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 223-26, entitled "Off-street parking, loading and vehicular access" is hereby amended as follows:

§ 223-26 **Off-street parking, loading and vehicular access.**

A. General.

~~All structures and land uses hereafter erected, enlarged, created or extended shall be provided with the amount of off-street automobile parking space and loading and unloading space required by the terms of this section to meet the needs of persons making use of such structures or land.~~ A permit for the erection, replacement, reconstruction, extension or substantial alteration of a structure or the development of a land use shall not be issued unless off-street automobile parking ~~facilities~~ areas or structures and, where ~~required~~ appropriate loading and unloading spaces ~~shall have been laid out in plan in accordance~~are consistent with the ~~appropriate requirements for structures and uses as set forth~~provisions in this section~~, and such required parking and loading facilities shall be completed before a certificate of occupancy shall be issued. As used herein, "parking facilities" shall be construed to include loading and unloading spaces required by this section~~.

~~(1) In case of exceptional difficulty or unusual hardship to such properties arising out of the requirements of this section, the Board of Appeals may reduce the parking requirements but shall require such degree of compliance as it may deem reasonable for that part of the structure or use that is legally nonconforming and shall not waive any part of the requirement for that part of the structure or use that constitutes an enlargement or expansion and shall not permit reduction or elimination of whatever quantity of parking may already exist, unless it is in excess of requirements.~~

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~~(2) Required off-street parking facilities which, after development, are later dedicated to and accepted by the City shall be deemed to continue to serve the uses or structures for which they were originally provided.~~

~~B. Effect on existing uses.~~

~~(1) Structures and land uses in existence on April 20, 1964, or structures and uses for which building permits had been approved on or before said date, shall not be subject to the requirements set forth in this section, unless there shall occur an increased intensity of use, provided that any parking facilities now existing to serve such structures or uses shall not in the future be reduced, except where they exceed such requirement, in which case they may not be reduced below such requirement.~~

~~(2) Whenever a building or structure erected prior to or after April 20, 1964, or any land use shall undergo any increase in intensity of use in the number of dwelling units, floor area, seating capacity, number of employees or other unit of measurement specified hereinafter for required parking facilities, or from other causes, and further when said increase would result in a requirement for additional parking facilities through application of the Schedule of Off-Street Parking Requirements (Subsection F), additional parking facilities shall be provided accordingly, except that no building or structure erected prior to said date shall be required to provide parking facilities unless the aforesaid additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of said date, in which case parking spaces shall be provided on the basis of the total units of measurements of the new use or of the alteration or expansion of the existing use.~~

~~C.~~B. Location, use, design, construction and maintenance.

(1) Location. ~~The~~Except as provided elsewhere under the City Code, any approved off-street parking ~~facilities~~ area or structure ~~which are required by this section~~ shall be provided on the same lot or premises with such structure or land use; ~~except~~ unless ~~that~~ such off-street parking spaces ~~required~~ for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that an easement or deed restriction(s) ~~binding agreement~~, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility.

~~(1)~~(2) In any residence district, no designated off-street parking ~~facility~~ area or structure shall be developed in any ~~required~~ front yard forward of the principal building, except as approved by the Building Inspector or Planning Board for an unusual lot configuration. Nor shall any ~~residence district~~ off-street parking area or structure be developed in a residence district ~~or~~ in any ~~required~~ minimum side or

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rear yard setback adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in § **223-17C**.

~~(2)~~(3) Parking specifications.

(a) Each parking space provided in an unenclosed area shall be at least nine feet wide and at least 18 feet long, except that the Planning Board, in approving a plan under § **223-25**, may permit that portion of the total ~~required~~ parking which is specifically set aside for and limited to employee parking to have a width of at least 8 1/2 feet and a depth of at least 18 feet. This possible exception shall not be permitted in the CMS District.

(b) Each parking space which is bordered by walls or columns on two or more sides shall be not less than 10 feet wide nor less than 18 feet long. Enclosed or garaged parking areas shall not contain any columns, walls or other obstacles which would prevent or obstruct the use of any parking space.

(c) Except for one-family and two-family dwellings, ~~The~~ the maneuvering area needed to permit parked vehicles to enter and exit off-street parking spaces shall have a width of at least 24 feet, ~~except~~ unless ~~where~~ the Planning Board approves a lesser distance as adequate for areas with parallel or angled parking spaces.

(4) Landscaping. Except for parking spaces accessory to a one-family and two-family dwellings and accessory apartment dwelling units subject to approval by the Building Inspector, all off-street parking areas shall be landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe, convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris. The property owner shall have an obligation to maintain and replace any landscaping which dies or becomes unsightly.

~~(d)~~(a) At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each ~~10~~ 8 parking spaces.

~~(e)~~(b) Wherever possible, planting islands, at least eight feet in width, shall be provided to guide vehicle movement and to separate opposing rows of parking spaces so as to provide adequate space for plant growth, pedestrian circulation and vehicle overhang. Such planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances

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and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse of a large parking area.

~~(f)~~(c) The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.

(d) No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive ~~30~~ 25 feet distant from their point of intersection.

~~(g) Such property owner shall have an obligation to maintain and replace any landscaping which dies or becomes unsightly.~~

~~(3)~~(5) Grades, drainage, paving and marking. All ~~proposed and required~~ ~~approved~~ parking ~~facilities~~areas and structures, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter **190**, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or excessive water flow across public ways or adjacent lands. The drainage analysis for said parking ~~facilities~~ areas or structures shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD Districts and in any multifamily or nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits. Except for one-family or two-family dwellings, the Planning Board shall require green stormwater infrastructure for the development of parking spaces, unless the Applicant establishes to the Planning Board's satisfaction that the underlying soils do not allow natural drainage. Such green stormwater infrastructure is subject to § 190-9.

~~(4)~~(6) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require ~~written assurance and/or deed restrictions~~easements, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking ~~facilities~~areas or structures.

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~~(5)~~(7) Two or more uses on same lot. Where two or more different uses occur on a single lot, ~~the total amount of parking facilities to be provided shall be the sum of the requirements of each individual use on the lot, except that~~ the Planning Board may approve the joint use of parking spaces by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces ~~required~~ needed for each use individually, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum use by patrons or employees at such establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.

~~(6)~~(8) Designed residence and multifamily residence districts.

(a) In RD Districts, in order that some of the ~~required~~ parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the ~~required~~ car spaces for a residential building shall, whenever possible, be directly accessible to a main entrance to that building and within 100 feet of that entrance.

(b) In RD Districts, off-street parking lots shall be located behind, underneath, or to the side of the building, whenever possible. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.

~~(7)~~(9) Off-street parking for private passenger vehicles may be allowed by a special permit from the Planning Board on a vacant lot in a residential district which has a shared parcel line for at least 20 feet with a commercial or industrial district, provided that the off-street parking shall be on a portion of the lot within 200 feet of the commercial or industrial district and that the use shall not include fee-based parking for railroad commuters.

~~D.~~C. Alternatives to providing parking spaces.

(1) Conveyance of land. Where, because of limitations of size, dimensions or topography of a lot, an applicant for a building permit in a business district finds it impractical to provide all or a portion of the off-street parking spaces required by ~~Subsection F hereinthe~~ Planning Board, in connection with a proposed building or addition, ~~he~~ the applicant may grant and convey to the City of Beacon, and the City Council, at its discretion, may accept, appropriately located and developed land for commercial parking as a permitted use equivalent, provided that said land is permanently dedicated to the City.

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~~(1)~~(2) Waiver of improvement. Except within the Central Main Street District, and notwithstanding any other provision of this chapter, the City Council or Planning Board, in reviewing plans submitted in accordance with the provisions of this section or § **223-18** or **223-25**, may waive the initial improvement of up to 50% of the ~~required~~ off-street parking spaces, provided that all of the ~~required~~ spaces are shown on the proposed plan and further provided that suitable agreements, satisfactory to the City Council or Planning Board, are obtained assuring the City that the property owner(s) will be responsible for the construction of such waived spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board.

D. Schedule of Off-Street Parking ~~Requirements~~Standards. ~~Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19.~~

(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, ~~N~~no minimum number of off-street parking spaces are ~~required,~~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. ~~except for one-family and two-family dwellings as well as accessory apartment dwelling units which shall require a minimum of one off-street parking space per dwelling unit.~~

(2) The Planning Board shall determine the appropriate number of off-street~~n-site~~ parking spaces within the range provided in the table at § **223-26.D(4)** as part of 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, ~~walkable~~ 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 ~~requested by the Planning Board and reviewed by the City's consultant~~ 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.

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The following table ~~gives guidance to the Planning Board on~~establishes the range of the minimum and maximum ~~parking allowed~~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 § **223-26.D(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. ~~allowed. ; notwithstanding~~~~Where only maximums are identified, the Planning Board may approve fewer spaces:~~

Schedule of Off-Street Parking Standards*

Building Use	CMS, L, WD		R1, RD, LI, HI, WP, FCD, GB, T[1]	
	Min	Max	Min	Max
Residential (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		Off-street parking requirements for types of which do not fall within the categories listed above shall be determined by the Planning Board or the Building Inspector, as appropriate depending upon the permit or approval sought, upon consideration of relevant factors dictating the parking needs of each such use		

NOTES:
* The calculation of Gross Floor Area ("GFA") shall exclude utility space
* Up to 30% of the provided parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board
1. 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.

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Use	Minimum Maximum Off-Street Parking
1- and 2-family dwelling	2 spaces 3 spaces for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional home office or home occupation permitted in a residential district	2 spaces in addition to spaces required for the residential use, except that there shall be a maximum 4 spaces for each medical or dental practitioner in addition to spaces required for the residential use
Bed-and-breakfast establishment	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel or inn	Subject to § **223-14.1C** 1 for each hotel guest room, plus 1 for each employee on site at any one time
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, in places or, in places without seats, 1 space for each 100 square feet of floor space used for public assembly
Nursery school or day-care center	1 per employee plus 1 per classroom
Primary or secondary school	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater

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Use	Minimum Maximum Off-Street Parking
Dance, art, tutorial, martial arts or similar instructional school	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, including medical, nursing and service staff employed at the same time when the building is operating at full capacity
Golf and country club	1 space for each 2 memberships
Bowling alley or other place of indoor commercial recreation or public amusement	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area, whichever is greater
Retail or service business, including auction gallery	1 space for each 200 250 square feet of gross floor area, excluding utility areas
Restaurant or coffee house	1 space for each 3 patron seats or 1 space for each 150 200 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Office for business or professional use (other than accessory to residential use)	1 space for each 200 300 square feet of gross floor area, excluding utility areas
Banking office	1 space for each 200 300 square feet of gross floor area, excluding utility areas

DRAFT

Use	Minimum Maximum Off-Street Parking
Funeral home or undertaking establishment	10 spaces per establishment, plus 1 space per employee
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Animal care facility	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	Subject to § **223-21F** 1 space per each two persons working at the same time at full capacity or 1 space for each 400 square feet of gross floor area, whichever is greater
Research or development laboratory	1 space per employee, but not less than or 1 space per 600 square feet of gross floor space
Manufacturing or industrial use	1 space per 2 employees but not less than or 1 space per 400 square feet of gross floor space
Wholesale, warehouse storage, utility or other similar commercial use	1 space per employee but not less than or 1 space per 1,000 square feet of gross floor space
Self-storage facility	1 space per 10,000 square feet of gross floor space, plus one space per employee

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Use	Minimum Maximum Off-Street Parking
Senior housing	2 spaces for each 3 dwelling units
Museums located within walking distance (3,000 feet) of entrance to train station	1 parking space per 3,000 feet of gross floor space
Artist studio	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space	1 space for each 250 square feet of gross floor area
Bar or brew pub	1 space for each 3 patron seats or 1 space for each 250 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Microbrewery or microdistillery	1 space for each employee on the largest shift, plus 1 space for each 3-patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum	1 space for each 300 500 square feet of gross floor area
Other uses not listed	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board or the Building Inspector, as the case may be, upon consideration of relevant factors entering into the parking needs of each such use

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~~Use~~ ~~Minimum~~ Maximum ~~Off-Street Parking~~

~~(1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose.~~

E. Operation and maintenance of off-street parking ~~facilities~~areas and structures. ~~Required~~ ~~Approved o~~Off-street parking ~~facilities~~ areas or structures shall be maintained as long as the use of the structure exists which the ~~facilities~~ parking areas or structures are designed to serve. ~~Required~~ Designated parking areas developed for specific structures and uses shall be reserved at all times to those persons who are employed at or make use of such structures and land uses, except when dedicated to and accepted by the City as public parking areas.

F. Off-street loading requirements. Off-street loading and unloading facilities ~~shall be located on the same site with the use to be served, except as provided in Subsection C(1), and~~ shall be provided as follows:

...

(2) ~~Required number~~ Number of spaces. The Planning Board shall determine the location (on-site or off-site) and appropriate number of ~~on-site~~ loading spaces as part of site plan approval and based on the context of the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, a professional study ~~prepared~~submitted by the applicant, and input from any public hearing.

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~~(a) For retail and/or service business establishments: a minimum of one space for the first 7,500 square feet or major portion thereof, plus one space for each additional 10,000 square feet of gross floor area or major portion thereof, except that no berths shall be required for buildings with a gross floor area of less than 5,000 square feet.~~

~~(b) For office establishments: a minimum of one space for the first 20,000 square feet of gross floor area or major portion thereof, plus one space for each additional 40,000 square feet of gross floor area or major portion thereof, except that no berths are required for buildings of less than 10,000 square feet of gross floor area.~~

~~(c) For research establishments: a minimum of one space for the first 12,000 square feet of gross floor area of building or major portion thereof, plus one space for each additional 20,000 square feet of gross floor area or major portion thereof.~~

~~(d) For wholesale business, industry, storage, warehouses and other commercial establishments: a minimum of one space for each establishment, plus one space for each 10,000 square feet of gross floor area or major portion thereof.~~

~~(e) For nursing homes: a minimum of one space for each establishment.~~

~~(f) For museums, a minimum of one space for each establishment.~~

~~(g) Other uses which do not fall within the categories listed above shall be determined by the City Council and adopted as an amendment to this section.~~

G. Driveways. For reasons of traffic and pedestrian safety, both on and off street, as well as to provide for possible future road widening or other improvements, all new driveways and sidewalk crossings entering onto any street shall comply with all requirements of Chapter **100**, Driveways, and shall be subject to the approval of the Highway Superintendent, except where such are part of a use subject to special permit or site development plan approval, in accordance with §§ **223-18** and **223-25**, in which case they shall be subject to approval by the Planning Board and/or City Council.

Section 2. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-14.1, entitled "Hotels," Subsection C is hereby amended as follows:

§ 223-14.1 **Hotels.**

…

C. ~~Minimum O~~off-street parking shall be in accordance with § 223-26.

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~~(1) For hotel rooms: One parking space shall be provided for each hotel guest room.~~

~~(2) For restaurants, bars and other public rooms, and for recreation facilities and other permitted uses, other than lobbies: The number of parking spaces required in accordance with § 223-26 of this chapter shall be provided.~~

~~For employees: One parking space shall be provided for each employee for the maximum number of employees working at the hotel at any one time.~~

…

Section 3. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-21, entitled "Car washes," Subsection F(1) is hereby amended as follows:

§ 223-21 **Car washes.**

…

F. Off-street parking ~~requirements~~ shall be provided in accordance with § 223-26.~~as follows:~~

~~(1) One space per each two persons employed at the same time when the building is operating at full capacity or one space for each 400 square feet of gross floor area, whichever is greater.Off-street parking shall be in accordance with § 223-26.~~

…

Section 4. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-22, entitled "Nursing homes," Subsection D(1) is hereby amended as follows:

§ 223-22 **Nursing homes.**

…

(1) Off-street parking shall be provided in accordance with § 223-26.~~.~~

~~(2) One off-street parking space shall be required for each three resident persons and one for each person employed at the same time when the building is operating at full capacity, including staff doctors.Off-street parking shall be in accordance with § 223-26.~~

…

Section 5. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-25, entitled "Site development plan approval," Subsection A, is hereby amended as follows:

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§ 223-25 **Site development plan approval.**

A. Approval required. No building permit shall be issued, other than for interior alterations, and no change in type of use, as categorized in § 223-26DF hereof, shall be permitted, other than one-family dwellings, except in conformity with an approved site development plan, and no certificate of occupancy for such structure or use shall be issued until all the requirements for such approval and any conditions attached thereto have been met. The continued validity of any certificate of occupancy shall be subject to continued conformance with such approved plan and conditions. Revisions of such plans shall be subject to the same approval procedure.

Section 6. Chapter 223 of the City Code of the City of Beacon, Article IVA, Waterfront Zones, Section 223-41.3, entitled "Waterfront Park (WP) Zone," Subsection J(11) is hereby amended as follows:

§ 223-41.3 **Waterfront Park (WP) Zone.**

…

J. Waterfront ~~park~~ Park standards. Because the Waterfront Park area is a central element in the City's waterfront, it is essential that any proposed site plans meet the following standards:

…

(11) Off-street parking and loading~~:~~ shall be provided in accordance with § 223-26.

…

~~Parking requirements~~~~shall be in accordance with § 223-26.~~

~~[1] Marina: 1/2 space per slip or dry rack storage unit.~~

~~[2] Museums, educational facilities, auditorium, athletic field or other place of assembly: One space for each four seats or pew spaces or, in places without seats, one space for each 100 square feet of floor space used for public assembly.~~

~~With respect to any building, structure or use for which the required number of parking spaces is not specifically set forth in the above schedule, the Planning Board in the course of site plan review shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule.~~

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Up to 30% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board.

(b) Alternative methods of meeting off-street parking requirements.

[1] General

[a] The waterfront area will include a mix of land uses on the waterfront, wherein the cumulative parking demand is less than the sum of the peak demand values for each individual land use. This makes it possible to share parking without conflict and to avoid a large surplus of parking spaces in the waterfront area.

[b] Also, because of the special nature and value of land along the waterfront, and because of the anticipated mix of land uses, alternative parking solutions, such as valet parking, off-site parking, etc., may, in certain situations, also be appropriate.

[2] Planning Board authority. The Planning Board shall be authorized to find that any portion of the off-street parking requirements of a Waterfront Park project have been satisfied when the applicant establishes to the Board's satisfaction that alternative parking solutions are appropriate and will provide adequate parking for the project. If an applicant wishes to use alternative parking methods, he must submit a complete analysis to the Board for review. This analysis must include estimates of peak parking demands for different land uses for different hours of the day and days of the week. It should also define strategies intended to incorporate alternative parking methods and the advantages of such strategies.

[3] Alternative parking methods. Alternative parking methods include the following, and such other methods as the Planning Board deems appropriate, or any combination thereof:

[a] Parking shared among various use elements within a Waterfront Park project.

[b] Parking shared among various use elements within a Waterfront Park project.

[c] Valet parking.

(c) Off-street loading. Off-street loading shall be provided as the Planning Board may find appropriate.

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Section 7. Chapter 223 of the City Code of the City of Beacon, Article IVA, Waterfront Zones, Section 223-41.4, entitled "Waterfront Development (WD) Zone," Subsection J(11) is hereby amended as follows:

§ 223-41.4 **Waterfront Development (WD) Zone.**

…

J. Development standards for Waterfront Development District. It is essential that development in this district meet the following development standards:

…

(12) Off-street parking and loading shall be provided in accordance with § 223-26.
~~(11)~~ ~~.~~

~~…~~

~~(b) Parking requirementsshall be in accordance with § 223-26, except that the maximum parking standards for the following uses in the WD Zone are:.~~

~~[1] Multifamily dwelling: one space per unit.~~

~~[2] Retail or service business: one space for each 333 square feet of gross floor, excluding basement storage utility areas.~~

~~[3] Restaurant: one space for each three patron seats or one space for each 300 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater.~~

~~[4] Office for business or professional use: one space for each 400 square feet of gross floor area.~~

~~[5] Hotel: 0.75 space for each hotel guest room.~~

~~(c) With respect to any building, structure or use for which the required number of parking spaces is not specifically set forth in the above schedule, the Planning Board, in the course of site plan review, shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule.~~

~~(d) Up to 30% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board.~~

DRAFT

(c) Alternative methods of meeting off-street parking requirements.

[1] General.

[a] The WD Zone encourages a mix of land uses on the waterfront wherein the cumulative parking demand is less than the sum of the peak demand values for each individual land use. This makes it possible to share parking without conflict and to avoid a large surplus of parking spaces in the waterfront area.

[b] Also, because of the special nature and value of land along the waterfront, and because of the anticipated mix of land uses, alternative parking solutions, such as valet parking, off-site parking, etc., may, in certain situations, also be appropriate.

[2] Planning Board authority. The Planning Board shall be authorized to reduce parking requirements for a given use, based upon a finding that any portion of the off-street parking requirements of a waterfront development have been satisfied when the applicant establishes to the Board's satisfaction that alternative parking solutions are appropriate and will provide adequate parking for the WD site. If an applicant wishes to use alternative parking methods, he must submit a complete analysis to the Board for review. This analysis must include estimates of peak parking demands for different land uses for different hours of the day and days of the week. It should also define strategies intended to incorporate alternative parking methods and the advantages of such strategies.

[3] Alternative parking methods. Alternative parking methods include the following, and such other methods as the Planning Board deems appropriate, or any combination thereof:

[a] Parking shared among various use elements within the waterfront development. The Planning Board's acceptance of such an alternative parking method shall be based on a professional parking study of the proposed use and the surrounding area that demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.

[b] Provision of parking off-site, in private or municipal lots, where appropriate arrangements for such parking can be made.

[c] Valet parking.

DRAFT

~~(f) Off-street loading. Off-street loading shall be provided as the Planning Board may find appropriate.~~

Section 8. Chapter 223 of the City Code of the City of Beacon, Article IVC, Fishkill Creek Development (FCD) Zone, Section 223-41.13, entitled "Uses; plan review; design standards," Subsection I(11) is hereby amended as follows:

§ 223-41.13 **Uses; plan review; design standards.**

…

I. Fishkill Creek development design standards.

…

(11) Off-street parking and loading.

…

(b) ~~Parking requirements.~~ The FCD District parking ~~requirements~~ shall be in accordance with § 223-26 of this chapter~~, except that the requirements in § 223-26F shall be both the minimum and maximum requirements for a FCD project~~.

~~(c) With respect to any building, structure or use for which the required number of parking spaces is not specifically set forth in § 223-26F of this chapter, the Planning Board, in the course of site plan review, shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation to the minimum off-street parking requirements for specified uses as set forth in the above schedule.~~

~~(d) Up to 20% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board.~~

~~(e) Off-street loading shall be provided as the Planning Board may find appropriate.~~

Section 9. Chapter 223 of the City Code of the City of Beacon, Article IVD, Central Main Street (CMS) District, Section 223-41.18, entitled "Regulations," Subsections A and G are hereby amended as follows:

§ 223-41.18 **Regulations.**

A. Uses by right. The uses listed below are permitted by right in the CMS District, in the manner and under the conditions specified below. Unless otherwise indicated in this § 223-

41.18, all such uses require site development plan review and approval. Site development plan review shall not be required for a change of use in an existing building where the new use is allowed by right, the building will not be expanded, and the ~~minimum~~ maxi~~u~~mum number of off-street parking spaces required for the new use in § 223-41.18G(2) is not more than 25% greater than the ~~requirement~~ maximum standard for the existing use in § 223-26D~~F~~ herein.

...

G. Parking location and quantity.

...

(2) ~~The minimum quantity of required on-site parking spaces shall be as follows~~Parking shall be in accordance with § 223-26~~, except that the maximum parking standards for the following uses in the CMS District are as follows~~:

~~(a) Residential: one space per unit.~~

~~(b) Office and nonretail commercial: two spaces per 1,000 square feet of floor area.~~

~~(c) Retail commercial and personal services: two spaces per 1,000 square feet of floor area.~~

~~(d) Other uses: as determined to be appropriate by the Planning Board in the course of site plan review, or in the case of a new use where site plan review is not required under § 223-41.18A, as determined by the Building Inspector in consultation with the City Planner.~~

~~(3) The requirements in Subsection G(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available in the public record, demonstrating one or more of the following:~~

~~(a) That the projected operational characteristics of the proposed use require a different amount of parking.~~

~~(b) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and within the CMS or PB District.~~

~~(c) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand.~~

DRAFT

~~(d) That there is sufficient public parking available within 800 feet of the site and within the CMS or PB District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.~~

~~(e) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and within the CMS or PB District and voluntarily dedicate such land to the City for public parking.~~

~~(f) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.~~

~~(g) The application involves a designated historic property as defined in Chapter 134 of the City Code.~~

~~(4) For lots of 8,000 square feet or less, where the provision of on-site parking is infeasible, the Planning Board may waive all parking requirements, provided that the total floor area of the building is no greater than 5,000 square feet.~~

~~(5) Section 223-26B of this chapter shall apply in the CMS District.~~

Section 10. Chapter 223 of the City Code of the City of Beacon, Article IVE, Linkage District (L), Section 223-41.21, entitled "Regulations," Subsections A and F are hereby amended as follows:

§ 223-41.21 **Regulations.**

A. Uses by right. Uses listed below in this Subsection A are permitted by right subject to site plan review, except as otherwise noted in this § 223-41.21. Site plan review shall not be required for a change of use in an existing building where the new use is allowed by right, the building will not be expanded, and the ~~minimum~~ maximum number of off-street parking spaces ~~required~~ for the new use in § 223-41.21F(2) is not more than 25% greater than the ~~requirement~~ maximum standard for the existing use in § 223-26D~~F~~ herein. The following uses are allowed by right subject to a requirement that for any new construction of a principal building, an apartment use or attached, semidetached, or multifamily dwelling unit shall only be located on the upper stories or at least 50 feet behind the facade in the rear portion of the ground floor, if the building faces the north side of Beekman Street between Route 9D and West Main Street, faces the north side of West Main Street, or if the parcel is within 400 feet of the Route 9D-Beekman Street intersection, as identified on the Zoning Map:

...

F. Parking location and quantity.

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...

(2) ~~The minimum quantity of required on-site parking spaces shall be as follows~~Parking shall be in accordance with § 223-26.~~, except that the maximum parking standards for the following uses in the L District are as follows~~:

~~(a) Residential: one space per unit.~~

~~(b) Office and general commercial: 2.5 spaces per 1,000 square feet of floor area.~~

~~(c) Retail commercial and personal services: three spaces per 1,000 square feet of floor area.~~

~~(d) Other uses: as determined to be appropriate by the Planning Board in the course of site plan review, or in the case of a new use where site plan review is not required under § 223-41.21A, as determined by the Building Inspector in consultation with the City Planner~~as listed in § 223-26 of this chapter.

~~(3) The quantity of required on-site parking in Subsection F(2) above may be modified by the Planning Board, in its discretion, based upon information submitted by the applicant or otherwise made available to the Planning Board in the public record, demonstrating one or more of the following:~~

~~(e) That the projected operational characteristics of the proposed use and/or its proximity within walking distance of the train station and other services justify a reduction in the required amount of parking.~~

~~(f) That adequate shared parking, contractually obligated for the duration of the proposed use, is available within 500 feet of the site and in the L District.~~

~~(g) That the applicant has provided sufficient bicycle parking to reduce anticipated vehicular travel demand, as supported by a professional parking study.~~

~~(h) That there is sufficient public parking available within 800 feet of the site and in the L District to meet foreseeable parking needs of the proposed use and surrounding uses for the duration of the proposed use.~~

~~(i) That the applicant will voluntarily dedicate land for public parking on site or will acquire land by purchase or long-term lease (for the duration of the proposed use) within 800 feet of the site and in the L District and voluntarily dedicate such land to the City for public parking.~~

~~(j) That a professional parking study of the proposed use and the surrounding area demonstrates that a different amount of parking would be appropriate~~

DRAFT

~~for the use in its particular location and/or that existing and/or proposed off-site parking is sufficient.~~

~~(4) For small preexisting lots where the provision of on-site parking is infeasible, the Planning Board may waive up to 50% of the parking requirements, provided that the total floor area of the building is no greater than 3,000 square feet. The Planning Board may grant additional parking waivers, at its discretion, subject to an in-lieu payment of $10,000 per parking space.~~

~~(5) Section 223-26B of this chapter shall not apply in the L District.~~

Section 11. Chapter 223 of the City Code of the City of Beacon, Article IVF, Senior Affordable Housing Overlay (SAHO) District, Section 223-41.22, entitled "Specific requirements and regulations," Subsection E(1) is hereby amended as follows:

§ 223-41.22 **Specific requirements and regulations.**

…

E. Supplementary site regulations.

(1) Parking~~ ratio~~. ~~Unless modified by the City Council in its zoning designation or special permit, parking spaces shall be provided at the ratio of 1.2 spaces per dwelling unit. The 0.2 fractional space shall be accumulated for staff and visitors~~Off-street parking shall be in accordance with § 223-26.

…

Section 12. 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 as follows:

…

LOADING SPACE
Any off-street space available for the loading or unloading of goods and complying with the ~~requirements~~ provisions specified in § 223-26 of this chapter.

…

PARKING SPACE
An off-street space available for the parking of one motor vehicle on a transient basis and complying with the ~~requirements~~ provisions specified in § 223-26 of this chapter.

…

Section 13. Applicability.

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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 17 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 17 below.

Section 14. 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 15. 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 16. 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 17. Effective Date.

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

DRAFT

Short Environmental Assessment Form
Part 1 - Project Information

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

City of Beacon

Name of Action or Project:

Proposed Local Law Amending Chapter 223 of the Zoning Code of the City of Beacon Concerning Parking Requirements

Project Location (describe, and attach a location map):

City of Beacon

Brief Description of Proposed Action:

On November 27, 2023, the Beacon City Council introduced a local law to amend Chapter 223 of the City Code (the "Zoning Code") concerning parking requirements. Under the existing Zoning Code, new developments must provide a minimum number of parking spaces which varies depending on the proposed use. Since introduction, the local law has undergone several revisions in a further effort to alleviate the deleterious impacts of minimum parking requirements within the City's zoning districts. The proposed local law (as revised) also recognize the City's Planning Board still requires guidance as to such standards. As such, the Planning Board would have the discretion to establish the necessary parking standards within a range of minimums and maximums for developments in the R1, RD, LI, HI, WP, FCD, GB, and T zoning districts. Within the CMS, L, and WD zoning districts there would only be maximum number of parking spaces that may be provided (i.e., no minimums). One-family and two-family residences as well as accessory apartments would still require a certain number of parking spaces. The proposed local law would also simplify and largely consolidate parking standards within the Zoning Code.

Name of Applicant or Sponsor:	Telephone: 845-838-5000
City of Beacon	E-Mail: cityofbeacon@beaconny.gov

Address:

1 Municipal Plaza

City/PO:	State:	Zip Code:
Beacon	New York	12508

	NO	YES
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.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3. 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

4. Check all land uses that occur on, are adjoining or near the proposed action:

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

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):

☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
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 services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the 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: _____ _____	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 project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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?	NO ☐	YES ☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐	
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

	NO	YES
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?	☐	☐
16. Is the project site located in the 100-year flood plan?	☐	☐
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?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☐	☐
If Yes, explain the purpose and size of the impoundment:		
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:		
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:		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: City of Beacon Date: June 18, 2024

Signature: _____ Title: City Attorney

PRINT FORM

SEAF Part 1: Narrative

A Proposed Local Law Concerning Parking Requirements

On November 27, 2023, the Beacon City Council introduced a local law to amend the text of Chapter 223 of the Beacon City Code (the "Zoning Code") concerning parking requirements. Presently, the Zoning Code mandates minimum parking requirements for all new developments within the City. However, at times such minimum parking requirements conflict with the City's planning goals to encourage the efficient use of diverse land uses, including multistory buildings and walkable areas. Thus, this proposed local law would eliminate minimum parking requirements and establish maximum parking requirements within the City's CMS, L, and WD zoning districts. Within the City's other zoning districts, there will be a range of parking standards the Planning Board will utilize when determining the appropriate number of parking spaces to be provided based upon the nature of use and project site conditions. One-family dwellings, two-family dwellings, and accessory apartments will require at least one parking space per dwelling unit. Therefore, the Planning Board will have the ability to determine the appropriate number of parking spaces for mixed-use, commercial, and multifamily dwellings within a range of parking standards for certain districts on a case-by-case basis. As such, the proposed local law (as revised) would further alleviate the deleterious effects of minimum parking requirements within the City's CMS, L, and WD zoning districts which often do not have adequate space to accommodate parking minimums.

In addition to gathering input from the public during any public hearing on a particular application, the Planning Board will be charged with determining the appropriate number of parking spaces for each new mixed-use, commercial, or multifamily dwelling based upon an evaluation of the context of the property, the size of the parcel, proposed uses, existing buildings on the parcel, availability of public and street parking in the vicinity, walkability and access to public transit, parking studies prepared by the applicant, shared parking arrangements, land-banking waivers, and compliance with the Americans with Disabilities Act. In the event a proposed development is unable to meet the parking standards required by the Planning Board, the applicant may seek a variance from the Zoning Board of Appeals.

The proposed local law would also consolidate and simplify the City Zoning Code by largely setting forth parking standards under § 223-26 of the Zoning Code. Additional provisions have been added to the proposed local law which would serve to guide the City's Planning Board when establishing parking standards for a proposed development. Moreover, this proposed local law would not alter permitted uses, setbacks, lot coverages, lot sizes, building heights, or any other use or dimensional requirements provided under the City's Zoning Code.

Dutchess County Department of Planning and Development

Fax Info Only		
	To	Date #pgs
	Co./Dept.	From
	Fax #	Phone #

239 Planning/Zoning Referral - Exemption Communities

Please Fill in this section

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s):

Project Name: **Proposed Local Law Concerning Minimum Parking Requirements**

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.)
- ☐ Rezonings 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: **6/27/2024**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreemment 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: **6/20/2024**	Notes:	☐ Major Project
Date Received: **6/20/2024**		
Date Requested: **6/27/2024**		Referral #: **ZR24-197**
Date Required: **7/19/2024**	☐ Also mailed hard copy	Reviewer:
Date Transmitted: **6/28/2024**		

SUE SERINO
COUNTY EXECUTIVE

EOIN WRAFTER, AICP
COMMISSIONER

DUTCHESS COUNTY GOVERNMENT
DEPARTMENT OF PLANNING & DEVELOPMENT

June 28, 2024

To: Common Council, City of Beacon
Re: ZR24-197, Parking Requirements Local Law 2nd Submission

The Dutchess County Department of Planning and Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m).

ACTION
The city is considering updating its parking requirements to eliminate minimums in certain core districts (CMS, L and WD) and adjust requirements in all other districts.

COMMENTS
We previously reviewed this project and provided a comment letter (ZR23-356, 12/27/2023). Several of our comments have been addressed, while others remain. Since that review, the city has emended the proposed law, retaining parking minimums outside of the core and simplifying the parking table. We continue to commend the city for considering this legislation. We offer the following minor comments:

1. At B.(4)(a), the Planning Board could be given the discretion to adjust this tree requirement based on considerations like topographic challenges or a set-aside of equivalent green space elsewhere on the lot.
2. The inclusion of the term "green stormwater infrastructure" at B.(5) was a recommendation of our last letter, but we note that this term does not appear elsewhere in the code and needs to be defined.
3. Schedule of Off-Street Parking Standards
    a. The Council could consider numbering all notes, rather than two starred notes and one numbered.
    b. The description for "Other Uses" could be revised for brevity and clarity.
    c. Basic standards for compact car parking, as described in the second * note, could be included in B.(3)(a).
4. The Council could consider including some numerical guidance for the Planning Board for on-site loading spaces, providing a few examples of the number of spaces generally needed for given uses.

RECOMMENDATION
The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP
Commissioner
By

Dylan Tuttle, Senior Planner

City of Beacon City Council Agenda
07/15/2024

Title:

Resolution No. 69 - Appointing Thomas Durkin to the Position of Police Detective Sergeant

ATTACHMENTS

Resolution Appointing Thomas Durkin to the Position of Police Detective Sergeant

Police Chief Memorandum for the Appointment of Thomas Durkin to the Position of Police Detective Sergeant

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 69 OF 2024

APPOINTING THOMAS DURKIN TO THE POSITION OF POLICE DETECTIVE SERGEANT

WHEREAS, there is an upcoming vacancy for the position of Police Detective Sergeant; and

WHEREAS, Thomas Durkin meets the qualifications for the position of Police Detective Sergeant and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Thomas Durkin to the position of Police Detective Sergeant.

Resolution No. 69 of 2024			**Date: July 15, 2024**				
☐ 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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

CHIEF OF POLICE
THOMAS FIGLIA

CITY OF BEACON
POLICE DEPARTMENT

1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845)831-4111
FAX: (845)838-5092

NEW YORK STATE
ACCREDITED AGENCY

Mayor Kyriacou and City Council:

I am writing to propose the promotion of Detective Thomas Durkin to the rank of Detective Sergeant.

Detective Durkin is our senior detective in our detective bureau and has extensive experience in the community and within the Department. He graduated from Beacon High School in 2010 and went on to earn a degree in sociology from Mount Saint Mary's College. During the course of those studies, he participated in our internship program in 2013. He also worked as a part-time dispatcher here from 2014 to 2015, at which point he was hired as a police officer.

He served as a very reliable patrol officer who was well regarded by his fellow officers and supervisors throughout that time. He was made a Field Training Officer and was relatively quickly assigned to the Detective Bureau in 2020 and fully promoted in May of 2021.

In the Detective Bureau, Detective Durkin received training in "Child First" Forensic Interviews, became a certified Evidence Custodian, attended Advanced Juvenile Training, FBI basic photography and crime scene photography training, and the FBI crime scene technician school.

As a detective, in addition to his regular criminal investigation duties, Detective Durkin manages the Department's medication and syringe drop boxes. He also serves as the Department's evidence custodian, which involves an incredible amount of responsibility, as he has to be able to manage and account for every piece of evidence that the Department possesses. In that capacity, he is also responsible for ensuring that evidence goes out for, and is returned from, all of the laboratory testing that is required. Detective Durkin is also one of our primary detectives assigned to complete discovery, which is the process by which the Department ensures that all items in the Department's possession are accounted for and turned over to the District Attorney's Office so that copies can be forwarded to defense attorneys in a timely manner. This assignment requires excellent time management skills.

In addition to those responsibilities, in 2022 Detective Durkin was awarded by Mental America for Meritorious Service for assisting with locating and deescalating an individual who had called in a man with a gun who had provided a description of himself. It is highly likely that this individual would have been attempting a suicide-by-cop and we are thankful for the successful response which was provided.

With his experience starting as an intern and working his way up to be one of our senior detectives, and given the fact that he has already held and managed a great deal of responsibility in the Detective Bureau, I believe Detective Durkin is uniquely qualified to serve as the next Detective Sergeant of the Beacon Police Department.



Thomas Figlia

Chief of Police

Title:

Resolution No. 70 - Appointing Kelvin Grey to the Position of Police Sergeant

ATTACHMENTS

Resolution Appointing Kelvin Grey to the Position of Police Sergeant

Police Chief Memorandum for the Appointment of Kelvin Grey to the Position of Police Sergeant

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 70 OF 2024

APPOINTING KELVIN GREY TO THE POSITION OF POLICE SERGEANT

WHEREAS, there is an upcoming vacancy for the position of Police Sergeant; and

WHEREAS, Kelvin Grey meets the qualifications for the position of Police Sergeant and is recommended for appointment to the position by the Police Chief.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Kelvin Grey to the position of Police Sergeant.

Resolution No. 70 of 2024		**Date: July 15, 2024**					
☐ 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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

CHIEF OF POLICE
THOMAS FIGLIA

CITY OF BEACON
POLICE DEPARTMENT

1 MUNICIPAL PLAZA, SUITE 3
BEACON, NY 12508
(845)831-4111
FAX: (845)838-5092

NEW YORK STATE
ACCREDITED AGENCY

Mayor Kyriacou and City Council:

I am writing to propose the promotion of Detective Kelvin Grey to the rank of Sergeant, assigned to the patrol division.

Detective Grey was born and raised in the Bronx, NY and attended Cardinal Hayes High School before transferring to, and graduating, from Beacon High School. He went on to work as a forklift operator for New England Motor Freight, a trailer unloader for UPS and a Home Health Care attendant for Unlimited Care, Inc. From 2012 to 2014, he was also a coach for the Beacon High School JV Football team, where he was actually coach for our now Police Officer, John Underwood.

In 2014, Detective Grey was hired by the Village of Wappingers Police Department where he served as a patrol officer until he was hired here in Beacon in July of 2016. Here he served as a patrol officer for approximately 5 years, throughout which he received good reviews for his handling of calls and interactions with the public. During that time, he was made a Field Training Officer and a Child Safety Seat Technician. In 2021, he was assigned to the Detective Bureau and was fully promoted in August of 2021.

In the Detective Bureau, in addition to his regular criminal investigation duties, Detective Grey is one of our primary background investigators for new hires, helping to ensure that we hire the best possible candidates. He is also assigned to complete discovery, which is the process by which the Department ensures that all items in the Department's possession are accounted for and turned over to the District Attorney's Office so that copies can be forwarded to defense attorneys in a timely manner, an assignment which requires excellent time management skills.

Detective Grey has also shown his leadership skills by holding leadership positions outside of the Department as elected by his fellow officers. He is the treasurer of the Beacon PBA, and while I am no longer a member due to my position, I have to note that during my membership he did a good job managing and accounting for the Union's funds. He also founded, and serves as the president of, a motorcycle club for first responders. In addition to providing a recreational outlet, the club raises money to donate to the families of fallen first responders.

Detective Grey's experience in both the patrol and detective divisions and his natural leadership abilities make him an excellent choice for the position of patrol sergeant in the City of Beacon Police Department. I am confident that in that role he will continue to use his skills in those areas to benefit our Department and City.



Thomas Figlia

Chief of Police

Title:

Resolution No. 71 - Referring an Amended Concept Plan for 248 Tioronda Avenue to the Planning Board

ATTACHMENTS

Resolution Referring an Amended Concept Plan for 248 Tioronda Avenue to the Planning Board

LaBella Associates, P.C. Letter Regarding a Revised Concept Plan Application for 248 Tioronda Avenue

248 Tioronda Avenue Project Renderings

Revised Concept Plan Application for 248 Tioronda Avenue

City of Beacon Code Excerpt on the Fishkill Creek Development District

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 71 OF 2024

REFERRING AN AMENDED CONCEPT PLAN SUBMITTED BY BEACON 248 HOLDINGS, LLC TO THE CITY PLANNING BOARD FOR A REPORT AND RECOMMENDATION

WHEREAS, the City Council received an application from Beacon 248 Holdings, LLC, (the "Applicant") seeking to amend its 2019 Concept Plan approval to change the use of one of the three buildings (i.e., Building 100) from a two-story office building to a three-story 36-unit multifamily apartment building, including four (4) workforce housing units, with associated modifications (the "Proposed Action"); and

WHEREAS, the project site is a situated on 9.18 acres located at 248 Tioranda Avenue, known and designated on the City Tax Map as parcel ID # 6054-45-012574, within the Fishkill Creek Development (FCD) Zoning District and Local Waterfront Revitalization Area (the "Property"); and

WHEREAS, Beacon City Code § 223-41.13.F(2)(c)(2) provides the City Council shall refer applications for concept plan approval to the Planning Board for a report and recommendation.
NOW THEREFORE BE IT RESOLVED, the City Council hereby refers the proposed Concept Plan amendment to the City Planning Board for a report and recommendation; and

BE IT FURTHER RESOLVED, the City Council requests the City Planning Board to continue to act as Lead Agency for the purposes of review under New York State Environmental Quality Review Act ("SEQRA") in connection with the Proposed Action; and

BE IT FURTHER RESOLVED, upon receipt of the Planning Board's report and recommendation the City Council shall continue its review of the proposed amendments to the Concept Plan; and

BE IT FURTHER RESOLVED, the City Council hereby schedules a public hearing concerning the above application from the Applicant to amend its 2019 Concept Plan approval for 248 Tioronda Avenue for August 19, 2024 at 8:00 pm, or immediately following the conclusion of the preceding Council Workshop session.

Resolution No. 71 of 2024		**Date: July 15, 2024**					
☐ **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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

July 11, 2024

Lee Kyriacou, Mayor
City of Beacon City Council
1 Municipal Plaza
Beacon, New York 12508

RE: 248 Tioronda Avenue
Beacon, New York 12508
Revised Concept Plan Application
Narrative of Proposed Plan Amendments

Dear Mayor Kyriacou,

Project Description:

The Applicant for the above-referenced project, Beacon 248 Holdings, LLC, is seeking approval for a revised Concept Site Plan from the Beacon City Council for the proposed redevelopment of the northern portion of the former Tuck Industries manufacturing site. The revised concept plan changes the use of Building 100 from a two-story office to a three-story multifamily apartment building with associated parking modifications. The project site is situated in the Fishkill Creek Development (FCD) district, as designated by the City of Beacon Zoning Map. Development within this District requires both City Council and Planning Board approvals. A multifamily residential development is a permitted use in the FCD Zoning District. The Applicant requests the City Council waive the non-residential square footage requirement for the project, as the Applicant is proposing additional public amenities as shown on the revised Concept Site Plan that were not previously required of the project. The Applicant is now proposing an elevated platform that will extend the currently under-construction Greenway Trail to an island located within the Fishkill Creek.

The 9.18-acre project site consists of a single tax parcel identified as parcel 6054-45-012574 on the City of Beacon tax map, and is located at 248 Tioronda Ave, City of Beacon, Dutchess County, NY 12508. Building 100, formerly approved as a 23,124 SF two-story office building, is now proposed to be a three story, 36-unit residential building. Of the 36 proposed apartments, 4 will be reserved for workforce housing. Buildings 200 and 300 will remain multifamily residential as previously approved. The minimum required parking spaces has been reduced from 207 to 141. The provided number of parking spaces has been reduced from 216 to 164.

Project History:

The current property owner and previous Applicant, Beacon 248 Development, LLC, received Concept Plan and Special Permit Approvals by the City of Beacon City Council on August 4, 2014, for the redevelopment of the site for a 100-unit multifamily residential development. The Planning Board was Lead Agency for the State Environmental Quality Review (SEQR), and a Negative Declaration was adopted on April 8, 2014, after determination that the project would not have any significant adverse environmental impacts. Planning Board Approvals for Subdivision (lot consolidation) and Site Plan were granted on January 13, 2015. The approved site plan layout included four residential buildings, a 1,200 SF clubhouse, and a swimming pool for use by residents only.

In 2017, the City Council adopted zoning amendments which included amendments to the FCD regulations. "Attached apartment and multifamily dwellings" is a permitted principal use that previously required a special permit from the City Council in the FCD District. However, the adopted zoning amendments eliminate the need for a special permit. When the site plan was amended to change Building 100 from residential to office use in 2020, the amended site plan was approved alongside the subdivision approval on April 18, 2020 and a Negative Declaration pursuant to SEQR was made on June 11, 2019.

The Applicant is now seeking approval for a revised concept plan, an area variance, a waiver (for the require 25% nonresidential area), and amended site plan for updates to Building 100 and parking. Building 100, formerly approved as a 25,400 SF two-story office building, is now proposed to be a 34,686 SF three story residential building. The proposed site plan provides 141 residential parking spaces (which includes 67 surface spaces and 74 spaces below building), 7 land banked spaces, and 4 greenway/ rail trail spaces, which totals 152 parking spaces (13 accessible spaces provided) and meets zoning requirements. The site plans for Buildings 200, Building 300, and the greenway remain the same as previously approved.

Justification for Proposal Conversion of Use:

The Applicant has marketed the approved Office space prior to and throughout construction, but has not had success finding a tenant. The zoning changes encouraging mixed use projects were undertaken in 2017. Since that time, significant changes to the office market have taken place on a nationwide scale. Demand for office space has greatly been diminished and this site, further from Main Street than other office offerings, is less attractive for potential tenants. It's the Applicant's belief that the proposed residential use would be more appropriate for the project site and surrounding neighborhood.

Site Plan Changes:

The following outlines the plan changes that have been incorporated into the revised Concept Site Plan:

- Conversion of Building 100 from office to 36 units of multi-family residential (including 4 workforce housing units);
- Proposed elevated Greenway Trail boardwalk platform to the island within Fishkill Creek;
- Reduction of proposed parking spaces from 216 to 164;
- Elimination of Retaining Wall 2
- Lighted bollards on the eastern side (rear) of Buildings 200 & 300
- Landscaping relocated from the eliminated parking area to the northern side entrance of Building 100

Please find the revised Concept Site Plan attached. We look forward to discussing the proposed amendment with the City Council and request a referral to the Planning Board at the July 15th meeting. If you have any questions or need any additional information, please don't hesitate to contact me at (845) 454-3980 or kahearn@labellapc.com.

Respectfully submitted,



Kyle Ahearn, PE
Senior Civil Engineer, Project Manager

Encl: Revised Concept Site Plans

Cc: Applicant
File



SITE SECTION A

SCALE: NTS



SITE SECTION B

SCALE: NTS

SK-06

JULY 08, 2024

SITE SECTIONS

RESIDENTIAL PROPOSAL

248 TIORONDA AVENUE
BEACON, NEW YORK

Matthew Cordone Architect PLLC
92 N. Broadway,
Irvington, New York, 47[illegible]33
phone: 917.749.8071
email: mcordone@mcapllc.net



WEST ELEVATION
SCALE: NTS



EAST ELEVATION
SCALE: NTS

SK-07
JULY 08, 2024

ELEVATIONS
RESIDENTIAL PROPOSAL
248 TIORONDA AVENUE
BEACON, NEW YORK

Matthew Cordone Architect PLLC
92 N. Broadway,
Irvington, New York, 10533
phone: 917.749.8071
email: mcordone@mcapllc.n



SOUTH ELEVATION
SCALE: NTS



NORTH ELEVATION
SCALE: NTS

Matthew Cordone Architect PLLC
92 N. Broadway,
Irvington, New York, 10533
phone: 917.749.8071
email: mcordone@mcapllc.n

AMENDED SITE PLAN

248 TIORONDA AVE, BEACON NY

PREPARED FOR

CHAI DEVELOPERS

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

JUNE 20, 2024

BEST MANAGEMENT PRACTICES FOR INDIANA BATS
1. THE PROJECT WILL AVOID CUTTING TREES TO THE MAXIMUM EXTENT PRACTICABLE. 2. LARGER TREES WILL BE RETAINED. 3. TREE CLEARING LIMITS WILL BE MARKED IN THE FIELD PRIOR TO ANY CLEARING, AND CONTRACTORS WILL BE INFORMED ABOUT CLEARING LIMITS PRIOR TO THE INITIATION OF WORK. 4. TREES WILL BE REMOVED BETWEEN OCTOBER 1 AND MARCH 31 IN ORDER TO AVOID ANY INCIDENTAL TAKE TO INDIANA BATS, OR OTHER BATS THAT MAY USE TREES FOR ROOSTING. 5. ALL SITE LIGHTING ON THE SITE WILL BE FULL CUT–OFF. 6. THERE WILL BE NO USE OF HERBICIDES OR PESTICIDES IN ANY STORMWATER MANAGEMENT BASINS.

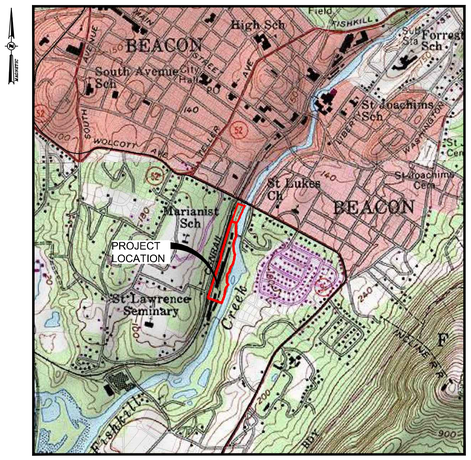
CITY OF BEACON PLANNING BOARD APPROVAL CITY OF BEACON, NEW YORK
APPROVED BY RESOLUTION NUMBER _____ OF THE PLANNING BOARD OF BEACON, NEW YORK ON THE _____ DAY OF _____, 2015, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION, OR REVISION OF THIS PLAT AS APPROVED SHALL VOID THIS APPROVAL. SIGNED THIS _____ DAY OF _____ 2015. _____ CHAIRMAN

CITY OF BEACON PLANNING BOARD APPROVAL OWNER / APPLICANT SIGNATURE
THE UNDERSIGNED APPLICANT FOR THE PROPERTY AND THE UNDERSIGNED OWNER OF THE PROPERTY SHOWN HEREON, STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS NOTES AND ITS CONTENTS, AND HEREBY CONSENT TO ALL SAID TERMS AND CONDITIONS AS STATED HEREON. THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE CITY TO KEEP THIS SITE AS PER SITE PLAN APPROVAL BY THE CITY PLANNING BOARD UNTIL A NEW OR REVISED SITE PLAN IS APPROVED FOR THE SITE. THE APPLICANT AND OWNER UNDERSTAND THEIR OBLIGATION TO THE TOWN NOT TO OCCUPY THE PREMISES BEFORE A CO IS ISSUED BY THE TOWN CODE ENFORCEMENT OFFICER. _____ DATE APPLICANT _____ DATE OWNER

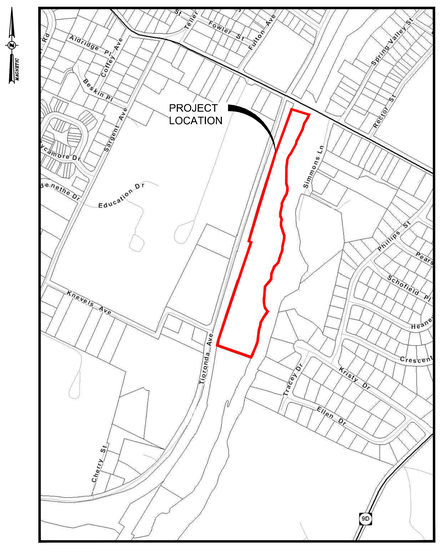
INDEX OF DRAWINGS

PAGE NO.	SHEET NO.	DATE	DESCRIPTION
1	G001	06/20/24	TITLE SHEET
2	C101	06/20/24	EXISTING CONDITIONS PLAN
3	C130	06/20/24	SITE PLAN
4	C140	06/20/24	GRADING PLAN
5	C150	06/20/24	EROSION & SEDIMENT CONTROL PLAN
6	C160	06/20/24	UTILITY PLAN
7	C161	06/20/24	UTILITY PROFILES
8	C162	06/20/24	UTILITY PROFILES
9	C180	06/20/24	LANDSCAPE PLAN
10	C190	06/20/24	PHOTOMETRIC LIGHTING PLAN
11	C200	08/31/21	VEHICLE MANEUVERING PLAN
12	C530	06/20/24	SITE DETAILS
13	C540	06/20/24	STORM SEWER DETAILS
14	C550	06/20/24	EROSION & SEDIMENT CONTROL DETAILS & NOTES
15	C560	08/07/20	WATER SYSTEM DETAILS & NOTES
16	C570	08/07/20	SANITARY SEWER DETAILS & NOTES
17	C580	08/07/20	LANDSCAPE DETAILS & NOTES

*PLANS IN GRAY ARE NOT INCLUDED IN THE AMENDED SITE PLAN.



LOCATION MAP
SCALE: 1"=1000'
SOURCE: USGS CATSKILL, NY QUADRANGLE
(USGS REF. CODE: WEST POINT–41073–D8–TF–024)



AREA PARCEL MAP
SCALE: 1"=400'

BULK TABLE

FISHKILL CREEK DEVELOPMENT DISTRICT: FCD

ZONING REQUIREMENTS:	REQUIRED	PROPOSED
MINIMUM LOT AREA	2 ACRES	9.18 ACRES
MAXIMUM # OF DWELLINGS	68 UNITS	100 UNITS[1]
MINIMUM NON–RESIDENTIAL FLOOR AREA (25% TOTAL DEVELOPMENT FLOOR AREA)[2]	22,299 SF	0 SF[2]
MAXIMUM BUILDING COVERAGE	35%	10%
MINIMUM OPEN SPACE	27%	73%
MINIMUM FRONTAGE OF OVERALL FCD SITE ON PUBLIC STREET ROW	50 FT	135'
MINIMUM BUILDING SETBACK FROM EDGE OF PAVEMENT OF PUBLIC AND PRIVATE STREETS	12 FT	700'
MINIMUM SETBACK AND BUFFER WIDTH ALONG FISHKILL CREEK	AVG 50 FT MIN 25 FT	AVG = 75 FT MIN. = 45 FT
MAXIMUM BUILDING HEIGHT	3 STORIES (40')	3 STORIES (36')
MINIMUM NUMBER OF PARKING SPACES		
RESIDENTIAL:	1 SPACE PER DWELLING UNIT PLUS 1/4 SPACE FOR EACH BEDROOM =141 SPACES	155 SPACES TOTAL (WHICH INCLUDES 87 SURFACE SPACES, AND 68 SPACES BELOW BUILDING)
LAND BANKED:	0 SPACES	5 SPACES (0 ADA)
GREENWAY/RAIL TRAIL:	0 SPACES	4 SPACES
TOTAL:	141 SPACES 5 ACCESSIBLE SPACES REQUIRED	164 SPACES 13 ACCESSIBLE SPACES PROVIDED 4 OF 11 ACCESSIBLE SPACES BELOW RESIDENTIAL BUILDING

NOTE:

1. REQUIRES ZONING VARIANCE.
2. LESS NONRESIDENTIAL SQUARE FOOTAGE MAY BE GRANTED BY THE CITY COUNCIL FOR THE VOLUNTARY AND GUARANTEED INCLUSION IN THE PROJECT OF DESIRABLE ENVIRONMENTAL, TRANSPORTATION, OR OTHER SUBSTANTIAL PUBLIC BENEFITS WHICH WOULD NOT OTHERWISE BE REQUIRED OF THE PROJECT, AS DETERMINED AT THE SOLE DISCRETION OF THE CITY COUNCIL AS PART OF THE CONCEPT PLAN APPROVAL. CONVERSION OF REDUCED COMMERCIAL SQUARE FOOTAGE TO ADDITIONAL DWELLING UNITS REQUIRES ZONING VARIANCE.

Allowable Residential Units

1	Total lot area	9.18 acres
2	Lot area with slopes over 25%, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland.	2.98 acres
3	Remaining lands for dwelling unit calculation (line 1 - line 2)	6.2 acres
4	Maximum dwelling units (line 3 x 11)	68 units

NOTE:

1.

SITE STATISTICS FOR PROPOSED MULTIFAMILY HOUSING	
PROPOSED USE	MULTIFAMILY HOUSING
ZONING DISTRICT	FISHKILL CREEK DEVELOPMENT
TOTAL BUILDING FLOOR AREA (SF)	100,759 SF
PARKING PROVIDED	155 (PLUS 4 TRAIL SPACES & 5 LANDBANKED SPACES)

DEVELOPMENT SCHEDULE

BUILDING	UNITS	1-BR	2-BR	3-BR	4-BR	APPROX. SQUARE FT	% OF PROJECT AREA
200 + 300	64	29	28	6	1	66,073	66
100	36	18	18	-	-	34,686	34
TOTAL	100	47	46	6	1	100,759	100

DEVELOPMENT NOTE:

TEN PERCENT (10%) OF THE RESIDENTIAL UNITS WILL MEET THE REQUIREMENTS OF ARTICLE 16B, AFFORDABLE– WORKFORCE HOUSING, OF THE ZONING LAW.

SITE ENGINEER:
LABELLA ASSOCIATES D.P.C. (F/K/A CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE D.P.C.)
21 FOX STREET, POUGHKEEPSIE, NY 12601
PHONE: (845) 454–3980

PROJECT ARCHITECT:
AB ARCHITEKTEN
62 ALLEN STREET, 2ND FLOOR
NEW YORK, NY 10002
PHONE: (212) 334–1232

SITE SURVEYOR:
LABELLA ASSOCIATES D.P.C. (F/K/A CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE D.P.C.)
21 FOX STREET, POUGHKEEPSIE, NY 12601
PHONE: (845) 454–3980

DEVELOPER / APPLICANT:
CHAI DEVELOPERS
147 UNION ST, SUITE 101
POUGHKEEPSIE, NY 12601
(917) 696–4402

OWNER(S) INFORMATION:
BERRY KOHN
BEACON 248 HOLDINGS, LLC.
15 SYCAMORE LANE
SUFFERN, NY 10901

TAX MAP INFORMATION:
CITY OF BEACON, NEW YORK
SECTION 6054, BLOCK 45, LOT 012574 (9.18 ACRE)

AREA:
TOTAL PROJECT AREA: 9.18± ACRES

ZONING DISTRICT:
FISHKILL CREEK DEVELOPMENT (FCD) ZONING DISTRICT

WATER & SEWER DISTRICT:
CITY OF BEACON

LaBella
Powered by partnership.
21 Fox Street
Poughkeepsie, NY 12601
(845) 454-3980
labellapc.com

NOT FOR CONSTRUCTION
EXP: ##/##/20##
EXP: ##/##/20##

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018781
LAND SURVEYING: 017976
GEOLOGICAL: 018750

It is a violation of New York Education Law Art. 145 Sec. 7209 & Art. 147 Sec. 7307, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered; the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

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Chai Developers
147 Union Street
Poughkeepsie, New York 12601

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- Wait The Required Time
- Confirm Utility Response
- Respect The Marks
- Dig With Care

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248 Tioronda Avenue
248 Tioronda Avenue
Beacon, New York 12508

NO.	DATE:	DESCRIPTION:
Revisions		

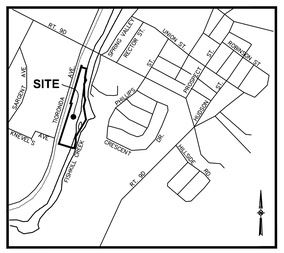
PROJECT NUMBER: CZ81750.00
DRAWN BY: CJL
REVIEWED BY: KGA
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

TITLE SHEET

DRAWING NUMBER:

G001

6/24/2024 1:47:16 PM
\\data\labella\Legacy Chazen\Projects\81700-81799\81750.00 Chai Builders 8-248 BW\06 JOB_DOC_81750-00_TITLE.dwg



VICINITY MAP
SCALE: 1"= 1000'±
SOURCE:USGS WEST POINT QUADRANGLE

NEW YORK STATE PLANE MERIDIAN
+0.02720" TO FILED MAP 10970 MERIDIAN

LEGEND:

NO PHYSICAL BOUNDS
ADJACENT PROPERTY LINE
EDGE OF CREEK
EXISTING BUILDING
EXISTING FENCE
EXISTING OVERHEAD WIRES
EXISTING WATER LINE
EXISTING UNDERGROUND SEWER LINE
EXISTING UNDERGROUND STORM LINE
EXISTING RAILROAD TRACKS
EXISTING SIGN
BENCHMARK HYD=WDH ELEV= xxx.xx
EXISTING BENCHMARK
EXISTING BOLLARD
EXISTING CATCH BASIN
EXISTING DECIDUOUS TREE
EXISTING GUY WIRE
EXISTING GAS VALVE
EXISTING HYDRANT
EXISTING MONUMENT
EXISTING SANITARY MANHOLE
EXISTING UNKNOWN MANHOLE
EXISTING UTILITY POLE
EXISTING UTILITY POLE W/ LIGHT
EXISTING WATER VALVE
EXISTING MONITORING WELL
EXISTING TELEPHONE MANHOLE
EXISTING TELEPHONE PEDESTAL
52-100 EXISTING OHW, FLAG PER GPS LOCATION ON FEB.22,2024
OHW S1-38 EXISTING OHW, FLAG LOCATION PER RTK-GRID SURVEY LOCATED ON APRIL 24, 2024
OHWL ORDINARY HIGH WATER LEVEL

TITLE REPORT SCHEDULE B-1

REGARDING CHICAGO TITLE INSURANCE COMPANY POLICY #3706-00688, EFFECTIVE OCTOBER 15, 2006:

ITEM 14. EASEMENT GRANTED IN FAVOR OF C.H.G.& E. LIBER 959 PAGE 376. DOCUMENT STATES THAT C.H.G. &E. RESERVES A RIGHT TO HAVE CLEARANCE OF 10 FEET BETWEEN ALL WIRES AND CONDUCTORS OF ELECTRICITY AND ANY STRUCTURE HEREAFTER CONSTRUCTED. (EASEMENT SHOWN HEREON).

ITEM 15. EASEMENTS CONTAINED IN LIBER 1042 PAGE 205, AS REPEATED IN LIBER 1328 PAGE 118. (TOGETHER WITH RIGHTS RESERVED TO THE GRANTOR, (NEW YORK RUBBER COMPANY), THE RIGHT TO CONSTRUCT, MAINTAIN AND USE DRIVEWAYS AND FOOT WALKS OVER THE PARCEL HEREBY CONVEYED. (EXISTING DRIVES SHOWN HEREON). TOGETHER WITH POWER AND LIGHT SUBSTATION, TRANSFORMERS, PLUMBING, HEATING AND LIGHTING EQUIPMENT ON THE PREMISES. CANNOT IDENTIFY SUBSTATION LOCATION.)

ITEM 16. RESERVATION TO THE NEW YORK RUBBER CORPORATION IN LIBER 1328 PAGE 118. (DOCUMENT NOT INCLUDED IN SCHEDULE B-1). SEE ITEM 15 FOR SUMMATION OF EASEMENTS IN LIBER 1042 PAGE 205.

ITEM 17. EASEMENTS AND RECITALS CONTAINED IN LIBER 1936 PAGE 229:

RIGHTS OF WAY IN GRANTED TO THE NEW YORK RUBBER COMPANY BY THE DUTCHESS AND COLUMBIA RAILROAD COMPANY LIBER 257 PAGE 32, (DOCUMENT REFERS TO THE GRANTING OF MULTIPLE CROSSINGS OVER AND UNDER SAID RAILROAD. AFFECTS SUBJECT PARCEL. ACCESS EASEMENTS NOT PROTRACTIBLE).

RIGHT OF WAY GRANTED TO THE CITY OF BEACON IN LIBER 556 PAGE 508, (DOES NOT AFFECT SUBJECT PARCEL).

LIBER 959 PAGE 373,)EXCEPTS AND RESERVES FROM THE C.H.G. & E. PARCEL TO THE NORTH OF THE SUBJECT PARCEL, " THE SHOULDERS AND OTHER PARTS OF THE ACCESS ROAD LYING ON THE WESTERLY SIDE OF SAID PARCEL". (AFFECTS SUBJECT PARCEL AND SHOWN HEREON).

ITEM 18. PERMANENT AND TEMPORARY EASEMENTS CONTAINED IN APPROPRIATION NOTICE RECORDED IN LIBER 2002 PAGE 516. (PERMANENT EASEMENT MAP NO. 18, PARCEL NO. 26 AFFECTS SUBJECT PARCEL AND SHOWN HEREON. TEMPORARY EASEMENTS SHOWN ON MAP NO. 19 ,PARCEL NO. 27 AND 28 WERE TERMINATED ON NOVEMBER 16, 1999.)

ITEM 19. ACCESS EASEMENT OVER PARCEL 1B, (F.M. 10970), GRANTED IN FAVOR OF PARCEL 1A. (F.M. # 10970). EASEMENT IS SHOWN ON FILED MAP # 10970. AFFECTS SUBJECT PARCEL AND SHOWN HEREON.

ITEM 20. NOTES AND EASEMENTS SHOWN ON FILED MAP # 10970;

MAP DEPICTS 6 FOOT WIDE "GREENWAY EASEMENT", GRANTED IN FAVOR OF THE CITY OF BEACON FOR PUBLIC ACCESS AND IS LOCATED ALONG THE FISHKILL CREEK, (AFFECTS SUBJECT PARCEL AND SHOWN HEREON).

ACCESS EASEMENT GRANTED IN FAVOR OF PARCEL 1A, OVER PARCEL 1B. AFFECTS SUBJECT PARCEL AND SHOWN HEREON-SEE ITEM 19.

ITEM 21. LEASE AND EASEMENT RECORDED IN DOCUMENT #02-2003-9779, AS MODIFIED IN DOCUMENT #02-2005-7447, AS ASSIGNED AND ASSUMED IN DOCUMENT #02-2005-7449, AS MODIFIED IN DOCUMENT #02-2005-7448 AND AS MODIFIED IN DOCUMENT #02-2005-7450.

DOCUMENT #02-2003-9779 RESERVES TO THE LANDLORD THE RIGHT TO PASS THROUGH AND ACROSS THE LEASED PREMISES TO TIORANDA AVENUE. THE LEASE PARCEL IS SHOWN ON A PORTION OF A MAP PREPARED BY BADEY AND WATSON SURVEYING AND ENGINEERING, P.C., (BEING AN UNRECORDED MAP). (AFFECTS SUBJECT PARCEL AND SHOWN HEREON.)

DOCUMENT #02-2005-7447 DESCRIBES CONSENT TO ASSIGNMENT OF LEASE TO "SISTERS PROPERTIES, LLC" AS ASSIGNEE.

DOCUMENT #02-2005-7449 AS ASSIGNED AND ASSUMED BY "SISTERS PROPERTIES, LLC".

DOCUMENT #02-2005-7448, BEING A MODIFICATION OF THE LEASE AGREEMENT.

DOCUMENT #02-2005-7450 PROVIDES A METES AND BOUNDS DESCRIPTION OF THE LEASE PARCEL. (AFFECTS SUBJECT PARCEL AND SHOWN HEREON).

DEED REFERENCE

JOSEPH RENDEIRO
– TO –
BEACON 248 DEVELOPMENT, LLC
DOC. # 02-2006-4859
FILED JUNE 20, 2006

TAX PARCEL NUMBER

130200-5954-16-993482-00

AREA: 8.175 ACRES

356,099 SQ.FT.

MAP REFERENCE

REFERENCE IS HEREBY MADE TO A MAP ENTITLED "SUBDIVISION PLAT PREPARED FOR ADVANTAGE MORTGAGE", PREPARED BY BADEY & WATSON SURVEYING & ENGINEERING P.C., DATED APRIL 16, 1991 AND FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE ON FEBRUARY 22, 2000 AS FILED MAP #10970.

MAP REFERENCE

1. SUBJECT PROPERTY IS DESIGNATED AS PARCEL 1B AS SHOWN ON A MAP ENTITLED, "SUBDIVISION PLAT PREPARED FOR ADVANTAGE MORTGAGE", PREPARED BY BADEY AND WATSON SURVEYING AND ENGINEERING, P.C., FILED IN THE DUTCHESS COUNTY CLERKS OFFICE AS FILED MAP # 10970 ON FEBRUARY 22, 2000.

2. REFERENCE IS HEREBY MADE TO A CERTAIN MAP ENTITLED "BEACON 248 DEVELOPMENT, LLC, MAP OF BOUNDARY & TOPOGRAPHIC SURVEY OF LANDS OF CENTRAL HUDSON GAS & ELECTRIC CORP." DATED 02/25/2013, PREPARED BY CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE CO., P.C.

FLOOD ZONE NOTE:

THE FLOODWAY LINE AND FLOOD ZONE LINE "ZONE X OTHER FLOOD AREAS" SHOWN HEREON ARE AS SCALED FROM FLOOD INSURANCE RATE MAPPING (FIRM) LISTED BELOW, THE "ZONE AE" 100 YEAR FLOOD LINE WITHIN THE SUBJECT PARCEL WAS DRAWN AT ELEVATION 85.9(NGVD29) PER THE TOPOGRAPHY SHOWN HEREON.

PARCEL SHOWN HEREON LIES WITHIN "SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD" ZONE AE, WITHIN "OTHER FLOOD AREAS, ZONE X", "OTHER AREAS, ZONE X", AND WITHIN FLOODWAY AREAS IN ZONE AE, AS SHOWN ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) MAPPING FOR THE CITY OF BEACON COMMUNITY NUMBER 360217 MAP NUMBER 36027C0577E, HAVING AN EFFECTIVE DATE OF MAY 2, 2012.

"ZONE AE" BEING DESCRIBED THEREON AS "BASE FLOOD ELEVATIONS DETERMINED", THE BASE FLOOD ELEVATION BEING SHOWN THEREON AS ELEVATIONS 85 NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), WHICH TRANSLATES TO ELEVATION 85.9 NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD29) BEING THE DATUM OF TOPOGRAPHY SHOWN HEREON.

"OTHER FLOOD AREAS, ZONE X" BEING DESCRIBED THEREON AS "AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD".

"OTHER AREAS, ZONE X" BEING DESCRIBED THEREON AS "AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN.

"FLOODWAY AREAS IN ZONE AE" BEING DESCRIBED THEREON AS "THE FLOODWAY IS THE CHANNEL OF A STREAM PLUS ANY ADJACENT FLOODPLAIN AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED WITHOUT SUBSTANTIAL INCREASES IN FLOOD HEIGHTS."

VERTICAL DATUM NOTE

TOPOGRAPHY IS BASED REFERENCE MARK (RM 4, ELEVATION 3.92'), AS SHOWN ON FLOOD INSURANCE RATE MAP, CITY OF BEACON COMMUNITY PANEL #360217-0003-B, DATED MARCH 1, 1984. VERTICAL DATUM IS NGVD 1929. CONTOUR INTERVAL IS 2 FEET.

NOTES

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR PROFESSIONAL LAND SURVEYORS AS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON SO NOTED. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS, THEIR SUCCESSORS AND/OR ASSIGNS, OR SUBSEQUENT OWNERS, EXCEPT AS INDICATED HEREON.

UNDERGROUND FACILITIES AND STRUCTURES SHOWN HEREON WERE TAKEN FROM DATA OBTAINED FROM PERVIOUS MAPS AND RECORD DRAWINGS. ALL ABOVE GROUND STRUCTURES AND SURFACE FEATURES SHOWN HEREON ARE THE RESULT OF A FIELD SURVEY UNLESS OTHERWISE NOTED. THERE MAY BE OTHER UNDERGROUND UTILITIES, THE EXISTENCE OF WHICH ARE NOT KNOWN OR CERTIFIED BY THE UNDERSIGNED. SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES AND STRUCTURES MUST BE VERIFIED BY THE APPROPRIATE AUTHORITIES. THE UNDERGROUND FACILITIES PROTECTIVE ORGANIZATION MUST BE NOTIFIED PRIOR TO CONDUCTING TEST BORINGS, EXCAVATION AND CONSTRUCTION.

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SURVEYED FROM RECORD DESCRIPTION AND AS IN POSSESSION.

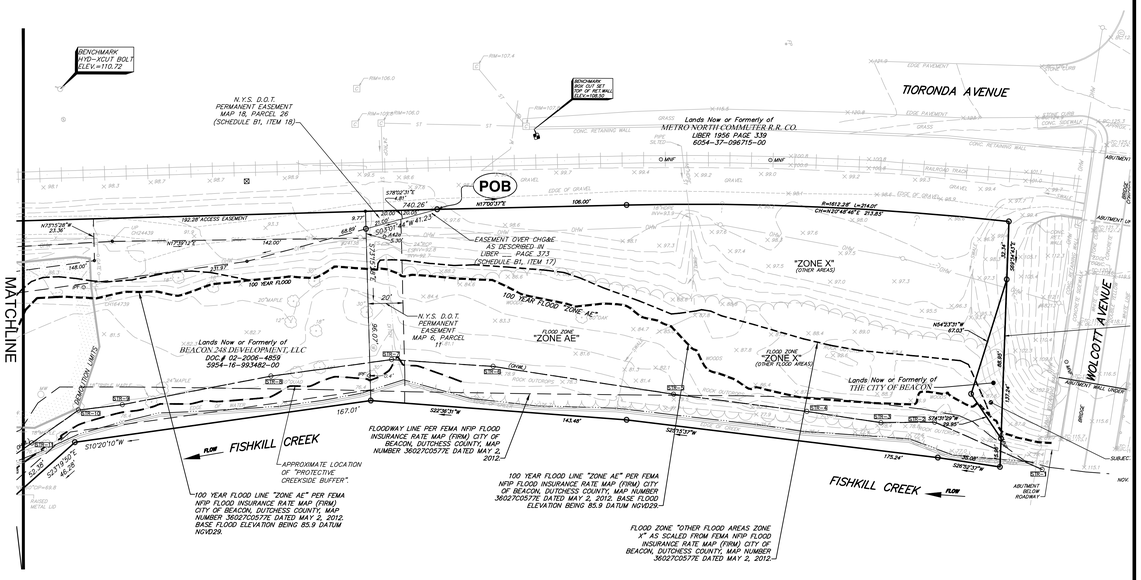
THE BOUNDARY SURVEY FOR THE SUBJECT SITE WAS COMPLETED ON DECEMBER 13, 2006. BOUNDARY SURVEY FIELD UPDATED APRIL 6, 2011.

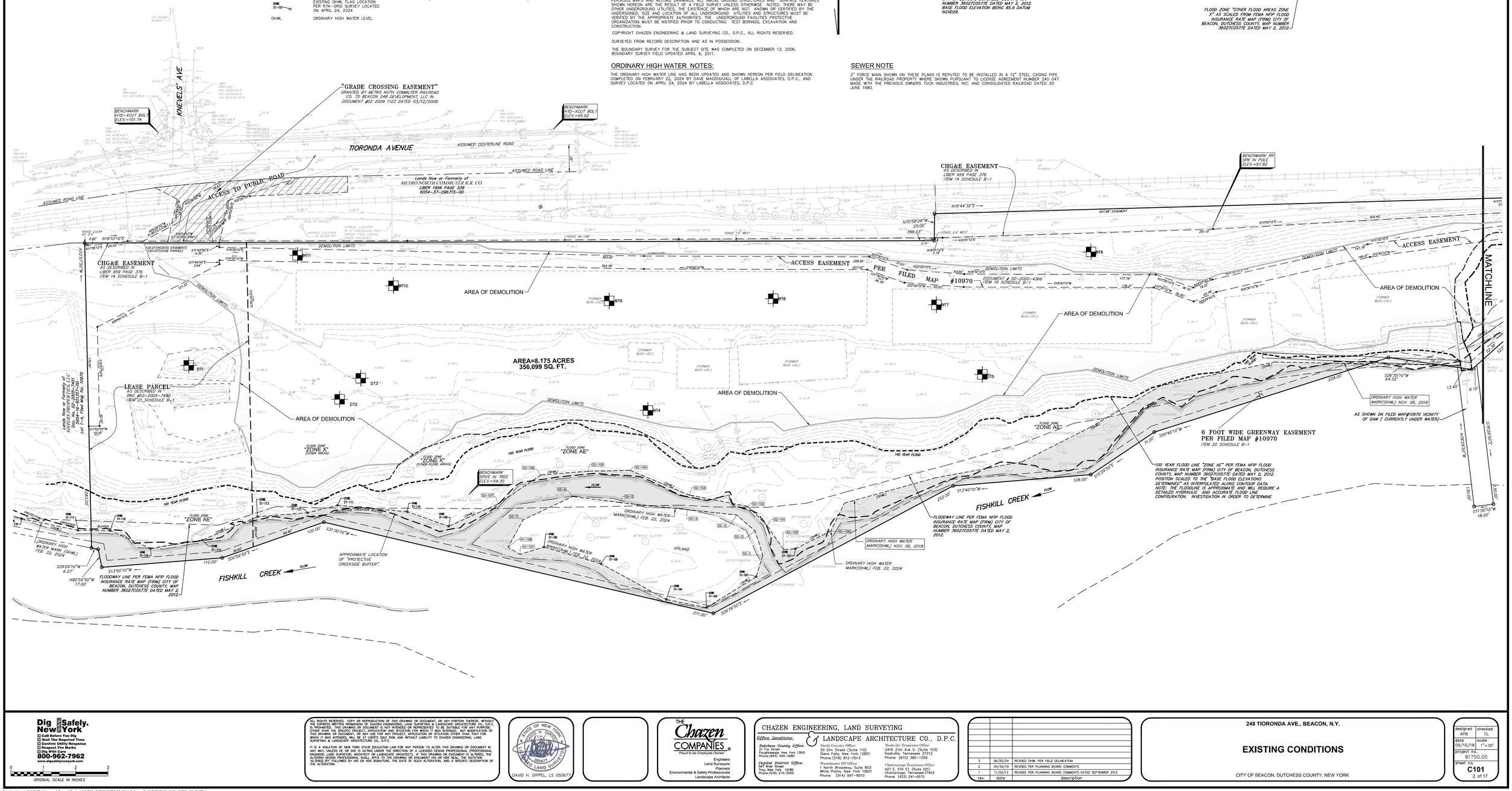
ORDINARY HIGH WATER NOTES:

THE ORDINARY HIGH WATER LINE HAS BEEN UPDATED AND SHOWN HEREON PER FIELD DELINEATION COMPLETED ON FEBRUARY 22, 2024 BY DAVE MACDOUGALL OF LABELLA ASSOCIATES, D.P.C., AND SURVEY LOCATED ON APRIL 24, 2024 BY LABELLA ASSOCIATES, D.P.C

SEWER NOTE

2" FORCE MAIN SHOWN ON THESE PLANS IS REPUTED TO BE INSTALLED IN A 12" STEEL CASING PIPE UNDER THE RAILROAD PROPERTY WHERE SHOWN PURSUANT TO LICENSE AGREEMENT NUMBER 240,047 MADE WITH THE PREVIOUS OWNERS TUCK INDUSTRIES, INC. AND CONSOLIDATED RAILROAD DATED 30 JUNE 1980.





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0 1 2 3
ORIGINAL SCALE IN INCHES

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DAVID H. DIPPEL, LS 050677

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Land Surveyors
Planners
Environmental & Safety Professionals
Landscape Architects

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Capital District Office: 547 River Street, Troy, New York 12180, Phone:(518) 273-0055
North Country Office: 20 Elm Street (Suite 110), Glens Falls, New York 12801, Phone:(518) 812-0513
Westchester NY Office: 1 North Broadway, Suite 803, White Plains, New York 10601, Phone: (914) 997-8510
Nashville Tennessee Office: 2416 21st Ave S. (Suite 103), Nashville, Tennessee 37212, Phone: (615) 380-1359
Chattanooga Tennessee Office: 427 E. 6TH ST. (Suite 201), Chattanooga, Tennessee 37403, Phone: (423) 241-6575

rev.	date	description
3	06/20/24	REVISED OHWL PER FIELD DELINEATION
2	04/30/19	REVISED PER PLANNING BOARD COMMENTS
1	11/22/13	REVISED PER PLANNING BOARD COMMENTS DATED SEPTEMBER 2013

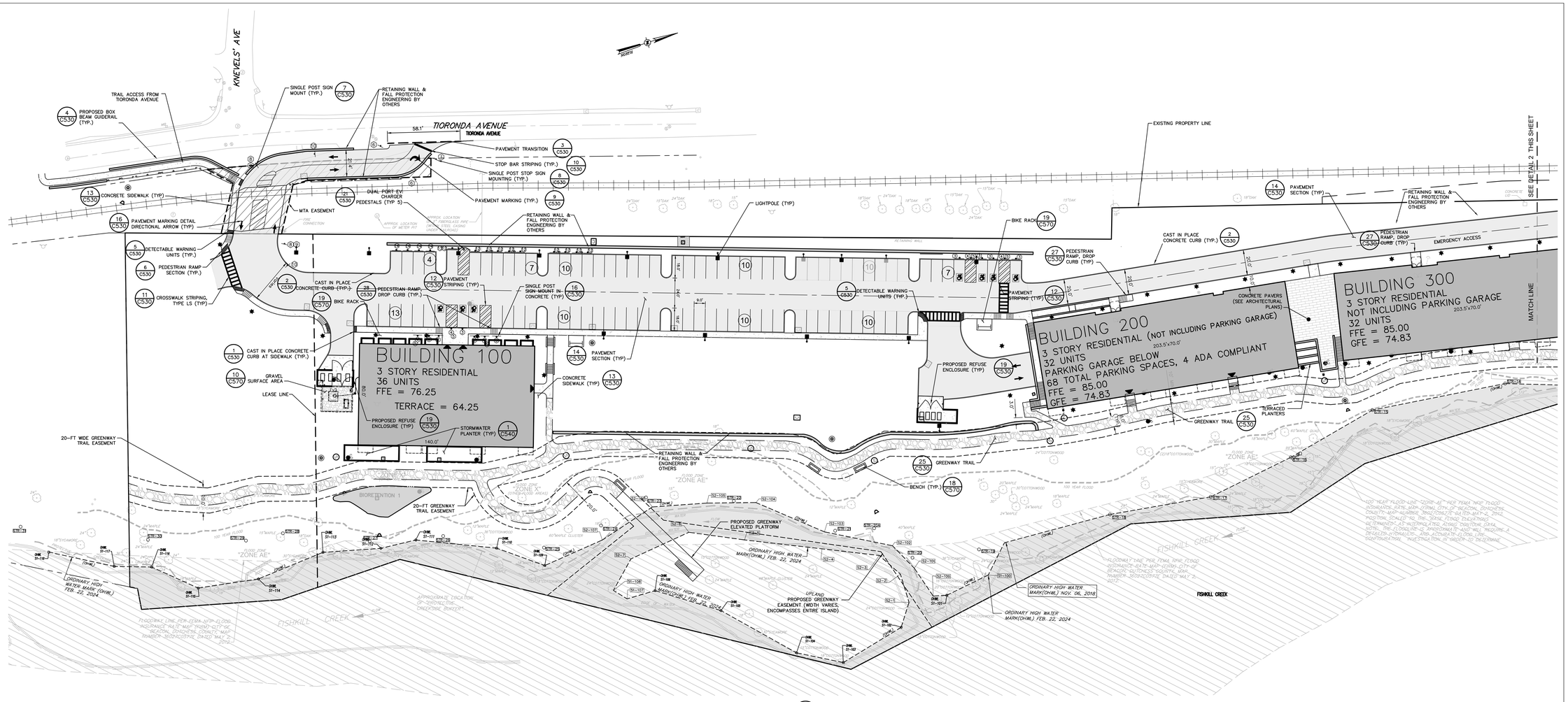
248 TIORONDA AVE., BEACON, N.Y.

EXISTING CONDITIONS

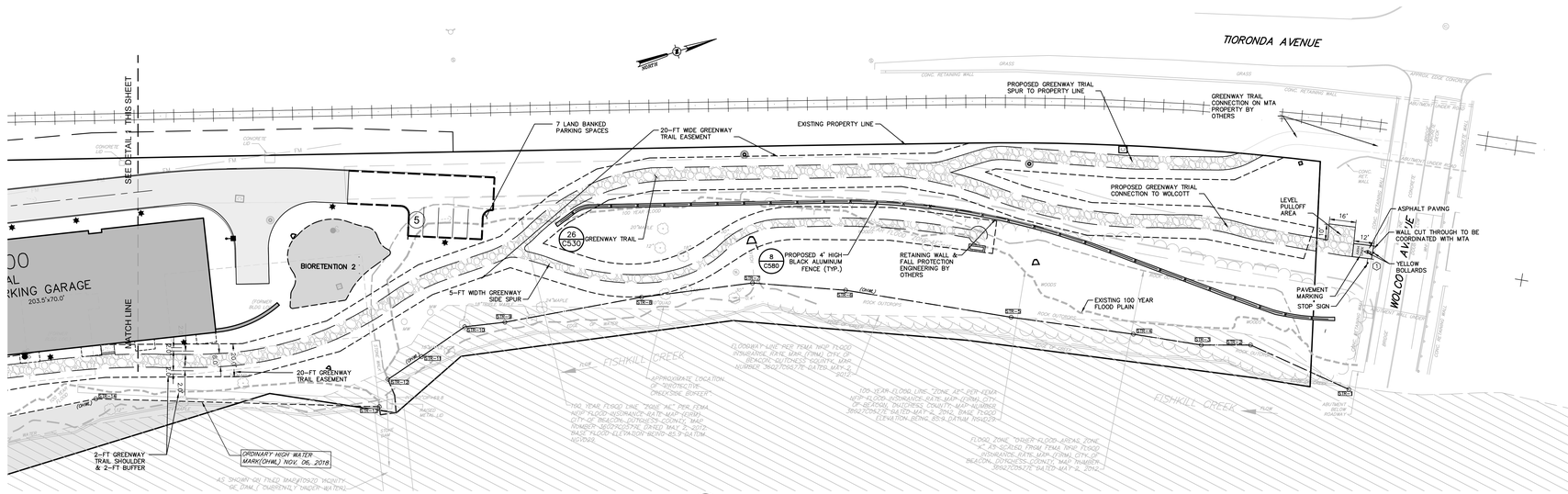
CITY OF BEACON, DUTCHESS COUNTY, NEW YORK

designed	checked
APS	CL
date	scale
09/10/18	1"=30'
project no.	
81750.00	
sheet no.	
C101	2 of 17

Drawing Name: B:\GLOBAL\Legacy\Chazen\Projects\81700-81799\81750.00 OHA\ Builders B-248\DWG\01_C101_81750-00_EXIST.dwg
Xref's Attached: XBASE-SVY_81056-00; XTB_81750-00_36x48; XBASE-ENG_81750-00
Date Printed: Jun 20, 2024, 4:07pm



1 C130 **SITE PLAN**
SCALE: 1"=30'



2 C130 **SITE PLAN**
SCALE: 1"=30'

SITE PLAN NOTES:

LAND BANKED PARKING SHALL BE CONSTRUCTED IF REQUIRED BY THE LANDBANKED PARKING AGREEMENT, PER SECTION 223-26E OF CITY CODE..

THE BEACON GREENWAY TRAIL COMMITTEE WILL BE ASKED TO REVIEW LAYOUT OF TRAIL PRIOR TO CONSTRUCTION.
ADDITIONALLY, THE COMMITTEE WILL DETERMINE THE FINAL LOCATION OF THE BENCHES ON THE GREENWAY TRAIL DURING FINAL REVIEW PRIOR TO CONSTRUCTION.

LEGEND:

- EXISTING 100-YEAR FLOOD PLAIN
- EXISTING PROPERTY LINE
- EASEMENT LINE
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- (25) PROPOSED PARKING COUNT
- PROPOSED SIDE WALK
- EXISTING METRO-NORTH RAILROAD TRACKS (INACTIVE)
- PROPOSED CURB
- PROPOSED LIGHT POLE
- PROPOSED RETAINING WALL
- GREENWAY TRAIL

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EXP: ##/##/20## EXP: ##/##/20##

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018381
LAND SURVEYING: 017976
GEOLOGICAL: 018750

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NO.	DATE:	DESCRIPTION:
Revisions		

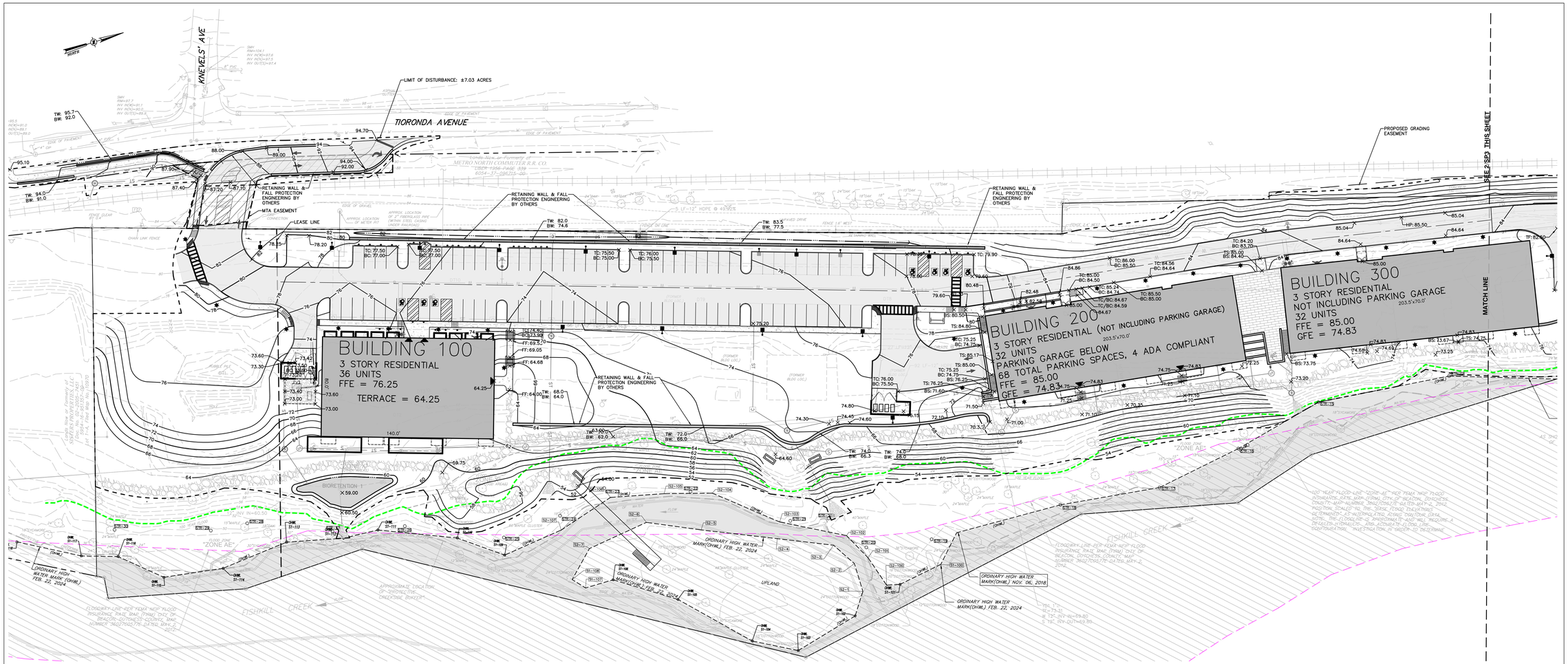
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DRAWN BY: CJL
REVIEWED BY: KGA
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

SITE PLAN

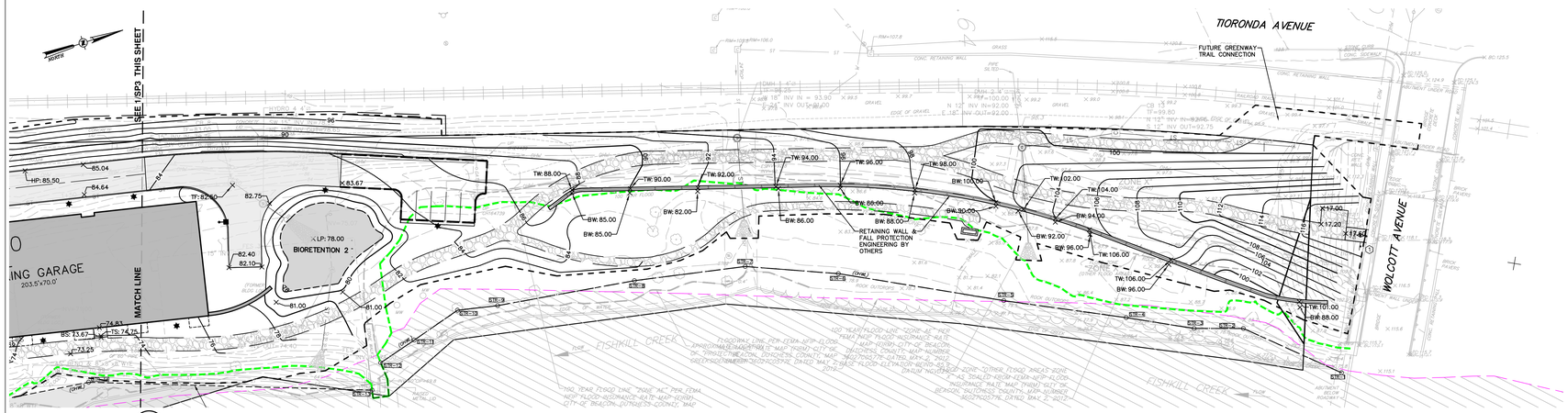
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1 C140 **GRADING PLAN**
SCALE: 1"=30'



2 C140 **GRADING PLAN**
SCALE: 1"=30'

GRADING & DRAINAGE LEGEND:

- PROPOSED PROPERTY LINE
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- XXX PROPOSED 10 FT CONTOUR
- XXX PROPOSED 2 FT CONTOUR
- XXX.X PROPOSED SPOT GRADE
- PROPOSED TREE LINE
- PROPOSED SHRUB LINE
- PROPOSED DRAINAGE SWALE
- PROPOSED WORK LIMIT LINE
- S PROPOSED SANITARY SEWER LINE
- FM PROPOSED FORCE MAIN
- W PROPOSED WATER LINE
- ST PROPOSED STORM DRAIN LINE
- PROPOSED HYDRANT
- PROPOSED SANITARY MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED DRAINAGE MANHOLE

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EXP: ##/##/20##

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018281
LAND SURVEYING: 017976
GEOLOGICAL: 018750

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NO:	DATE:	DESCRIPTION:
Revisions		

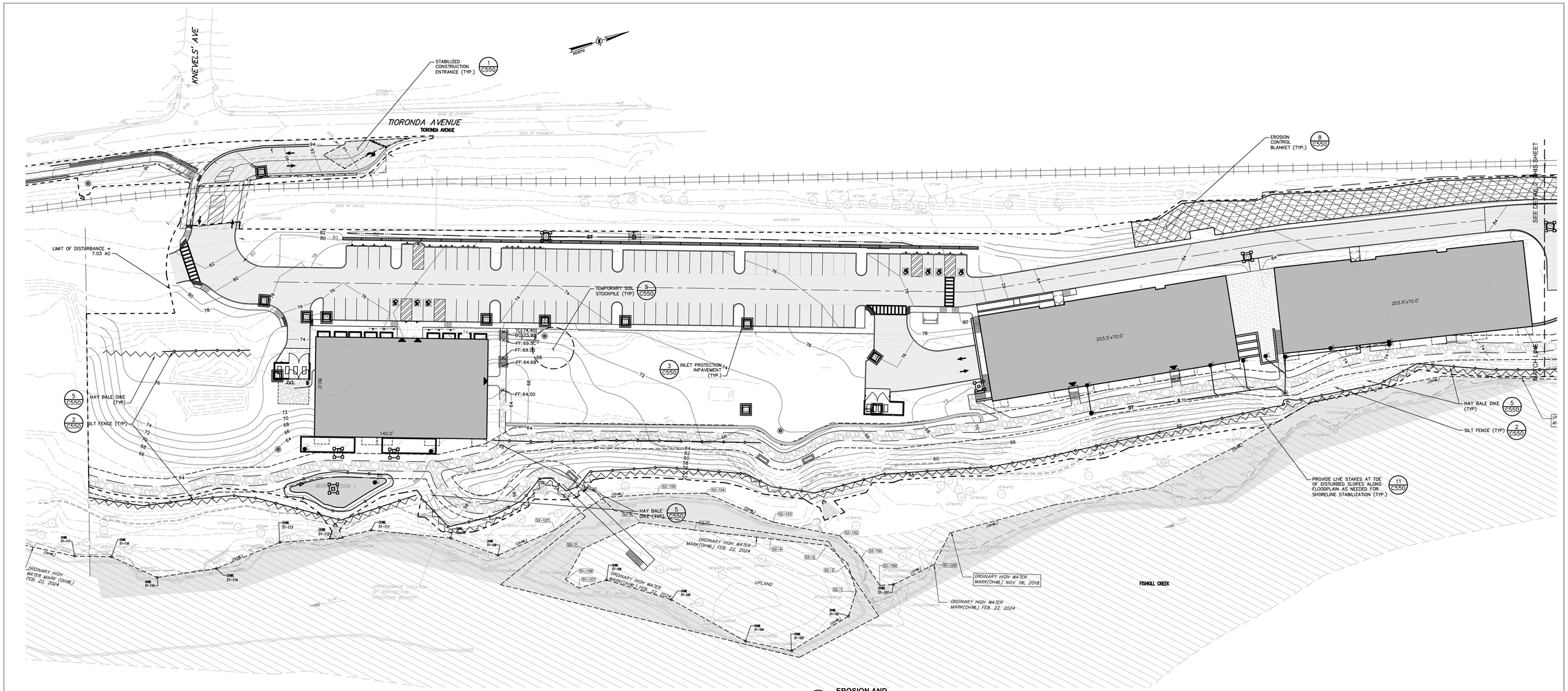
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DRAWN BY: CJL
REVIEWED BY: --
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

GRADING PLAN

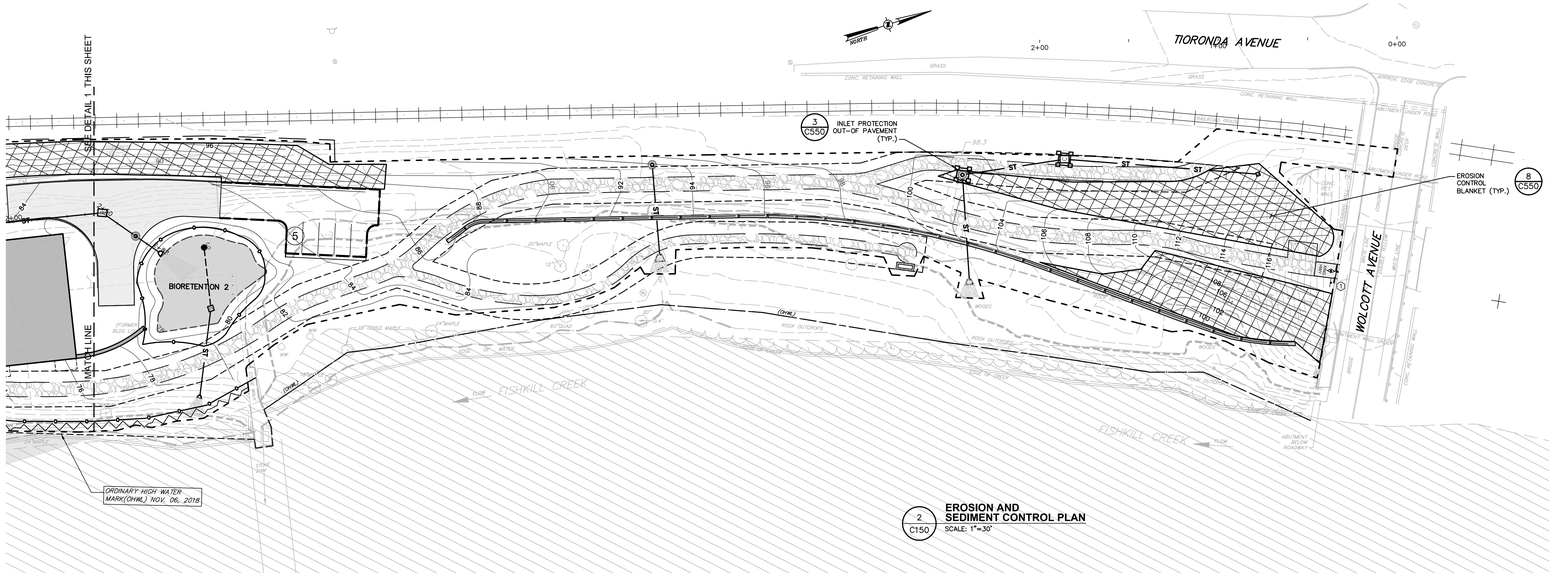
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1 C150 **EROSION AND SEDIMENT CONTROL PLAN**
SCALE: 1"=30'



2 C150 **EROSION AND SEDIMENT CONTROL PLAN**
SCALE: 1"=30'

LEGEND:

- EXISTING 100-YEAR FLOOD PLAIN
- EXISTING PROPERTY LINE
- EASEMENT LINE
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- PROPOSED PARKING COUNT (25)
- PROPOSED SIDE WALK
- EXISTING METRO-NORTH RAILROAD TRACKS (INACTIVE)
- PROPOSED CURB
- PROPOSED RETAINING WALL
- PROPOSED EROSION BLANKET
- PROPOSED STABILIZED CONSTRUCTION ENTRANCE
- PROPOSED OUT-OF PAVEMENT INLET PROTECTION
- PROPOSED IN-PAVEMENT INLET PROTECTION
- PROPOSED SILT FENCE
- LIMIT OF DISTURBANCE
- PROPOSED STRAW BALE DIKE
- PROPOSED TEMPORARY SOIL STOCKPILE

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EXP: ##/##/20##
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CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018381
LAND SURVEYING: 017976
GEOLOGICAL: 018750

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NO.	DATE:	DESCRIPTION:
Revisions		

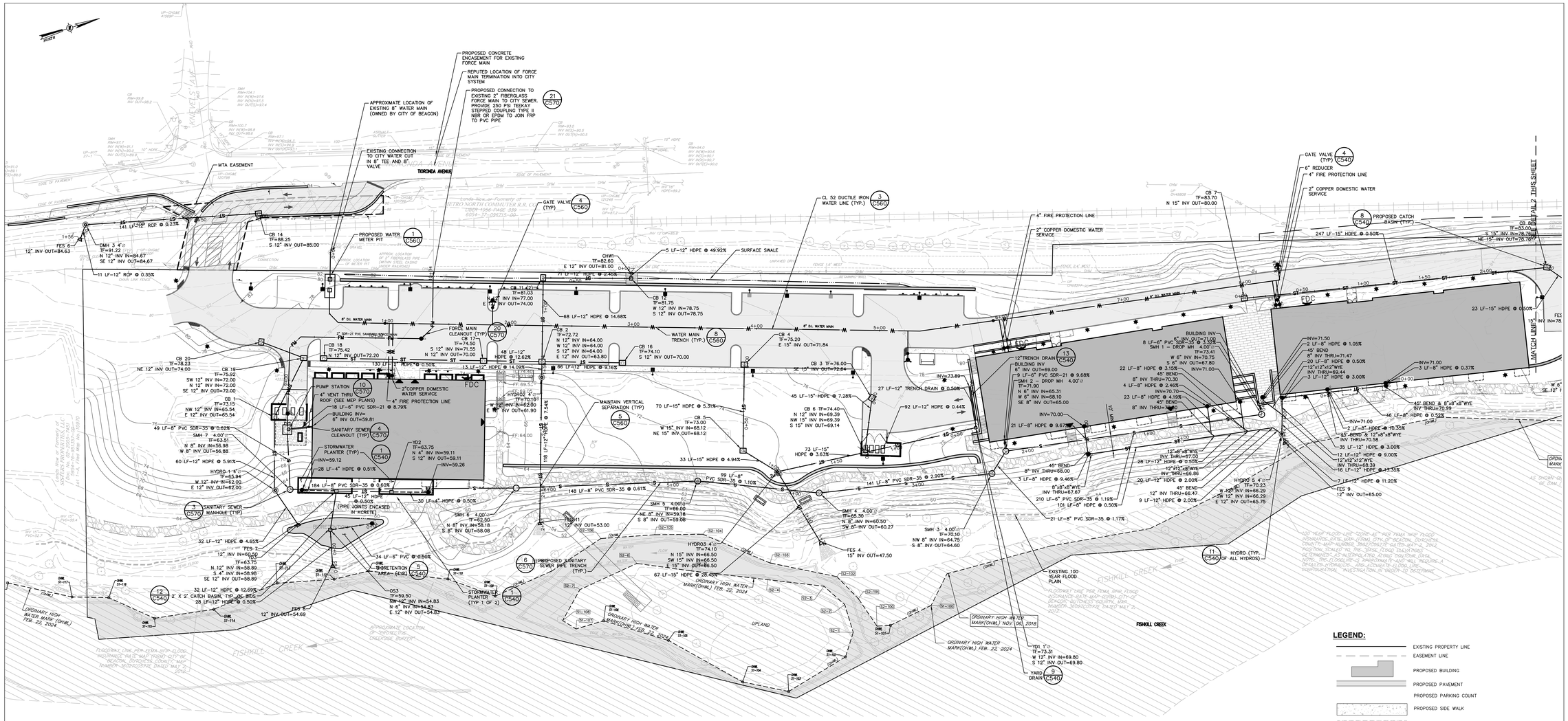
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DRAWN BY: CJL
REVIEWED BY: --
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

EROSION AND SEDIMENT CONTROL PLAN

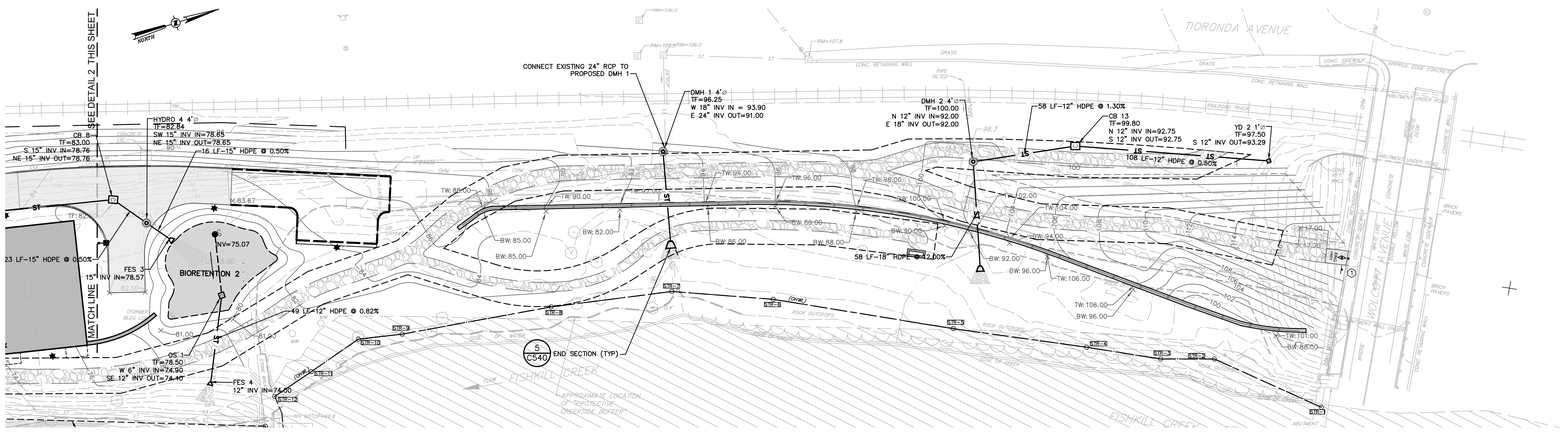
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\\cast-fs01\Projects\Chazen Projects\81700-81799\81750.00 Old Matteos 8-24\Drawings\81750.00_EROSION AND SEDIMENT CONTROL PLAN.dwg



1 C160 **UTILITY PLAN**
SCALE: 1"=30'



2 C160 **UTILITY PLAN**
SCALE: 1"=30'

UTILITY PLAN NOTES:

GENERAL CONSTRUCTION:

1. ALL UNDERGROUND UTILITIES ARE SHOWN IN THEIR RELATIVE POSITION AND ARE FOR INFORMATIONAL PURPOSES ONLY. CONTRACTOR TO VERIFY THEIR ACTUAL LOCATION IN THE FIELD PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
2. ANY CONDITION ENCOUNTERED IN THE FIELD DIFFERING FROM THOSE SHOWN HEREON, SHALL BE REPORTED TO THE DESIGN ENGINEER BEFORE CONSTRUCTION IS TO PROCEED.
3. SEWER MAINS IN RELATION TO WATER MAINS: WHERE POSSIBLE, SEWERS SHALL BE LAID AT LEAST 10 (TEN) FEET HORIZONTALLY FROM ANY EXISTING OR PROPOSED WATER MAIN. VERTICAL SEPARATION SHALL BE MAINTAINED TO PROVIDE 18 (EIGHTEEN) INCHES BETWEEN TOP OF SEWER AND BOTTOM OF THE WATER MAIN AT UTILITY CROSSINGS. WHEN NOT POSSIBLE TO OBTAIN THE PROPER VERTICAL SEPARATION, SEWER PIPE SHALL BE PRESSURE RATED AND TESTED @ 150psi, 10 (TEN) FEET ON EACH SIDE OF THE WATER MAIN BEING CROSSED.
4. ALL PROPOSED UTILITIES SHALL TERMINATE 5 FEET FROM ANY PROPOSED BUILDING FACE. CONTRACTOR TO COORDINATE WITH BUILDING PLANS FOR ANY CONNECTIONS.
5. ALL STORM SEWER SHALL BE SMOOTH INTERIOR HDPE UNLESS OTHERWISE SPECIFIED.
6. ALL GRAVITY SANITARY LATERALS SHALL BE SDR 21 PVC UNLESS OTHERWISE SPECIFIED.
7. ALL WATER PIPE SHALL BE CL52 DUCTILE IRON PIPE UNLESS OTHERWISE SPECIFIED.
8. CONTRACTOR TO VERIFY STATUS OF ALL UTILITY SERVICES PRIOR TO INTERRUPTION.
9. EXPLORATORY EXCAVATIONS SHALL BE PERFORMED BY THE CONTRACTOR AT ALL UTILITY CONNECTION LOCATIONS AND AS NEEDED TO VERIFY EXISTING CONDITIONS PRIOR TO PERFORMING WORK.
10. BEFORE CONSTRUCTING LINES TO CONNECT TO EXISTING UTILITIES, VERIFY EXISTING UTILITY INVERTS AND NOTIFY THE ENGINEER IF ANY VARIATION FROM THE PLAN IS REQUIRED.
11. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES IN SERVICE FOR THE DURATION OF THE WORK.
12. THE CONTRACTOR SHALL COMPLY WITH ALL REQUIRED PERMITS AND ASSOCIATED CONDITIONS.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING UTILITY TRENCHES AND EXCAVATIONS AND FOR THE MAINTENANCE OF SURFACE DRAINAGE DURING THE COURSE OF THE WORK.
14. IF ROCK REMOVAL BY BLASTING IS REQUIRED, THE CONTRACTOR SHALL OBTAIN ALL NECESSARY APPROVALS AND PERMITS REQUIRED BY THE AUTHORITY HAVING JURISDICTION.
15. WATER UTILITIES BEYOND THE METER PIT AND SEWER UTILITIES INCLUDING THE EXISTING 2-INCH FIBERGLASS FORCE MAIN SHALL BE PRIVATELY OWNED AND OPERATED BY THE PROPERTY OWNER.

EMERGENCY STANDBY GENERATOR:

1. A STANDBY EMERGENCY GENERATOR SHALL BE PROVIDED TO ENSURE CONTINUOUS OPERATION OF THE PUMP STATION DURING POWER FAILURE . THE EMERGENCY GENERATOR SHALL HAVE ADEQUATE CAPACITY TO ACCOMMODATE THE FULL ELECTRICAL LOAD OF THE PROPOSED PUMP STATIONS (4) WITH ALL PUMPS RUNNING (STAGGERED STARTS). THE CONTRACTOR SHALL VERIFY AND CONFIRM THE SIZE OF THE EMERGENCY GENERATOR WITH THE MANUFACTURER PRIOR TO SHOP DRAWING SUBMITTAL BASED ON THE SELECTED PUMPS AND STATION EQUIPMENT.
2. THE EMERGENCY GENERATOR SHALL BE 30 KW DIESEL ENGINE GENERATOR SET MODEL RD030 AS MANUFACTURED BY GENERAC OR APPROVED EQUAL. THE UNIT SHALL BE EQUIPPED WITH THE FOLLOWING APPURTENANCES AND ACCESSORIES:
   - RUN-OFF AUTO SWITCH
   - RUNNING TIME METER
   - CRITICAL GRADE EXHAUST SILENCER
   - AUTOMATIC TRANSFER SWITCH
   - AUTOMATIC BATTERY CHARGER
   - GENERATOR ALARM STATUS PANEL
   - OIL PRESSURE GAUGE
   - HIGH TEMPERATURE AND LOW OIL PRESSURE SHUTDOWN
   - 61 GALLON SUBBASE FUEL TANK
3. THE EMERGENCY GENERATOR SHALL BE INSTALLED ON A REINFORCED CONCRETE PAD OF SUFFICIENT DIMENSIONS WITHIN THE PROPOSED FENCE ENCLOSURE. GENERATOR SHALL BE SETBACK A DISTANCE FROM FENCE TO ALLOW REQUIRED MAINTENANCE ON IT IN ACCORDANCE WITH MANUFACTURER'S REQUIREMENTS.

LEGEND:

- EXISTING PROPERTY LINE
- EASEMENT LINE
- PROPOSED BUILDING
- PROPOSED PAVEMENT
- PROPOSED PARKING COUNT
- PROPOSED SIDE WALK
- PROPOSED RIPRAP
- EXISTING METRO-NORTH RAILROAD TRACKS (INACTIVE)
- PROPOSED GREENWAY TRAIL
- SIGN
- OHW — EXISTING OVERHEAD WIRES
- S — PROPOSED SANITARY SEWER LINE
- FM — PROPOSED FORCE MAIN
- W — PROPOSED WATER LINE
- ST — PROPOSED STORM DRAIN LINE
- PROPOSED FRENCH DRAIN/FOOTING DRAIN
- PROPOSED UNDERDRAIN
- DRAINAGE SWALE
- PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED SANITARY MANHOLE
- PROPOSED FLUSHING VALVE
- PROPOSED CATCH BASIN
- PROPOSED DRAINAGE MANHOLE
- DEEP TEST PIT
- ROOF DOWNSPOUT/INLINE DRAIN
- ROOF DOWNSPOUT/SPLASHBLOCK

WATER USAGE CALCULATIONS:

APARTMENT BUILDINGS	FLOW (GPD)
1.) APARTMENT (161 BEDROOMS * 110 GPD/BEDROOM)	17710
TOTALS:	17710 GPD

COMMERCIAL BUILDING	FLOW (GPD)
1.) BLDG SF * (0.1 GPD/SF) = 25,000 * 0.1	2500
2.) 20% REDUCTION FOR WATER SAVING PLUMBING	-500
TOTALS:	2000 GPD

COMBINED TOTAL: 19710 GPD
OR 822 GPH
OR 13.69 GPM

MAXIMUM DAILY FLOW (USING FACTOR OF 2) =
13.69 GPM x 2 = 27.38 GPM

PEAK HOURLY FLOW (USING FACTOR OF 4) =
13.69 GPM x 4 = 54.75 GPM

REFERENCE: NYSDEC DESIGN STANDARDS FOR WASTEWATER TREATMENT SYSTEMS, LATEST EDITION

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CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018381
LAND SURVEYING: 017976
GEOLOGICAL: 018750

It is a violation of New York Education Law Art. 145 Sec. 7209 & Art. 147 Sec. 7307, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered; the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

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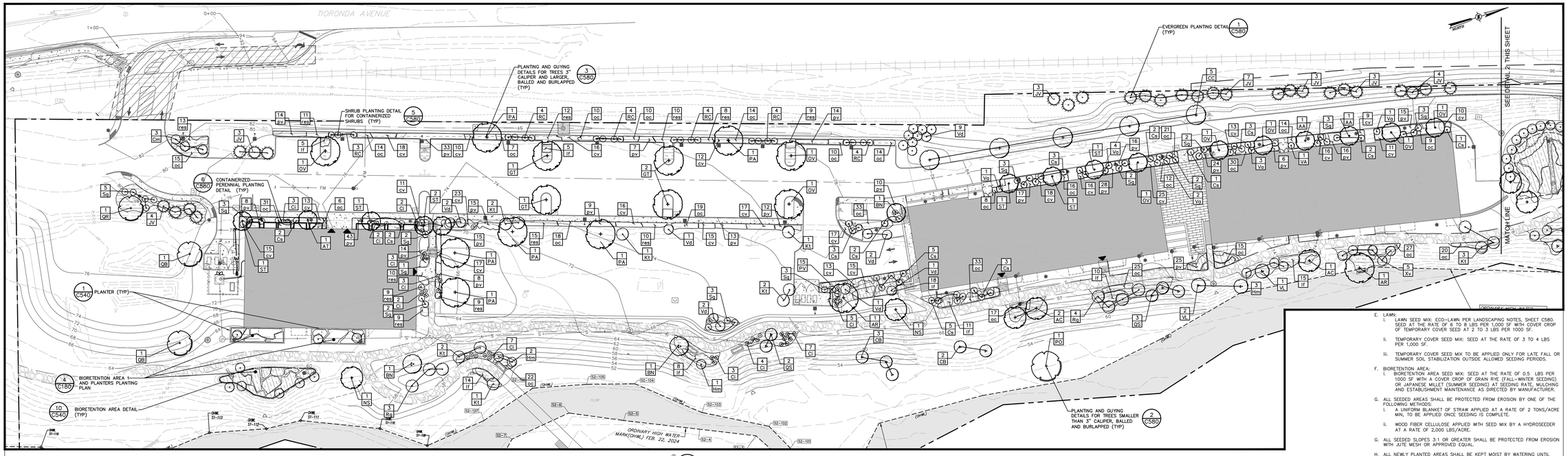
PROJECT NUMBER: C281750.00
DRAWN BY: CJL
REVIEWED BY: --
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

UTILITY PLAN

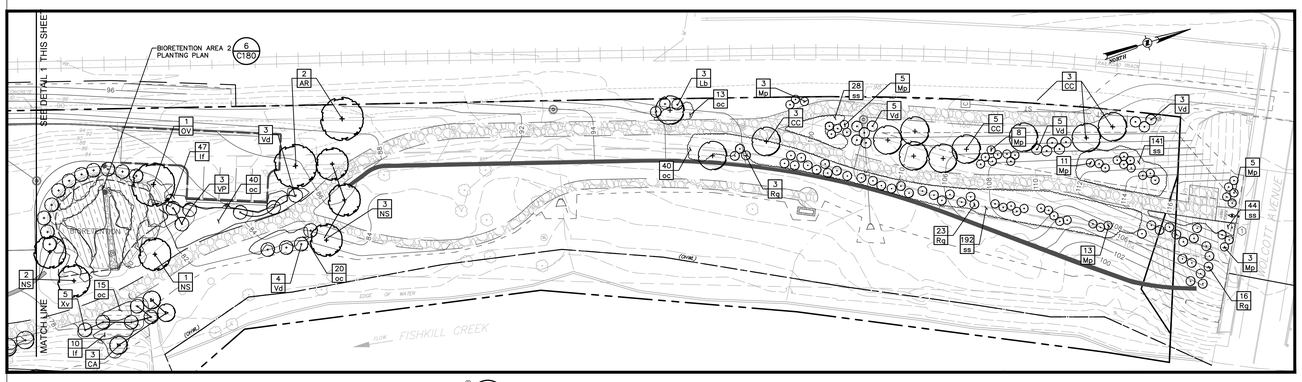
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1 **LANDSCAPE PLAN**
SCALE: 1"=30'



2 **LANDSCAPE PLAN-EMERGENCY ACCESS DRIVE**
SCALE: 1"=30'

PLANT LIST

QTY	ABRV	BOTANICAL NAME	COMMON NAME	SIZE	COND	SPACING	REMARKS
TREES							
4	AR	ACER RUBRUM	RED MAPLE	3" Cal.	B&B	As Shown	
2	AA	AMELANCHIER ARBOREA	DOWNY SERVICEBERRY	4'–5' HT	B&B	As Shown	MULTISTEM CLUMP
3	AC	AMELANCHIER CANADENSIS	SERVICEBERRY	6'–8' HT	B&B	As Shown	MULTISTEM CLUMP
3	BN	Betula nigra	River Birch	8'–10' Clump	B&B	As Shown	Multi-Stemp Clump
16	CC	Crataegus crusgalli 'inermis'	Thornless Hawthorn	10–12' Clump	B&B	As Shown	Multi-Stemp Clump
0	LT	Liriodendron tulipifera	Tuliptree	3" Cal.	B&B	As Shown	
27	JV	Juniperus virginiana	Eastern Red Cedar	8'–10'	B&B	As Shown	
4	GT	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	2" CAL.	B&B	As Shown	
9	OV	OSTRYA VIRGINIANA	EASTERN HOPHORNBEAM	2" CAL.	B&B	As Shown	
11	NS	Nyssa sylvatica	Sour Gum	3" Cal.	B&B	As Shown	Fall Digging Hazard
6	PA	CHIONANTHUS VIRGINICUS	FRINGETREE	8' HT	B&B	As Shown	MULTISTEM TREE; 5 BOLES MAX.
1	PO	Plantanus occidentalis	American Sycamore	2.5" Cal.	B&B	As Shown	
0	PT	Populus tremuloides	Quaking Aspen	10–12'	B&B	As Shown	Multi-Stem
0	PY	Prunus yeodensis	Yoshino Cherry	2" Cal.	B&B	As Shown	
1	QR	Quercus rubra	Northern Red Oak	3" Cal.	B&B	As Shown	Fall Digging Hazard
2	QB	Quercus bicolor	Swamp White Oak	3" Cal.	B&B	As Shown	Fall Digging Hazard
5	QS	QUERCUS ILICIFOLIA	SCRUB OAK	4'–5' HT	CONT	AS SHOWN	
8	ST	STAPHYLEA TRIFOLIA	AMERICAN BLADDERNUT	2" CAL.	B&B	AS SHOWN	SINGLE STEM TREE FORM
0	UA	Ulmus americana 'Princeton'	Princeton Elm	3" Cal.	B&B	As Shown	
SHRUBS							
46	Cl	Comptonia peregrina	Sweet Fern	#3 Cont.		As Shown	
3	Cm	Cornus amomum	Silky Dogwood	24"–30"	Cont	As Shown	
0	Co	Cornus sericea	Red–Osier Dogwood	30"–36"	Cont.	As Shown	
35	Cs	CORNUS SERICEA 'FLAVAMIRA'	YELLOW–TWIGGED DOGWOOD	18"–24"	Cont	As Shown	
5	CB	CORYLUS CORNUTA	BEAKED HAZELNUT	30"–36" HT	CONT	AS SHOWN	
3	CA	CORYLUS AMERICANA	AMERICAN HAZELNUT	30"–36" HT	CONT	AS SHOWN	
6	Hm	Hamamelis virginiana	Witchhazel	3' – 4'	Cont.	As Shown	
12	Kt	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	30"–36"	Cont.	As Shown	
3	Lb	Lindera benzoin	Spicebush	36"	Cont.	As Shown	
48	Mp	Myrica pennsylvanica	NORTHERN BAYBERRY	#5	Cont.	As Shown	
47	Rg	Rhus typhina 'Laciniata'	Cutleaf Staghorn Sumac	36"	Cont.	As Shown	
23	RC	ROSA CAROLINIANA	CAROLINA ROSE	18"–24"	CONT.	As Shown	
34	Sg	SYMPHORICARPUS ALBUS	SNOWBERRY	24"–30"	CONT.	As Shown	
12	Va	Viburnum acerifolium	Mapleleaf Viburnum	24"–30"	Cont.	As Shown	
38	Vd	Viburnum dentatum	Doublefile Viburnum	30"–36"	Cont.	As Shown	
3	VL	VIBURNUM LENTAGO	NANNYBERRY VIBURNUM	5'–6' HT	CONT	As Shown	
3	VP	VIBURNUM PRUNIFOLIUM	BLACKHAW VIBURNUM	30"–36" HT	CONT	As Shown	
10	Xv	Ilex verticillata 'Winter Red'	Winter Red Winterberry	18"–24"	Cont	As Shown	
PERENNIALS/ GRASSES							
347	cv	Carex Vulpinoidea	Fox Sedge		#1 Cont.	8" O.C.	
143	If	PANICUM CLANDESTINUM	DEERTONGUE		#1 CONT	16–18" O.C.	
577	oc	Osmunda cinnamomea	Cinnamon Fern		#2 Cont.	2–3' O.C.	
362	pv	Panicum virgatum 'Shenandoah'	Shenandoah Switch Grass		#2 Cont.	2–3' O.C.	
116	res	Rudbeckia laciniata	Cutleaf Coneflower		#1 Cont	18" O.C.	
429	ss	Schizachyrium scoparium	Little Bluestem		#1 Cont	18" O.C.	

3 **OVERALL PLANT LIST**
SCALE: NTS

E. LAWN:
- I. LAWN SEED MIX: ECO–LAWN PER LANDSCAPING NOTES, SHEET C580. SEED AT THE RATE OF 6 TO 8 LBS PER 1,000 SF WITH COVER CROP OF TEMPORARY COVER SEED AT 2 TO 3 LBS PER 1000 SF.
- II. TEMPORARY COVER SEED MIX: SEED AT THE RATE OF 3 TO 4 LBS PER 1,000 SF.
- III. TEMPORARY COVER SEED MIX TO BE APPLIED ONLY FOR LATE FALL OR SUMMER SOIL STABILIZATION OUTSIDE ALLOWED SEEDING PERIODS.

F. BIORETENTION AREA:
- I. BIORETENTION AREA SEED MIX: SEED AT THE RATE OF 0.5 LBS PER 1000 SF WITH A COVER CROP OF GRAIN RYE (FALL–WINTER SEEDING) OR JAPANESE MILLET (SUMMER SEEDING) AT SEEDING RATE, MULCHING AND ESTABLISHMENT MAINTENANCE AS DIRECTED BY MANUFACTURER.

G. ALL SEEDED AREAS SHALL BE PROTECTED FROM EROSION BY ONE OF THE FOLLOWING METHODS:
- I. A UNIFORM BLANKET OF STRAW APPLIED AT A RATE OF 2 TONS/ACRE MIN, TO BE APPLIED ONCE SEEDING IS COMPLETE.
- II. WOOD FIBER CELLULOSE APPLIED WITH SEED MIX BY A HYDROSEEDER AT A RATE OF 2,000 LBS/ACRE.

G. ALL SEEDED SLOPES 3:1 OR GREATER SHALL BE PROTECTED FROM EROSION WITH JUTE MESH OR APPROVED EQUAL.

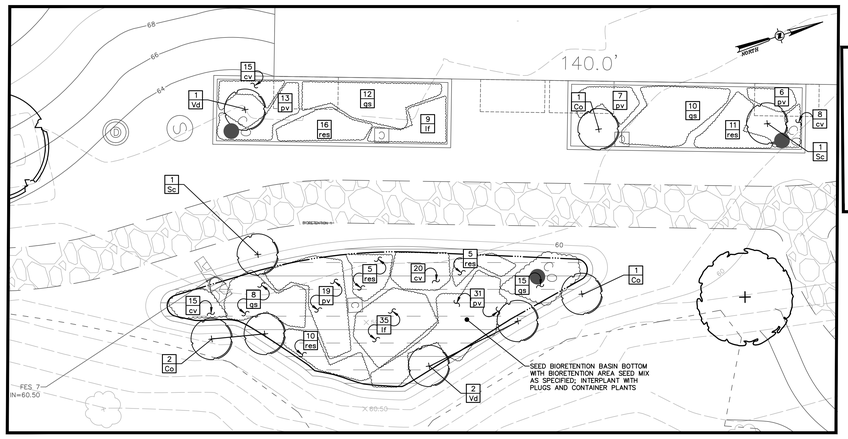
H. ALL NEWLY PLANTED AREAS SHALL BE KEPT MOIST BY WATERING UNTIL GRASSES AND GROUND COVERS ARE WELL ESTABLISHED. THE LANDSCAPE CONTRACTOR MUST WATER PLANT MATERIAL WHEN NECESSARY FOR 60 DAYS AFTER INSTALLATION.

I. LAWNS ARE TO BE WARRANTED UNTIL THEY BECOME ESTABLISHED, UNTIL FINAL ACCEPTANCE, AND NOT LESS THAN 60 DAYS AFTER COMPLETION OF ALL WORK. TREES, SHRUBS, GROUND COVERS, AND PERENNIALS SHALL BE WARRANTED AGAINST DEFECTS INCLUDING POOR GROWTH AND DEATH, EXCEPT WHEN RESULTING FROM OWNER NEGLECT, INCIDENTS THAT ARE BEYOND THE CONTROL OF THE LANDSCAPE INSTALLER AND DAMAGE OR ABUSE BY OTHERS, FOR AT LEAST ONE FULL YEAR AFTER PROJECT COMPLETION.

J. ALL LANDSCAPING SHOWN ON THESE PLANS SHALL BE MAINTAINED IN A HEALTHY AND VIGOROUS GROWING CONDITION THROUGHOUT THE DURATION OF THE PROPOSED USE OF THE SITE. ALL VEGETATION NOT SO MAINTAINED SHALL BE REPLACED WITH NEW COMPARABLE VEGETATION AT THE BEGINNING OF THE NEXT GROWING SEASON.

SITE LEGEND:

- PROPOSED BUILDING
- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- PROPOSED CURB
- 80 — PROPOSED 10 FT CONTOUR
- 79 — PROPOSED 2 FT CONTOUR
- 79.2 x — PROPOSED SPOT GRADE
- PROPOSED PERMEABLE ASPHALT PAVEMENT
- 25 — PROPOSED PARKING COUNT
- PROPOSED TREES
- PROPOSED SHRUBS
- PROPOSED HERBACEOUS PLANTS
- MULCH BED
- RIVERSTONE BED
- 4.3 / CO — PLANT QUANTITY / PLANT NAME



4 **BIORETENTION AREA 1 & PLANTERS PLANTING PLAN**
SCALE: 1"=10'

PLANT LIST

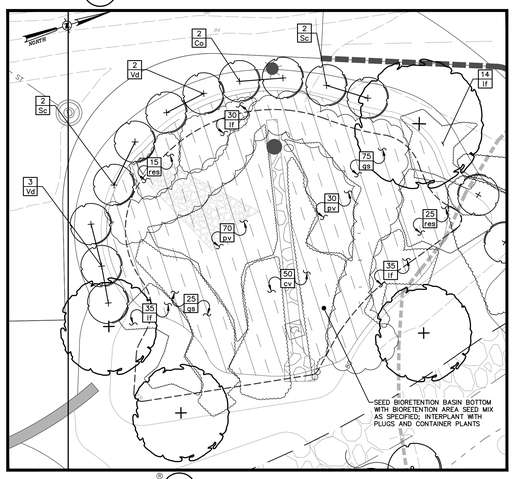
QTY	ABRV	BOTANICAL NAME	COMMON NAME	SIZE	COND	SPACING	REMARKS
SHRUBS							
4	Co	Cornus sericea	Red–Osier Dogwood	30"–36"	Cont.	As Shown	
2	Sc	Sambucus canadensis	Black Elderberry	12" – 18"	Cont.	As Shown	
3	Vd	Viburnum dentatum	Arrowwood Viburnum	30" – 36"	Cont.	As Shown	
PERENNIALS/ GRASSES							
60	cv	Carex vulpinoidea	Fox Sedge	LP50/50	2" PLUG	8" O.C.	
45	gs	Glyceria striata	Fowl Manna Grass	LP50/50	2" PLUG	16" O.C.	
45	If	PANICUM CLANDESTINUM	DEERTONGUE	LP50/50	2" PLUG	18" O.C.	
80	pv	Panicum virgatum	Shenandoah Switch Grass	LP50/50	2" PLUG	24" O.C.	
50	res	Rudbeckia laciniata	Cutleaf Coneflower	LP50/50	2" PLUG	12" O.C.	

5 **BIORETENTION AREA 1 & PLANTERS PLANT LIST**
SCALE: NTS

PLANT LIST

QTY	ABRV	BOTANICAL NAME	COMMON NAME	SIZE	COND	SPACING	REMARKS
SHRUBS							
2	Co	Cornus sericea	Red–Osier Dogwood	30"–36"	Cont.	As Shown	
4	Sc	Sambucus canadensis	Black Elderberry	12" – 18"	Cont.	As Shown	
5	Vd	Viburnum dentatum	Arrowwood Viburnum	30" – 36"	Cont.	As Shown	
PERENNIALS/ GRASSES							
50	cv	Carex vulpinoidea	Fox Sedge	LP50/50	2" PLUG	8" O.C.	
100	gs	Glyceria striata	Fowl Manna Grass	LP50/50	2" PLUG	16" O.C.	
100	If	Panicum clandestinum	Deertongue	LP50/50	2" PLUG	18" O.C.	
100	pv	Panicum virgatum	Shenandoah Switch Grass	LP50/50	2" PLUG	24" O.C.	
50	res	Rudbeckia laciniata	Cutleaf Coneflower	LP50/50	2" PLUG	12" O.C.	

7 **BIORETENTION AREA 2 PLANT LIST**
SCALE: NTS



6 **BIORETENTION AREA 2 PLANTING PLAN**
SCALE: 1"=10'

SOIL RESTORATION NOTES:

SOIL SHALL BE RESTORED IN ACCORDANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN AND THE LATEST EDITION OF THE NYSDEC DEEP–RIPPING AND COMPACTION GUIDELINES.

IN AREAS WHERE SOIL DISTURBANCE HAS OCCURRED OUTSIDE OF BUILDINGS AND PAVEMENT AREAS, THE DISTURBED SUB–SOILS SHALL BE RETURNED TO ROUGH GRADE AND THE FOLLOWING SOILS RESTORATION STEPS APPLIED:

1) APPLY THREE INCHES OF COMPOST OVER SOIL. COMPOST SHALL BE AGED, FROM PLANT DERIVED MATERIALS, FREE OF VIABLE WEED SEEDS, HAVE NO VISIBLE FREE WATER OR DUST PRODUCED WHEN HANDLING, PASS THROUGH A HALF INCH SCREEN AND HAVE A PH SUITABLE TO GROW DESIRED PLANTS.

2) TILL COMPOST INTO THE SUBSOIL TO A DEPTH OF AT LEAST 12–INCHES USING A CAT–MOUNTED RIPPER, TRACTOR MOUNTED DISC, OR TILLER, MIXING AND CIRCULATING AIR AND COMPOST INTO SUB–SOILS.

3) ROCK–PICK UNTIL UPLIFTED STONE/ROOK MATERIALS OF FOUR INCHES AND LARGER SIZE ARE CLEANED OFF THE SITE.

4) APPLY TOPSOIL TO A DEPTH OF SIX INCHES.

NOTES:
1. BROADCAST DENSITY, MULCHING, AND FIRST & SECOND SEASON MAINTENANCE TO MATCH MANUFACTURER'S RECOMMENDATIONS TO ENSURE PROPER ESTABLISHMENT.
2. OWNER TO FOLLOW GROWING SEASON MAINTENANCE RECOMMENDATIONS AFTER 1 YEAR TO ACHIEVE PROPER ESTABLISHMENT. CONTRACTOR TO INSTALL A 3"–4" SPADE CUT EDGE AT ALL LAWN/MULCH INTERFACES (TYP); CONTRACTOR TO ROUGHLY STAKE OUT AREA FOR OWNER APPROVAL PRIOR TO EDGING AND MULCHING
3. ALL AREAS DISTURBED AS A RESULT OF CONSTRUCTION ACTIVITIES AND WHICH ARE NOT OTHERWISE CALLED OUT AS HARDSCAPE OR LANDSCAPE PLANTING AREAS SHALL BE SEEDED TO ESTABLISH LAWN PER LANDSCAPING NOTES.

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CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018381
LAND SURVEYING: 017976
GEOLOGICAL: 018750

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PROJECT NUMBER: C281750.00
DRAWN BY: DP
REVIEWED BY: KA
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME: LANDSCAPE PLAN
DRAWING NUMBER: C180

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LIGHTING STATISTICS:

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Stat Zone # 1 Entire Site to PL	+	0.2 fc	5.0 fc	0.0 fc	N/A	N/A
Stat Zone # 2 Onsite Drive and Parking areas	+	0.8 fc	5.0 fc	0.0 fc	N/A	N/A

LIGHTING LEGEND:

PROPOSED BUILDING

POST AND LUMINAIRE

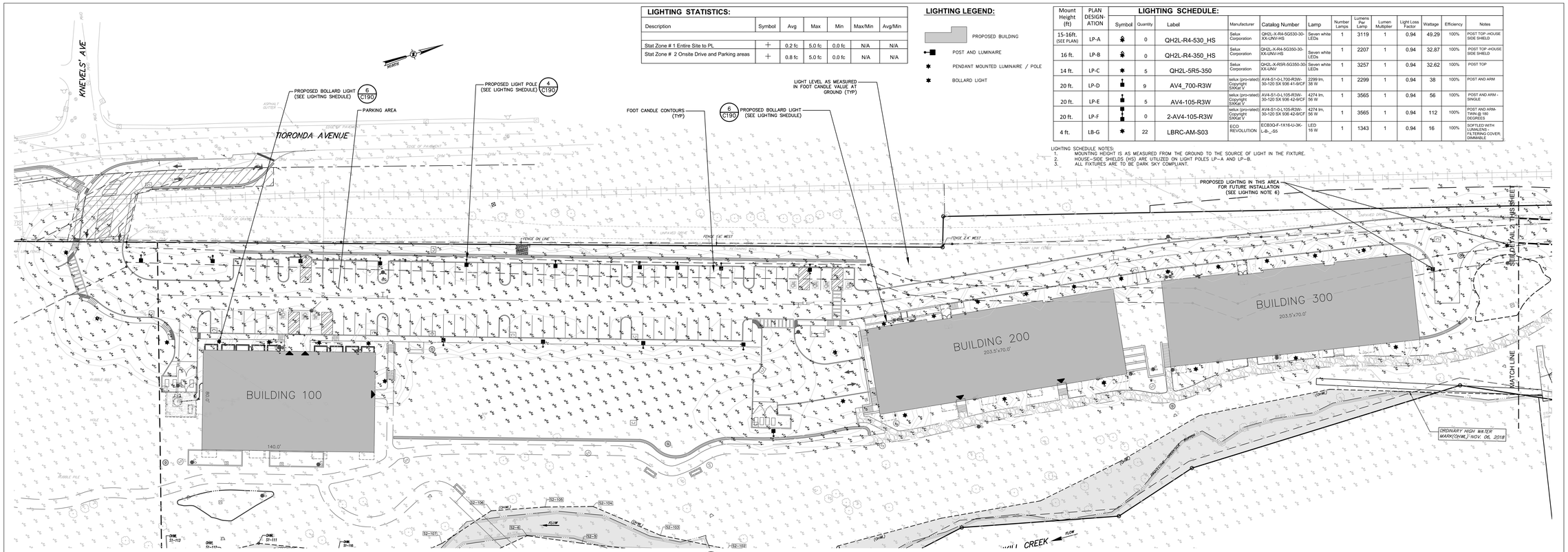
PENDANT MOUNTED LUMINAIRE / POLE

BOLLARD LIGHT

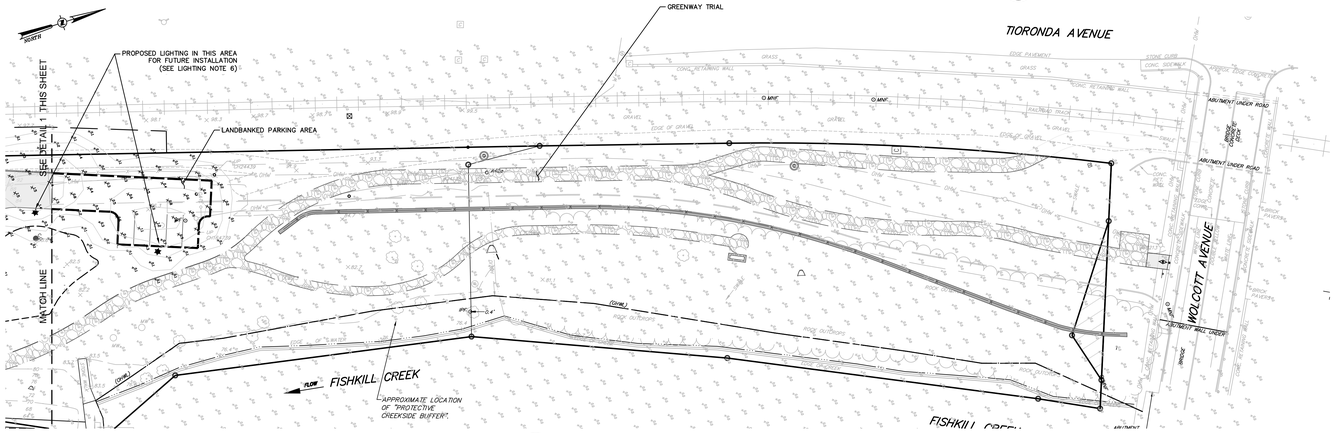
LIGHTING SCHEDULE:

Mount Height (ft)	PLAN DESIGN-ATION	Symbol	Quantity	Label	Manufacturer	Catalog Number	Lamp	Number Lamps	Lumens Per Lamp	Lumen Multiplier	Light Loss Factor	Wattage	Efficiency	Notes
15-16ft. (SEE PLAN)	LP-A		0	QH2L-R4-530_HS	Selux Corporation	QH2L-X-R4-5GS30-30-XX-UNV-HS	Seven white LEDs	1	3119	1	0.94	49.29	100%	POST TOP-HOUSE SIDE SHIELD
16 ft.	LP-B		0	QH2L-R4-350_HS	Selux Corporation	QH2L-X-R4-5GS50-30-XX-UNV-HS	Seven white LEDs	1	2207	1	0.94	32.87	100%	POST TOP-HOUSE SIDE SHIELD
14 ft.	LP-C		5	QH2L-5R5-350	Selux Corporation	QH2L-X-R5R-5G350-30-XX-UNV	Seven white LEDs	1	3257	1	0.94	32.62	100%	POST TOP
20 ft.	LP-D		9	AV4_700-R3W	selux (pro-rated) Copyright SXKat V	AV4-S1-0-L700-R3W-30-120 SX 936 41-9/CF	2299 lm, 38 W	1	2299	1	0.94	38	100%	POST AND ARM
20 ft.	LP-E		5	AV4-105-R3W	selux (pro-rated) Copyright SXKat V	AV4-S1-0-L105-R3W-30-120 SX 936 42-9/CF	4274 lm, 56 W	1	3565	1	0.94	56	100%	POST AND ARM - SINGLE
20 ft.	LP-F		0	2-AV4-105-R3W	selux (pro-rated) Copyright SXKat V	AV4-S1-0-L105-R3W-30-120 SX 936 42-9/CF	4274 lm, 56 W	1	3565	1	0.94	112	100%	POST AND ARM-TWIN @ 180 DEGREES
4 ft.	LB-G		22	LBRC-AM-S03	ECO REVOLUTION	ECB3Q-F-1X16-U-3K-L-B-_-SS	LED 16 W	1	1343	1	0.94	16	100%	SOFTLED WITH SPECIAL FILTERING COVER. DIMMABLE

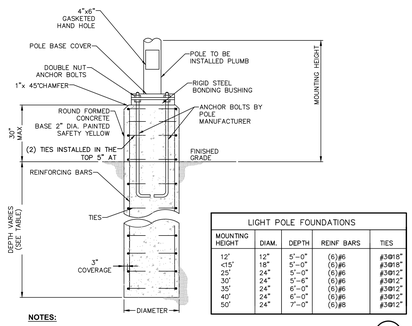
LIGHTING SCHEDULE NOTES:
1. MOUNTING HEIGHT IS AS MEASURED FROM THE GROUND TO THE SOURCE OF LIGHT IN THE FIXTURE.
2. HOUSE-SIDE SHIELDS (HS) ARE UTILIZED ON LIGHT POLES LP-A AND LP-B.
3. ALL FIXTURES ARE TO BE DARK SKY COMPLIANT.



1 C190 **PHOTOMETRIC LIGHTING PLAN**
SCALE: 1"=30'



2 C190 **PHOTOMETRIC LIGHTING PLAN**
SCALE: 1"=30'

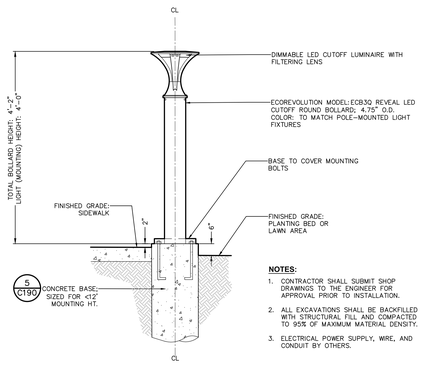


LIGHT POLE FOUNDATIONS				
MOUNTING HEIGHT	DIAM.	DEPTH	REINF BARS	TIES
12'	12"	5'-0"	(6)#6	#3@18"
<15'	18"	5'-0"	(6)#6	#3@18"
25'	24"	5'-0"	(6)#6	#3@12"
30'	24"	5'-6"	(6)#6	#3@12"
35'	24"	6'-0"	(6)#6	#3@12"
40'	24"	6'-0"	(6)#6	#3@12"
50'	24"	7'-0"	(6)#8	#3@12"

NOTES:
1. CONDUITS AND GROUNDING SHALL BE AS REQUIRED BY THE ELECTRICAL DESIGN.
2. ALL CONCRETE SHALL BE **4,500 PSI** @ 28 DAYS.
3. ALL REINFORCING STEEL SHALL BE GRADE 60.
4. DESIGNED FOR **90 MPH** WIND WITH FIXTURE AREA OF **13 SF.**
5. FOUNDATION DIAMETER AND REINFORCING CIRCLE SHALL BE COORDINATED WITH ANCHOR BOLT LIMITS.
6. FOUNDATIONS SHALL BE AUGERED INTO UNDISTURBED NATURAL SOIL OR COMPACTED FILL PER SITE GRADING PLANS.

5 C190 **LOT LIGHTING CONCRETE BASE**
SCALE: N.T.S.

LIGHTING NOTES:
1. PROPOSED LIGHTING AS MANUFACTURED BY SELUX LIGHTING. PROPOSED POLE LENGTHS VARY, SEE LIGHTING CHART.
2. GRID NUMBERS SHOWN REPRESENT FOOT CANDLE VALUES AT GROUND PLANE.
3. THE LIGHTING FIXTURES, SURFACE LOCATIONS AND ASSOCIATED PHOTOMETRIC VALUES ARE IDENTIFIED BY THE CHAZEN COMPANIES. DETAILED DESIGN OF THE LIGHTING SPECIFICATIONS, FOUNDATION DESIGN, LIGHTING CONDUIT, WIRING, AND CONTROL CIRCUITRY SHALL BE BY OTHERS.
4. IF DISCREPANCIES EXIST BETWEEN THE LIGHTING SCHEDULE AND LIGHTING PLAN, THE PLAN SHALL DICTATE.
5. THE EXISTING STREET LIGHTS IN THE RIGHT-OF-WAYS HAVE NOT BEEN INCLUDED IN THIS PHOTOMETRIC ANALYSIS. THE LIGHT LEVELS SHOWN HEREON REFLECT THE PROPOSED LIGHTING ON SITE.
6. LIGHTING AND ELECTRICAL SERVICE WIRING SHALL ONLY BE INSTALLED IN THE EVENT OF BUILDOUT OF LANDBANKED PARKING. INSTALL ELECTRIC CONDUIT STUBS-UPS, COVER AND MARK LOCATIONS IN CURRENT WORK PHASE.

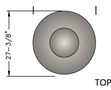


NOTES:
1. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION.
2. ALL EXCAVATIONS SHALL BE BACKFILLED WITH STRUCTURAL FILL AND COMPACTED TO 95% OF MAXIMUM MATERIAL DENSITY.
3. ELECTRICAL POWER SUPPLY, WIRE, AND CONDUIT BY OTHERS.

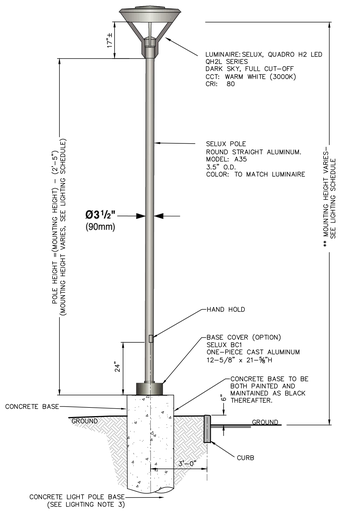
6 C190 **BOLLARD LIGHT FIXTURE DETAIL**
SCALE: N.T.S.



SECTION VIEW

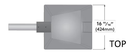


TOP VIEW

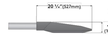


NOTES:
1. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION.
2. ALL EXCAVATIONS SHALL BE BACKFILLED WITH STRUCTURAL FILL AND COMPACTED TO 95% OF MAXIMUM MATERIAL DENSITY.
3. ELECTRICAL POWER SUPPLY, WIRE, AND CONDUIT BY OTHERS.

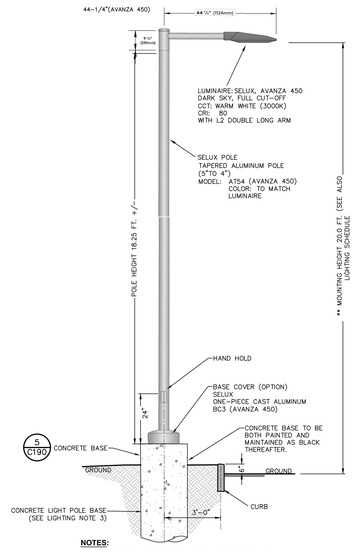
3 C190 **PEDESTRIAN SCALE LIGHTING FIXTURE DETAIL**
SCALE: N.T.S.



TOP VIEW



SIDE VIEW



NOTES:
1. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS TO THE ENGINEER FOR APPROVAL PRIOR TO INSTALLATION.
2. ALL EXCAVATIONS SHALL BE BACKFILLED WITH STRUCTURAL FILL AND COMPACTED TO 95% OF MAXIMUM MATERIAL DENSITY.
3. ELECTRICAL POWER SUPPLY, WIRE, AND CONDUIT BY OTHERS.
4. WHEN LIGHT FIXTURE IS ADJACENT TO PARKING, BASE HEIGHT TO BE 30" HIGH.

4 C190 **PARKING AREA LIGHTING FIXTURE DETAIL**
SCALE: N.T.S.

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Poughkeepsie, NY 12601
(845) 454-3980

labellapc.com

NOT FOR CONSTRUCTION
EXP: ##/##/20##
EXP: ##/##/20##

CERTIFICATE OF AUTHORIZATION NUMBER:
PROFESSIONAL ENGINEERING: 018381
LAND SURVEYING: 017976
GEOLOGICAL: 018750

It is a violation of New York Education Law Art. 145 Sec. 7209 & Art. 147 Sec. 7307, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered; the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

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NO.	DATE:	DESCRIPTION:
Revisions		

PROJECT NUMBER: CZ81750.00
DRAWN BY: DC
REVIEWED BY: KA
ISSUED FOR: ISSUED FOR PLANNING BOARD APPROVAL
DATE: 06/20/24
DRAWING NAME:

248 Tioronda Avenue
248 Tioronda Avenue
Beacon, New York 12508

PHOTOMETRIC LIGHTING PLAN

DRAWING NUMBER: **C190**

6/24/2024 1:28:19 PM
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§ 223-41.11. (Reserved)

§ 223-41.12. Purposes.

Purposes of the Fishkill Creek Development (FCD) District are to:

A. Encourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses. Properties in this category are generally more remote from the Central Main Street District, but offer larger sites for a flexible range of compatible nonresidential uses. **[Amended 6-15-2020 by L.L. No. 7-2020]**

B. Establish and preserve open space corridors along Fishkill Creek and the Hudson River, and seek open space linkages to the large areas of open space in the Hudson Highlands on the slopes of Mount Beacon.

C. Continue to develop greenways along the Hudson River and Fishkill Creek for public recreation, and provide linkages to trails towards the Hudson Highlands and the slopes of Mount Beacon. Improve boat access to Fishkill Creek and the Hudson River. Determine the future use of the railroad tracks along Fishkill Creek for vehicles capable of utilizing the tracks or for a bicycle and pedestrian path, and implement the decision.

§ 223-41.13. Uses; plan review; design standards.

A. This article establishes a comprehensive review for land uses in the Fishkill Creek Development District. Development within the Fishkill Creek Development District shall be governed by this article, except to the extent that this article specifically incorporates by reference other sections of this chapter. In the event that any other provision of this chapter is inconsistent with the provisions of this article, then the provisions of this article shall control.

B. Principal uses permitted. A Fishkill Creek development may be a single use, or a mixed use which incorporates various permitted land use elements as part of a comprehensive development plan. These elements may include: **[Amended 6-15-2020 by L.L. No. 7-2020]**

   (1) Apartment, attached or multifamily dwelling.

   (2) Artist live/work space, artist studio and workshop of artisan.

   (3) Bed-and-breakfast establishment or inn.

   (4) Spa, fitness centers/noncommercial swimming pool, exercise studio, day-care center or similar use as determined by resolution of the City Council. Such uses shall be permitted in buildings that face a street.

   (5) Restaurant, bar, brew pub or other eating and drinking establishment. Such restaurants and other eating and drinking establishments shall be permitted in buildings that face a street. No such individual use shall contain more than 5,000 square feet of gross floor area.

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(6) Professional and business office in buildings that face a street.

(7) Gallery, exhibit space or museum.

(8) Community facility that complements residential and commercial use, such as a public or semipublic performance and cultural center, live theater, concert hall, meeting room suitable for social, civic, cultural or education activities, bandshell, kiosk or gazebo.

(9) Assembly, manufacturing, workshop or other light industrial use, as determined by the City Council, in fully enclosed buildings and not including any form of outdoor storage.

(10) Day-care center.

(11) Trade school or training program, college, private school, or nursery school.

(12) Other nonresidential use similar to the above uses as determined by resolution of the City Council.

C. Permitted accessory uses. Permitted accessory uses may include:

(1) Uses which are clearly incidental to, and customarily found in connection with, the permitted principal uses. Exterior display of goods on special event days/weeks may be permitted, subject to the issuance of a permit by the City. Exterior storage is not allowed. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food or drink stands, are permitted.

(2) Parking and bicycle facility, including parking structure. **[Amended 6-15-2020 by L.L. No. 7-2020]**

(3) Short-term rentals in any dwelling unit, or room(s) therein, located in a one-family home, two-family home, accessory apartment, or multifamily dwelling, as provided in § 223-26.5. **[Added 6-15-2020 by L.L. No. 6-2020 [1]]**

(4) Solar collector, roof garden, or greenhouse. **[Added 6-15-2020 by L.L. No. 7-2020]**

D. Procedure for review of Fishkill Creek development proposals.

(1) Each Fishkill Creek development project shall require:

(a) Concept plan approval by the City Council; and

(b) Site plan approval by the Planning Board.

(2) The Planning Board may commence its review of a site plan for one or more Fishkill Creek development projects as soon as an application for such Fishkill Creek development concept plan has been submitted to the City Council. However, no final approval of a site plan for any FCD project shall precede the issuance of a concept plan approval for such FCD project by the City Council.

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1. **Editor's Note: This local law provided the following: "This local law shall take effect on October 1, 2020. Any short-term rental, as defined herein, in existence prior to October 1, 2020 shall have until November 15, 2020, to file an application to obtain a short-term rental permit. Any short-term rental existing prior to October 1, 2020 that (a) does not meet the definition of short-term rental or (b) is a short-term rental, as defined, and does not file an application by November 15, 2020 shall be deemed to be in violation of this local law and subject to enforcement."**

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E. Application fees. Applications to the City Council and Planning Board as provided herein shall be accompanied by the appropriate fees which may be set from time to time by the City Council for such applications. If such fees are not sufficient to defray the costs of review, the applicant shall also be required to pay such additional fees as may be necessary for the reasonable expenses of technical assistance to the City in reviewing the technical aspects of the application.

F. Procedure for Fishkill Creek development concept plan review.

(1) Application. The concept plan application for a Fishkill Creek development for one or more FCD projects shall be submitted to the City Council. The application shall consist of narrative text, drawings and/or illustrations describing the proposed Fishkill Creek development project. All application materials, including plans, shall be submitted in electronic file format acceptable to the Building Department, in addition to at least five paper copies (or such other format or amount as determined by the Building Department), at least two weeks prior to the City Council meeting at which it will be considered. Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing or a final site plan. The application shall include the following:

(a) A written description of the Fishkill Creek development project(s) concept plan, and a description of the manner in which such proposal meets the purposes of the Fishkill Creek Development District; how it is consistent with the City of Beacon Comprehensive Plan and, if applicable, Local Waterfront Revitalization Plan; and the manner in which the public interest would be served by the proposed Fishkill Creek development, including a description of the benefits to the City.

(b) A land use plan showing the various proposed land uses and their spatial arrangement, including the proposed general location of buildings, parking areas, public, community and/or recreation facilities, utility and maintenance facilities and open space.

(c) An indication of the approximate square footage of buildings, the approximate number of dwelling units of each housing type and size, and the approximate amount of floor area of each type of nonresidential use.

(d) An indication of the appropriate number of parking and loading spaces in relation to their intended use.

(e) A general indication of any phasing of construction.

(f) The general configuration of the interior road system, connection/access to the adjoining road system, and an analysis of the need for and the feasibility of providing emergency access.

(g) A plan showing the relation of the proposed uses to existing and proposed uses adjacent to the site that are not part of the application.

(h) The general configuration of the pedestrian circulation system, the connection of such pedestrian passageways to adjoining properties and a description of how the

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proposal is consistent with the Fishkill Creek Greenway and Heritage Trail Master Plan.

(i) The proposed architectural treatment of views and viewing points from the site to Fishkill Creek; to the site from Fishkill Creek; and over the site from important viewsheds, including those identified in the LWRP, all subject to the City Council's review of photo-simulations as it shall request the applicant provide.

(j) Descriptions, sketches, and sections showing the design scheme contemplated for the entire development and specifically for any public spaces or major elements of the plan.

(k) Such additional information as the City Council may deem necessary in order to properly evaluate the application.

(2) City Council review of Fishkill Creek development concept plan application.

(a) The approval of a Fishkill Creek development project is an action subject to the State Environmental Quality Review Act (SEQRA), and all proceedings to review such project shall comply with the applicable requirements of SEQRA.

(b) Enhanced public transportation, jitneys and other alternative means of travel between the FCD, Main Street and the Hudson Riverfront, as well as the developer providing a fair share of the funding of such alternative means of travel, shall be considered as important methods of mitigating potential traffic and parking impacts resulting from the FCD.

(c) City Council referrals.

[1] The City Council shall refer the application for a Fishkill Creek development concept plan approval to the Planning Board for a recommendation. The Planning Board shall review all documents and materials relating to the application and may make any advisory recommendations it deems appropriate.

[2] Other referrals. The City Council shall comply with the applicable provisions of General Municipal Law §§ 239-1 and 239-m. In addition to any referrals required by law, the City Council may refer the application to any other City board, department, official, consultant or professional it deems appropriate.

(d) Public hearing. The City Council shall hold a public hearing on the application for a Fishkill Creek development concept plan approval. Any required SEQRA hearing shall be conducted jointly with this public hearing, if practicable.

(3) City Council decision on Fishkill Creek development concept plan.

(a) The City Council shall render a decision on the application for Fishkill Creek development concept plan approval after it has held the required public hearing, completed the SEQRA process and has made the requisite SEQRA determination of significance and/or findings, and, if applicable, has made the consistency determination under the City's Local Waterfront Consistency Law.[2]

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(b) Concept plan approval. The City Council may approve the concept plan upon a finding that the following conditions and standards have been met:

[1] The proposed Fishkill Creek development project is consistent with the purposes and requirements of the Fishkill Creek Development District and is otherwise in the public interest.

[2] The proposed Fishkill Creek development project complies with § 223-41.13I(15), Fishkill Creek vegetative buffer, of this chapter.

[3] The proposed Fishkill Creek development project meets the Fishkill Creek development design standards set forth in § 223-41.13I, to the extent applicable at the concept plan stage.

[4] The proposed Fishkill Creek development project is consistent with the City's Comprehensive Plan, Local Waterfront Revitalization Program (if applicable), and Fishkill Creek Greenway and Heritage Trail Master Plan, and will not hinder or discourage the appropriate development and use of adjacent lands.

[5] The proposed Fishkill Creek development project is planned as a cohesive unit with a comprehensive plan for ingress, egress, open space, landscaping, signage, circulation and utility service and the land uses are complementary.

[6] The land uses in the proposed Fishkill Creek development project relate, visually and functionally, with surrounding land areas and land uses, and shall relate compatibly with other elements of the Fishkill Creek corridor.

[7] The Fishkill Creek development project shall be sensitive to the site's relationship to the Fishkill Creek and shall be designed accordingly.

[8] The FCD site is proposed to be developed in such a way as to maximize important views and view corridors throughout the development; and site layout and design has incorporated, protected and/or enhanced important views and view corridors, including those identified in the LWRP.

(c) Conditions. In approving any Fishkill Creek development concept plan, the City Council may attach such conditions, safeguards and mitigation measures as it deems necessary or appropriate to assure continual conformance to all applicable standards and requirements and to fulfill the intent and purposes of this chapter. An approved concept plan shall expire if site plan review is not pursued diligently and received. If site plan approval is granted, the concept plan approval shall expire at the time the site plan approval expires.

(4) Revisions to FCD concept plan. After approval, any proposed revisions shall be submitted to the City Council. The City Council, in its discretion, shall determine the appropriate procedures for consideration of the proposed revisions, and whether such revision is material enough to require further environmental analysis, further project

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2. Editor's Note: See Ch. 220, Waterfront Consistency Review.

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review and/or a further hearing, as it may deem appropriate.

G. Site development plan review. After approval of the Fishkill Creek development concept plan by the City Council, the Planning Board may grant site plan approval to a Fishkill Creek development project.

(1) Application for site plan approval. The application for site development plan approval shall contain all the material set forth in § 223-25B of this chapter. In addition, the applicant shall submit the following:

(a) Information to establish that the proposed site plan complies with § 223-41.13 I(15), Fishkill Creek vegetative buffer, of this chapter.

(b) Information to establish that the proposed site plan meets the Fishkill Creek development standards set forth in Subsection I below.

(c) Information to establish that the proposed site plan is in substantial conformance with the approved Fishkill Creek development concept plan.

(d) Elevations showing the architectural and design treatment of all buildings, public and open spaces and other site plan elements.

(e) Information to establish the relationship of the proposed project to later elements of the development of the FCD District, including any other adjacent and nearby lands that are not part of the applicant's Fishkill Creek development project(s).

(f) Such other information as the Planning Board may reasonably require in order to evaluate the site plan application.

(g) Application fees as required pursuant to Subsection E above.

(2) Planning Board review of site plan.

(a) The Planning Board shall conduct a detailed review of the adequacy, location, arrangement, design and appearance of each aspect of the proposed development. The Planning Board shall have the authority to assure that aspects of the overall development of the FCD District (e.g., stormwater management, domestic water and fire protection, sanitary sewer, all utilities, streets, etc.) shall be adequate to suit the purposes and needs of the entire FCD District, as it is finally developed.

(b) In acting on any site development plan application, the Planning Board shall take into consideration the Fishkill Creek development concept plan, the proposed design and layout of the entire FCD District, including the proposed location, height and landscaping of buildings, traffic circulation within and without the site, provision of off-street parking, exterior lighting, display of signs, landscaping, buffer areas and open spaces, and architecture and design, so that any development will have a harmonious relationship with the existing or permitted development of contiguous land and of adjacent neighborhoods, and so that pedestrian and vehicular traffic will be handled adequately and safely within the site and in relation to the adjoining street system. Particularly, the Planning Board shall assure that the proposed site plan meets the Fishkill Creek development design standards

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set forth in Subsection I below.

(c) The proposed site development plan shall be in substantial conformance with the Fishkill Creek development concept plan. The site plan for a particular Fishkill Creek development project will provide detailed building envelopes, elevations and site design details. The Planning Board may exercise its discretion in allowing minor variations from the Fishkill Creek development concept plan so long as the site plan is, in the Planning Board's judgment, generally in keeping with the Fishkill Creek development concept plan approved by the City Council. In no case, however, shall the Planning Board have the authority to approve a total number of dwelling units and/or an amount of nonresidential floor area in the Fishkill Creek development project which exceeds the number(s) approved as part of the Fishkill Creek development concept plan.

(3) Time period for construction. At the time of approving the site plan, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.

(4) Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in his discretion, refer any such proposed change to the Planning Board for review. The Planning Board may determine to treat the modification as a minor site plan adjustment under this section or to treat it as a site plan amendment under Subsection G(5) below. If treated as a minor site plan adjustment, the Planning Board may authorize the Engineer or Building Inspector to approve the requested change.

(5) Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection G(5) and shall have the discretion to determine the extent of further environmental analysis and project review that is required. After appropriate review, the Planning Board shall approve any site plan amendment by resolution.

H. Subdivision within a Fishkill Creek development. The Planning Board may review any proposed subdivision application within a Fishkill Creek development at any time. Any requests for subdivision approval shall follow the procedures set forth in Chapter 195, Subdivision of Land, of the City Code. The setbacks and other dimensional requirements of

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the FCD District shall apply to the gross land area of the total Fishkill Creek development project, whether or not the gross land area is or will remain in one ownership, and shall not apply to individual or subdivided lots.

I. Fishkill Creek development design standards.

(1) All new buildings or substantial alterations of existing buildings in the Fishkill Creek Development District, shall comply with the following design standards. These standards are intended to supplement the provisions in Chapter 86, Architectural Design, and to relate historic buildings and traditional streetscapes in the area to new redevelopment efforts, while still allowing contemporary architectural flexibility.

(2) Key terms. Standards using the verb "shall" are required; "should" is used when the standard is to be applied unless the City Council or Planning Board, as applicable, finds a strong justification for an alternative solution in and unusual and specific circumstance; and "may" means that the standard is an optional guideline that is encouraged but not required.

(3) General district standards. While the FCD District may contain various uses, development shall be planned as a cohesive unit, with a comprehensive plan for access, connected greenspace, landscaping, signs, circulation, and compatible architectural elements. Plans should build on the existing Beacon environmental and historic context.

(a) Proposals shall show previous buildings on the site and document inspiration from the City's industrial past along the riverfront and creek frontage, including the type and texture of materials, roof forms, spacing and proportions of windows and doors, and exterior architectural features. Building details may be traditional or may be more modern and simple.

(b) Construction on parcels in or directly adjoining the Historic District and Landmark Overlay Zone should reinforce historical patterns and neighboring buildings with an emphasis on continuity and historic compatibility, not contrast. The goal is to renew and extend the traditional character of the district, but new construction may still be distinguishable in up-to-date technologies and details, most evident in windows and interiors (see also Chapter 134, Historic Preservation).

(c) The plan shall be sensitive to the site's relationship to the Fishkill Creek and developed in such a way as to maximize important public views and view corridors throughout the development.

(4) Specific standards. See also the annotated photo examples in Figures 13-1 through 13-3, illustrating the design standards.[3]

(a) Historic mill buildings in Beacon generally had simple forms and repetitive window openings with flat or low-pitched gable roofs. Groups of related buildings shall be designed to present a varied but compatible mix. New construction should have rooftop cornices, capstones, parapets, railings, or projecting eaves.

3. **Editor's Note: Said figures are on file in the City offices.**

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(b) Architectural features, materials, and windows shall be continued on all sides of the building, avoiding any blank walls. Larger buildings should incorporate subtle breaks in the facade and window surrounds with projecting sills, lintels, or crowns to add some depth, shadow, and detail.

(c) Buildings shall have an emphasized entrance doorway to visually connect the building to the street frontage and an interconnected sidewalk and walking/bicycle path system to allow residents access to the street and Greenway Trail along the creek frontage.

(d) Industrial artifacts, such as stacks, towers, skylights, window frames, loading doors, and docks, should be retained or reproduced and incorporated into the design, whenever possible. Railings, balconies, entrance canopies, lighting fixtures, and other functional details should use industrial styles, metal materials, and darker colors.

(e) Windows shall be divided into smaller panes to break up large areas of glass. Individual panes shall be greater in height than width, but the Planning Board may allow exceptions for transom lights, storefronts, and other specialty windows. Tinted or mirrored glass and large glass wall areas shall not be permitted.

(f) Commercial buildings shall have at least 70% glass on the first-floor facades. Residential floors shall have at least a 30% glass-to-wall ratio.

(g) For finish building materials, traditional brick is recommended with secondary elements of cement-based stucco, stone, smooth-finished fiber-cement siding, metal, or other material deemed acceptable by the Planning Board. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic stone or brick, synthetic stucco, exterior insulation and finishing system (EIFS), or direct-applied finish system (DAFS), and chain link, plastic, or vinyl fencing shall not be permitted.

(h) Greenhouses, solar collectors, mechanical systems, and other rooftop accessory structures may project up to 15 feet above the maximum height, if set back at least 15 feet from the edge of a flat roof.

(i) Off-street parking, mechanical equipment, and refuse containers shall be located toward the rear or side of the site, under the ground floor of buildings, and/or screened from public views by approved landscaping or architectural elements. Window or projecting air conditioners shall not be permitted.

(j) Every site should include at least one pedestrian-oriented gathering place, green, landscaped plaza, courtyard, terrace, or outdoor eating area, using the building forms to frame, overlook, or complement the space.

(5) Energy efficiency. The plan for the Fishkill Creek development project shall be designed and arranged in such a way as to promote energy efficiency to the maximum extent practicable for all buildings, such as taking advantage of passive solar and solar panel opportunities.

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(6) Landscaping, screening and buffering. A comprehensive landscaping plan, including proposed streetscape and rooftop elements, shall be submitted for the project.

(a) Sidewalks, open spaces, parking areas and service areas shall be landscaped and/or paved in a manner which will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., shall be attractive, durable, easily maintained and compatible with the exterior materials of adjacent buildings.

(b) The Planning Board may require street trees, buffer landscaping, fencing or screening to separate land uses and to screen parking lots or structures, utility buildings, refuse collection areas, cooling systems and other similar installations and features.

(c) All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board. Landscape materials selected shall emphasize native species, not include invasive species, and shall be appropriate to the growing conditions of the environment and this climatic zone.

(d) Green roofs and rooftop terraces and gardens are encouraged for visual and environmental reasons.

(7) Lighting. A comprehensive lighting plan with photometric measurements and fixture specifications shall be submitted for the project. Streets, drives, walks and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. **[Amended 6-15-2020 by L.L. No. 7-2020]**

(a) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in parking lots shall be a maximum of 20 feet high.

(b) All exterior lighting shall comply with the standards in § 223-14B.

(8) Signage.

(a) All signs shall be planned and designed in accordance with an overall comprehensive signage plan, which shall be subject to Planning Board review and approval as part of site plan review process.

(b) All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose.

(9) Vehicle, bicycle and pedestrian circulation system and traffic access. The rights-of-way and pavement widths for all internal streets, drives, walks or other accessways for vehicles, bicycles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, which shall accommodate projected demand but minimize impervious surface to the maximum extent practicable and be narrow enough to slow traffic speeds. Commercial uses should be pedestrian oriented and assist in building walkable streets and a connection to downtown Beacon.

(10) Public access for greenway trails.

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(a) While a Fishkill Creek development will require certain private elements for the security and benefit of its residents and property owners, a Fishkill Creek development shall provide public pedestrian access in a manner which enhances existing public access opportunities, and coordinates such public access with existing or anticipated opportunities for public access on adjacent lands to facilitate future linkages in a continuous pedestrian path system.

(b) In order to foster the purposes of this article, in order to implement the policies expressed in the City's Comprehensive Plan and the Fishkill Creek Greenway and Heritage Trail Master Plan, including the creation of greenway trails, and in order to increase public pedestrian access to and the potential for enjoyment of Fishkill Creek, each FCD project shall show a dry-land right-of-way or easement for the enjoyment of the public, which easement shall be not less than 20 feet in width traversing the entire length of the site unless configured otherwise by the Planning Board during the site development plan review process. To the maximum extent practicable, said right-of-way or easement shall be integrated so as to create linkages with existing and anticipated public pedestrian and bicycle trail systems on adjacent lands.

(c) The trail within said right-of-way or easement shall be constructed by the project developer and shall be maintained by the property owner. Said trail may be located in the Fishkill Creek buffer.

(11) Off-street parking and loading.

(a) General parking requirements.

[1] Off-street parking and loading areas shall be designed with careful regard to their relation to the uses served. They shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.

[2] Parking and loading facilities not enclosed in structures shall be suitably landscaped and/or screened as determined appropriate by the Planning Board. Off-street parking shall be located toward the rear or side of the site, under the ground floor of buildings, and/or screened from public views by approved landscaping or architectural elements.

[3] The construction of any proposed parking structures to accommodate the PCD project shall be integrated into the development.

(b) Parking requirements. The FCD District parking requirements shall be in accordance with § 223-26 of this chapter, except that the requirements in § 223-26F shall be both the minimum and maximum requirements for a FCD project.

(c) With respect to any building, structure or use for which the required number of parking spaces is not specifically set forth in § 223-26F of this chapter, the Planning Board, in the course of site plan review, shall determine the number of off-street parking spaces required, which number shall bear a reasonable relation

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to the minimum off-street parking requirements for specified uses as set forth in the above schedule.

(d) Up to 20% of the required parking may be designated for compact automobiles at the discretion of and in accordance with standards as determined by the Planning Board.

(e) Off-street loading shall be provided as the Planning Board may find appropriate.

(12) Utilities and services.

(a) Underground lines. All on-site television, power and communication lines, as well as all on-site water, sewer and storm drainage lines, shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. Any utility equipment to be necessarily located above ground shall be adequately screened from view in an attractive manner.

(b) Approval of appropriate jurisdictions. All buildings within Fishkill Creek development projects shall be served by water supply, sanitary sewage and stormwater drainage systems as approved by the appropriate government agency or agencies having jurisdiction thereof. Stormwater drainage shall minimize siltation and nonpoint source discharge of salted areas and any other pollutants. Best management practices shall be required.

(c) Television hookups. Television hookups shall either be by cable television or a central antenna system designed to minimize adverse aesthetic impact and shall not be by multiple individual satellite dishes.

(d) Refuse collection. The Fishkill Creek development project shall provide an adequate means of storing refuse between collections, and shall comply with all applicable City requirements, including recycling requirements. Such storage systems shall be designed to minimize adverse aesthetic impact.

(e) Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic impact.

(f) Placement of utilities. Where possible, all utilities shall be placed within the right-of-way.

(g) Utility deficiencies. The FCD project shall address all known utility deficiencies which have a relationship to the project, the project's impact upon said utilities, and the project's implementation and/or financing of its fair share of the mitigation of said impact and deficiencies, including the dedication of utility easements to the City.

(13) Floodplain. The Fishkill Creek development project shall comply with the applicable provisions of Chapter 123, Flood Damage Prevention, of the City Code. All habitable stories shall be elevated above the one-hundred-year floodplain elevation.

(14) Historic preservation. Every reasonable effort shall be made to preserve and/or incorporate significant historic structures and artifacts as part of the FCD project.

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(15) Fishkill Creek vegetative buffer.

(a) A protective creekside buffer measured from the top of the creek bank shall be observed. "Top of the creek bank" shall mean the highest elevation of land which confines Fishkill Creek.

(b) The protective creekside buffer dimension in § 223-41.14I of this chapter is a minimum and may be increased if necessary to mitigate the impact of the proposed development. **[Amended 10-23-2023 by L.L. No. 5-2023]**

(c) With respect to development near the creekside buffer, the site plan shall address the following requirements:

[1] Site development shall be filled to the topography and soil so as to create the least potential for vegetation loss and site disturbance.

[2] Vegetation removal shall be limited to that amount necessary for the development of the site. Protection of tree crowns and root zones shall be required for all trees planned for retention.

[3] Vegetation indigenous to the site or plant community shall be restored in areas affected by construction activities. Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion. New planting shall be given sufficient water, fertilizer and protection to ensure reestablishment.

(d) All approved measures to mitigate the loss or impact to riparian habitat shall become conditions of approval of the project.

(e) The creekside buffer shall be protected by a conservation easement and/or covenants and restrictions which provide for the preservation of existing and proposed vegetation within said buffer.

§ 223-41.14. Bulk regulations.

A. Minimum size of FCD site: two acres. Notwithstanding the above, the owner of less than two acres of land may apply for approval of a FCD project, where such land is adjacent to a proposed, approved or constructed FCD project. **[Amended 2-20-2018 by L.L. No. 3-2018]**

B. Development potential. Maximum number of dwelling units per acre of lot area, after deducting on all development proposals involving a total lot area of more than three acres any lot area with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11. Additionally, a minimum of 25% of the total development's floor area shall be permitted nonresidential uses other than dwelling units or artist live/work spaces, which must be built out before or concurrently with the residential development of the site. Less nonresidential square footage may be granted by the City Council for the voluntary and guaranteed inclusion in the project of desirable environmental, transportation, or other substantial public benefits which would not otherwise be required of the project, as

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determined at the sole discretion of the City Council as part of the concept plan approval. **[Amended 5-22-2018 by L.L. No. 9-2018]**

C. Maximum dwelling unit size: 2,000 square feet of gross floor area.

D. Maximum building coverage, including parking structures: 35%.

E. Minimum open space: 30%.

F. Maximum building height: three stories and 40 feet, as determined from the average grade level of the side of the building facing the primary street view. A corner or centrally located elevator or stair tower projecting one story above the permitted building height may be approved by the City Council to add architectural interest and to encourage access to rooftop gardens.

G. Minimum building setback from edge of pavement of public and private streets: 12 feet.

H. Minimum frontage of overall FCD site on public street right-of-way: 50 feet.

I. Minimum setback from and buffer width along Fishkill Creek: an average of 50 feet, but not less than 25 feet at any point, except with respect to the existing building located at 555 South Avenue located in the Historic District and Landmark Overlay Zone, in which case the minimum setback and buffer requirement shall not apply.

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City of Beacon City Council Agenda
07/15/2024

Title:

Resolution No. 72 - Setting a Public Hearing for Proposed Local Law No. 5 of 2024 Concerning Prohibition of Eviction Without Good Cause

ATTACHMENTS

Resolution Setting a Public Hearing for Proposed Local Law No. 5 of 2024 Concerning Prohibition of Eviction Without Good Cause

Keane & Beane, P.C. Memorandum Regarding Proposed Local Law No. 5 of 2024 Concerning Prohibition of Eviction Without Good Cause

Proposed Local Law No. 5 of 2024 Concerning Prohibition of Eviction Without Good Cause

New York State Real Property Law Section 213 Regarding Voluntary Local Government Participation in Good Cause Eviction

New York State Homes and Community Renewal Good Cause Eviction Handout (May 2024)

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 72 OF 2024

SETTING A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 5 OF 2024 CONCERNING PROHIBITION OF EVICTION WITHOUT GOOD CAUSE

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for August 5, 2024 at 8:00 pm, or immediately following the conclusion of the preceding Council Workshop session, for Proposed Local Law No. 5 of 2024 concerning prohibition of eviction without good cause.

Resolution No. 72 of 2024			**Date: July 15, 2024**				
☐ **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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

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MEMORANDUM

TO: **Mayor Lee Kyriacou**
Members of the City Council

FROM: **Keane & Beane, P.C.**

RE: **New York State Real Property Law Article 6-A: Good Cause Eviction Law**

DATE: **July 15, 2024**

Included herewith is a proposed local law for the City Council's (the "Council") consideration to voluntarily opt the City of Beacon (the "City") into the State's new Good Cause Eviction Law ("GCE") pursuant to Article 6-A of the New York State Real Property Law ("RPL").[1] In 2022, the City adopted its own local GCE law under Article III of Chapter 173 of the Beacon Code. However, like other local GCE laws adopted by New York municipalities, Beacon's GCE law was ultimately found to be invalid as unconstitutional and preempted by State Law in the Beacon City Court *Matter of 201-211 Main St. LLC. v. Gerado Ortiz*, Index No. LT-138-23 (Beacon City Ct. 20223). As such, this proposed local law repeals and replaces Beacon's GCE.

The State's new GCE authorizes local governments outside New York City to voluntarily participate in the GCE by adopting a local law consistent with RPL § 213, with two exceptions as detailed below. Further, the GCE preempts municipalities from altering any other terms or provisions of the GCE but for these two areas. If the Council adopts the proposed local law, the City would be voluntarily adopting all provisions of the GCE and solely limited to defining these two areas of exemption. As such, this memorandum offers a brief overview of the GCE and explains the two provisions the Council may define and therefore exempt. For convenience, also attached herewith is a copy of the enabling statute, RPL § 213.

The Council has discretion to establish the exemption for (1) "high rent" housing accommodations and for (2) "small landlords" who own less than a certain number of housing accommodations. As such, the GCE only provides two areas for local decision making. The proposed local law, unless otherwise amended by the Council, adopts the GCE's default definitions for both areas. A "housing accommodation" means *any*

[1] The RPL enabling statute (i.e., Article 6-A of the RPL) sunsets on June 15, 2034, unless otherwise extended, superseded or amended.

residential premises, including any residential premises located within a mixed-use residential premises.

"High Rent" Exemption

1. Establish an exemption for any unit on or within a housing accommodation that has a monthly rent above _____ % of the Dutchess County fair market rent ("FMR"). RPL §§ 213(2)(a).

RPL § 213(2)(a) provides, that unless modified by the local municipality, any housing unit which has a monthly rent greater than two hundred forty-five percent (245%) of the FMR shall be exempt from the GCE. The proposed local law adopts the default FMR exemption set forth in the GCE (i.e., 245% above the FMR). The FMR is set and adjusted annually by the United States Department of Housing and Urban Development and published for County of Dutchess by the New York State Division of Housing and Community Renewal. The table below shows the 100% FMR for Dutchess County for 2024 as well as the default 245% FMR (rounded to the nearest dollar).

FMR	Efficiency	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom
100%	$1,237	$1,419	$1,825	$2,315	$2,560
245%	$3,031	$3,477	$4,471	$5,672	$6,272

Therefore, the Council can exempt "high rent" housing accommodations with a FMR of: (i) NYS default of 245%; (ii) a percent above 100%, but less than 245%; or (iii) a percent more than 245%.

Small Landlord Exemption

2. Provide an exemption for "small landlords" who own no more than ___ number of units in the State of New York. RPL § 213(2)(b).

The GCE also provides that any "small landlord" is exempt from the GCE regardless of the rent charged. RPL § 213(1)(b) provides, that unless modified by a municipality, "small landlord" shall mean any landlord of no more than 10 (ten) units in the State. The proposed local law adopts the default definition of "small landlord." Thus, an owner of no more than ten (10) housing units would be exempt from the GCE unless otherwise modified by the City Council.

The GCE has a strict definition of "landlord" to address housing accommodations in which multiple persons have a beneficial interest, including entities with more than person having a beneficial interest. If a landlord is a person, they cannot be considered a "small landlord" if they have a beneficial ownership, in whole or part, in more than the number of units established above; if there is more than one natural person owner,

then no one person may be a beneficial owner, in whole or in part, in more than the number of units established above. RPL § 211(3)(b). If a landlord is an entity, it cannot be considered a "small landlord" if each person with a direct or indirect ownership interest in the entity (or any affiliated entity) owns more than the number of units established above. If an entity cannot provide the names of all natural persons with a direct or indirect ownership interest in the entity, such entity shall not qualify as a "small landlord." RPL § 211(3)(c). As such, if a housing accommodation is owned by multiple persons or an entity and any one person meets the definition above, then the entire housing accommodation is subject to the GCE.

Other Exemptions Preempted by the GCE

RPL § 214 also provides blanket exemptions from the GCE for several types of housing accommodations. These housing accommodations are automatically exempt from the GCE regardless of whether such satisfy the definition of FMR and "small landlord." Please note the below is a simplified version of the automatic exemptions provided by the GCE. For a fully detailed list of the blanket exemptions, please see RPL § 214. These automatic exemptions include:

- Buildings for which a certificate of occupancy was issued on or after January 1, 2009, and for a period of thirty (30) years thereafter.
- Owner-occupied housing accommodations containing 10 or fewer units;
- Units already subject to rent regulation pursuant to local, state, federal law, rule, or regulation;
- Manufactured homes located in manufactured home park, condominiums, cooperatives, or within a building that is subject to an offering plan submitted to the office of the attorney general;
- Units occupied as an incident to the tenant's employment that is being lawfully terminated; and
- Sublets, hotel rooms, other transient uses, religious facilities or institutions, seasonal use units, units within hospitals, continuing/adult care facilities, assisted living facilities, senior residential communities, and dormitories.

Tenants of GCE-exempt rental units are also still entitled to the protections and remedies afforded to tenants under existing provisions of the RPL, the State Real Property and Actions Law, and other applicable federal, state and local laws and ordinances.

Grounds for Eviction under the GCE

The GCE limits "good cause" to a set of narrowly defined circumstances. Please note the below is a simplified version of the grounds for "good cause" eviction. For a fully detailed explanation, please see RPL § 216. Unless the housing unit or accommodation is exempt from the GCE, tenants may only be removed for the following "good cause" reasons:

- Non-payment of rent, unless the rent is "unreasonable";
- Violation of a substantial obligation of the tenancy;
- Nuisance;
- Malicious or grossly negligent substantial damage to the premises or building;
- Occupancy is in violation of law and an order to vacate has been issued, unless the condition is created by the landlord, through neglect or otherwise;
- Illegal use of the premises;
- Unreasonable refusal of access for necessary repairs;
- Owner occupancy as principal residence;
- Demolition;
- Withdrawal from the rental housing market; and
- Failure to agree to reasonable changes to a lease or increase to rent.

Unreasonable Rent Increase

There is a rebuttable presumption that any rent increase exceeding 10% of the previous rent or the inflation index (whichever is lower) is unreasonable and therefore prohibited. RPL § 216(1)(a)(i); *see also* RPL § 211(8). The "inflation index" is 5% plus the annual percentage change in the applicable consumer price index. Dutchess County must use the consumer price index for New York-Newark-Jersey City, NY-NJ-PA, for the preceding calendar year, which was 3.82% for 2022-2023 and thus resulting in an inflation index of 8.82%. RPL § 211(7). Landlords may rebut this presumption by showing a change in circumstance, such as property tax expenses and recent increases thereto as well as completion of "significant repairs." However, the repairs cannot be a result of the landlord's failure to properly maintain the building or housing accommodation. Cosmetic improvements alone (e.g., painting, decorating, and minor repairs) do not qualify as "significant repairs." Therefore, any rent increases that is below the lesser of the inflation index or 10% of the previous rent is *per se* reasonable.

Notice and Disclosure Requirements

The State also amended the Real Property Actions and Proceedings Law and other provisions of the RPL to impose new notice and disclosure requirements upon all landlords in the State. Since these new requirements apply regardless of whether the City opts into the GCE, this memorandum does not discuss these new notice and disclosure requirements.

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

cc: Chris White, City Administrator

PROPOSED LOCAL LAW NO. 5 OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 173 OF THE BEACON CITY CODE CONCERNING PROHIBITION OF EVICTION WITHOUT GOOD CAUSE

A LOCAL LAW to repeal and replace Article III of Chapter 173 of the Beacon City Code to enact a local Good Cause Eviction law pursuant to New York Real Property Law Article 6-a.

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

Section 1. Chapter 173 of the Beacon City Code, Article III – Prohibition of Eviction Without Good Cause Law, Sections 173-14 to 173-19 are hereby repealed in its entirety.

Section 2. Chapter 173 of the Beacon City, Article III – Prohibition of Eviction Without Good Cause Law, is hereby amended as follows:

Article III **Prohibition of Eviction Without Good Cause Law**

§ 173-14 **Purpose.**

The purpose of this Article is to adopt a local law pursuant to and in accordance with the provisions of Article 6-A of the New York State Real Property Law to prohibit certain evictions without good cause in the City of Beacon.

§ 173-15 **Prohibition of eviction without good cause established.**

A. All applicable provisions set forth in Article 6-A of the New York State Real Property Law, and any amendments thereto, are hereby adopted by the City of Beacon.

B. Pursuant to § 213(2)(a) of Article 6-A of the New York State Real Property Law, for the purposes of this Article, any unit on or within a housing accommodation shall be exempt from the provisions of this Article if such unit has a monthly rent above two hundred forty-five percent (245%) of fair market rent, as published by the United States Department of Housing and Urban Development and as shall be published for the County of Dutchess by the New York State Division of Housing and Community Renewal.

DRAFT

C. Pursuant to § 213(2)(b) of Article 6-A of the New York State Real Property Law, for the purposes of this Article, a "small landlord" is defined as a landlord of no more than ten (10) units anywhere in the State of New York shall be exempt from the provisions of this Article.

§ 173-16 **Automatic Sunset of this Article**.

Pursuant to § 7(b) of Chapter 56, Part HH, of the Laws of the State of New York of 2024, this Article shall automatically expire and be repealed on June 15, 2034, unless Article 6-A of the New York State Real Property Law is extended, terminated, or otherwise amended by the State of New York prior to such automatic repeal date.

Section 3. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 173 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.

McKinney's Consolidated Laws of New York Annotated
Real Property Law (Refs & Annos)
Chapter 50. Of the Consolidated Laws
Article 6-a. Good Cause Eviction Law [Expires and Deemed Repealed June 15, 2034, Pursuant to L.2024, C. 56, Pt. HH, § 7] (Refs & Annos)

McKinney's Real Property Law § 213

§ 213. Voluntary participation by local governments outside the city of New York

Effective: April 20, 2024
Currentness

<[Expires and deemed repealed June 15, 2034, pursuant to L.2024, c. 56, pt. HH, § 7.]>

1. Applicability. This article shall apply in any village, town, or a city, other than the city of New York, that, acting through its local legislative body, adopts the provisions of this article by local law.

2. Opt-in by a village, town, or city, other than the city of New York. A village, town, or city that adopts the provisions of this article by local law pursuant to subdivision one of this section may:

(a) provide that any unit on or within a housing accommodation shall be exempt from the provisions of this article if such unit has a monthly rent above a percent of fair market rent, as published by the United States department of housing and urban development and as shall be published for each county in the state by the division of housing and community renewal pursuant to subdivision fifteen of section two hundred fourteen of this article, that shall be established in the local law adopted pursuant to subdivision one of this section, provided that if such local law does not establish such percent of fair market rent, any unit on or within a housing accommodation with a monthly rent greater than two hundred forty-five percent of such fair market rent shall be exempt from the provisions of this article; and/or

(b) define “small landlord” as a landlord of no more than any number of units in the state that the village, town, or city enacts by local law, provided that if such local law does not define “small landlord,” a “small landlord” shall mean a landlord of no more than ten units in the state.

3. Notwithstanding the foregoing provisions of this section, if a town and a village within such town both adopt the provisions of this article by local law pursuant to subdivision one of this section, the local law adopted by such town shall not apply within the territorial limits of a village within such town.

4. Nothing in this section shall permit a village, town, or city to which this article applies to preempt or alter the terms and provisions of this article within such village, town or city.

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5. Within thirty days of receipt of a local law adopted pursuant to subdivision one of this section, and filed with the department of state pursuant to section twenty-seven of the municipal home rule law, the department of state shall notify the division of housing and community renewal of such adoption.

6. The division of housing and community renewal shall include in the annual publication required pursuant to subdivision seven of section two hundred eleven of this article a list including any village, town, or city, other than the city of New York, as to which the division of housing and community renewal has received the notice from the department of state required pursuant to subdivision five of this section indicating that such village, town, or city has adopted a local law pursuant to subdivision one of this section to apply the provisions of this article within such village, town, or city. Such list shall include the name of each village, town, or city that has adopted such a local law, the applicable fair market rent threshold within such village, town, or city for exemption from the provisions of this article established pursuant to paragraph (a) of subdivision two of this section, and the applicable definition of small landlord within such village, town, or city established pursuant to paragraph (b) of subdivision two of this section.

Credits
(Added L.2024, c. 56, pt. HH, § 1, eff. April 20, 2024.)

McKinney's Real Property Law § 213, NY REAL PROP § 213
Current through L.2024, chapters 1 to 158, 160 to 194. Some statute sections may be more current, see credits for details.

End of Document

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NEW YORK STATE OF OPPORTUNITY. Homes and Community Renewal

May 2024

Good Cause Eviction Law Required DHCR Notice

Introduction

On April 20, 2024, Governor Hochul signed the Good Cause Eviction (GCE) law into effect. Under that law, on or before August 1st of each year, the Division of Housing and Community Renewal (DHCR) is required to publish the information contained in this notice.

Geographic Applicability

As of April 20, 2024, the GCE law is in effect in New York City pursuant to § 212 of the Real Property Law.[1] Other villages, towns, or cities (collectively, "municipalities") that wish to opt-in the GCE law must pass a local law pursuant to § 213 of the Real Property Law. DHCR is required to publish a list of all municipalities, other than New York City, that have adopted a local law. The list will include the municipality name, the applicable percentage of Fair Market Rent that will qualify as an exemption from the provisions of the GCE law adopted by the municipality, and the definition of small landlord adopted by the municipality. This list will be published annually, on or before August 1st of each year along with the other information contained in this notice.

As of May 1, 2024, no municipalities have opted into the GCE law pursuant to § 213(1) of the Real Property Law.

Fair Market Rent and Fair Market Rent Percentage Exception

Pursuant to §§ 211(2)(a) and 214(15) of the Real Property Law, rental units are not covered by the GCE law if they have a monthly rent above the applicable Fair Market Rent threshold. In New York City and in any village, town, or city other than New York City that adopts the GCE law and does not provide for a different Fair Market Rent threshold, the GCE law does not cover a rental unit rented for more than 245% of Fair Market Rent. Fair Market Rent is determined by the U.S. Department of Housing and Urban Development by county.

DHCR is required to publish Fair Market Rent and 245% of Fair Market Rent for each unit type, by county, on or before August 1st of each year. See the charts below for current Fair Market Rent and 245% of current Fair Market Rent.

[1] Sections two, three, four, and five of the GCE law, which govern the content of certain notices landlords must provide to tenants, do not go into effect until 120 days after April 20.

HUD FMR (245%): Effective Effective May 1, 2024					
COUNTY	**EFFICIENCY**	**1 BEDROOM**	**2 BEDROOM**	**3 BEDROOM**	**4 BEDROOM**
Albany County	$2,477	$2,771	$3,366	$4,069	$4,484
Allegany County	$1,656	$1,791	$2,217	$2,769	$3,156
Bronx County	$5,846	$6,005	$6,742	$8,413	$9,065
Broome County	$2,095	$2,215	$2,795	$3,660	$4,028
Cattaraugus County	$1,727	$1,737	$2,217	$2,788	$3,163
Cayuga County	$1,784	$1,796	$2,347	$2,965	$3,452
Chautauqua County	$1,622	$1,742	$2,217	$2,862	$2,952
Chemung County	$2,217	$2,259	$2,960	$3,822	$4,158
Chenango County	$1,646	$1,904	$2,217	$2,974	$3,317
Clinton County	$2,011	$2,024	$2,565	$3,143	$3,418
Columbia County	$2,528	$2,553	$2,916	$3,526	$3,883
Cortland County	$1,960	$1,972	$2,430	$2,977	$4,123
Delaware County	$1,923	$1,955	$2,217	$3,124	$3,136
Dutchess County	$3,031	$3,477	$4,471	$5,672	$6,272
Erie County	$2,330	$2,430	$2,849	$3,489	$3,930
Essex County	$2,019	$2,029	$2,379	$3,207	$3,543
Franklin County	$1,502	$1,869	$2,217	$2,820	$3,210
Fulton County	$1,786	$1,798	$2,362	$2,857	$3,224
Genesee County	$1,622	$1,970	$2,391	$2,982	$3,312
Greene County	$2,269	$2,364	$2,830	$3,717	$3,888
Hamilton County	$2,112	$2,127	$2,793	$3,376	$3,905
Herkimer County	$1,923	$1,936	$2,430	$2,938	$3,455
Jefferson County	$2,259	$2,536	$3,332	$4,515	$5,466
Kings County	$5,846	$6,005	$6,742	$8,413	$9,065
Lewis County	$1,698	$1,732	$2,217	$2,842	$3,560
Livingston County	$2,298	$2,573	$3,202	$3,871	$4,265
Madison County	$2,029	$2,244	$2,759	$3,383	$3,920
Monroe County	$2,298	$2,573	$3,202	$3,871	$4,265
Montgomery County	$1,825	$1,911	$2,239	$2,857	$3,065
Nassau County	$4,185	$5,253	$6,145	$7,953	$8,626
New York County	$5,846	$6,005	$6,742	$8,413	$9,065
Niagara County	$2,330	$2,430	$2,849	$3,489	$3,930
Oneida County	$1,923	$1,936	$2,430	$2,938	$3,455
Onondaga County	$2,029	$2,244	$2,759	$3,383	$3,920
Ontario County	$2,298	$2,573	$3,202	$3,871	$4,265
Orange County	$3,031	$3,477	$4,471	$5,672	$6,272
Orleans County	$2,298	$2,573	$3,202	$3,871	$4,265
Oswego County	$2,029	$2,244	$2,759	$3,383	$3,920
Otsego County	$1,762	$2,154	$2,599	$3,195	$3,462
Putnam County	$5,846	$6,005	$6,742	$8,413	$9,065

Queens County	$5,846	$6,005	$6,742	$8,413	$9,065
Rensselaer County	$2,477	$2,771	$3,366	$4,069	$4,484
Richmond County	$5,846	$6,005	$6,742	$8,413	$9,065
Rockland County	$5,846	$6,005	$6,742	$8,413	$9,065
St. Lawrence County	$1,619	$1,869	$2,303	$2,822	$3,067
Saratoga County	$2,477	$2,771	$3,366	$4,069	$4,484
Schenectady County	$2,477	$2,771	$3,366	$4,069	$4,484
Schoharie County	$2,477	$2,771	$3,366	$4,069	$4,484
Schuyler County	$1,561	$1,813	$2,303	$3,114	$3,219
Seneca County	$1,874	$1,887	$2,428	$3,178	$4,121
Steuben County	$1,820	$1,860	$2,217	$2,859	$3,668
Suffolk County	$4,185	$5,253	$6,145	$7,953	$8,626
Sullivan County	$1,933	$2,247	$2,641	$3,690	$4,050
Tioga County	$2,095	$2,215	$2,795	$3,660	$4,028
Tompkins County	$3,212	$3,513	$4,077	$5,037	$5,461
Ulster County	$3,146	$3,205	$4,170	$5,385	$6,025
Warren County	$2,301	$2,511	$3,146	$4,072	$4,190
Washington County	$2,301	$2,511	$3,146	$4,072	$4,190
Wayne County	$2,298	$2,573	$3,202	$3,871	$4,265
Westchester County	$4,038	$4,738	$5,762	$7,068	$7,673
Wyoming County	$1,774	$1,784	$2,217	$2,989	$3,295
Yates County	$1,771	$1,987	$2,612	$3,322	$3,741

Source: U.S. Department of Housing and Urban Development, Fair Market Rents (FMR) for federal fiscal year 2024, All New York State counties. https://www.huduser.gov/portal/datasets/fmr.html. Values in table reflect 245% of FMR.

HUD FMR (100%): Effective May 1, 2024					
COUNTY	**EFFICIENCY**	**1 BEDROOM**	**2 BEDROOM**	**3 BEDROOM**	**4 BEDROOM**
Albany County	$1,011	$1,131	$1,374	$1,661	$1,830
Allegany County	$676	$731	$905	$1,130	$1,288
Bronx County	$2,386	$2,451	$2,752	$3,434	$3,700
Broome County	$855	$904	$1,141	$1,494	$1,644
Cattaraugus County	$705	$709	$905	$1,138	$1,291
Cayuga County	$728	$733	$958	$1,210	$1,409
Chautauqua County	$662	$711	$905	$1,168	$1,205
Chemung County	$905	$922	$1,208	$1,560	$1,697
Chenango County	$672	$777	$905	$1,214	$1,354
Clinton County	$821	$826	$1,047	$1,283	$1,395
Columbia County	$1,032	$1,042	$1,190	$1,439	$1,585
Cortland County	$800	$805	$992	$1,215	$1,683
Delaware County	$785	$798	$905	$1,275	$1,280
Dutchess County	$1,237	$1,419	$1,825	$2,315	$2,560

Erie County	$951	$992	$1,163	$1,424	$1,604
Essex County	$824	$828	$971	$1,309	$1,446
Franklin County	$613	$763	$905	$1,151	$1,310
Fulton County	$729	$734	$964	$1,166	$1,316
Genesee County	$662	$804	$976	$1,217	$1,352
Greene County	$926	$965	$1,155	$1,517	$1,587
Hamilton County	$862	$868	$1,140	$1,378	$1,594
Herkimer County	$785	$790	$992	$1,199	$1,410
Jefferson County	$922	$1,035	$1,360	$1,843	$2,231
Kings County	$2,386	$2,451	$2,752	$3,434	$3,700
Lewis County	$693	$707	$905	$1,160	$1,453
Livingston County	$938	$1,050	$1,307	$1,580	$1,741
Madison County	$828	$916	$1,126	$1,381	$1,600
Monroe County	$938	$1,050	$1,307	$1,580	$1,741
Montgomery County	$745	$780	$914	$1,166	$1,251
Nassau County	$1,708	$2,144	$2,508	$3,246	$3,521
New York County	$2,386	$2,451	$2,752	$3,434	$3,700
Niagara County	$951	$992	$1,163	$1,424	$1,604
Oneida County	$785	$790	$992	$1,199	$1,410
Onondaga County	$828	$916	$1,126	$1,381	$1,600
Ontario County	$938	$1,050	$1,307	$1,580	$1,741
Orange County	$1,237	$1,419	$1,825	$2,315	$2,560
Orleans County	$938	$1,050	$1,307	$1,580	$1,741
Oswego County	$828	$916	$1,126	$1,381	$1,600
Otsego County	$719	$879	$1,061	$1,304	$1,413
Putnam County	$2,386	$2,451	$2,752	$3,434	$3,700
Queens County	$2,386	$2,451	$2,752	$3,434	$3,700
Rensselaer County	$1,011	$1,131	$1,374	$1,661	$1,830
Richmond County	$2,386	$2,451	$2,752	$3,434	$3,700
Rockland County	$2,386	$2,451	$2,752	$3,434	$3,700
St. Lawrence County	$661	$763	$940	$1,152	$1,252
Saratoga County	$1,011	$1,131	$1,374	$1,661	$1,830
Schenectady County	$1,011	$1,131	$1,374	$1,661	$1,830
Schoharie County	$1,011	$1,131	$1,374	$1,661	$1,830
Schuyler County	$637	$740	$940	$1,271	$1,314
Seneca County	$765	$770	$991	$1,297	$1,682
Steuben County	$743	$759	$905	$1,167	$1,497
Suffolk County	$1,708	$2,144	$2,508	$3,246	$3,521
Sullivan County	$789	$917	$1,078	$1,506	$1,653
Tioga County	$855	$904	$1,141	$1,494	$1,644
Tompkins County	$1,311	$1,434	$1,664	$2,056	$2,229
Ulster County	$1,284	$1,308	$1,702	$2,198	$2,459
Warren County	$939	$1,025	$1,284	$1,662	$1,710

Washington County	$939	$1,025	$1,284	$1,662	$1,710
Wayne County	$938	$1,050	$1,307	$1,580	$1,741
Westchester County	$1,648	$1,934	$2,352	$2,885	$3,132
Wyoming County	$724	$728	$905	$1,220	$1,345
Yates County	$723	$811	$1,066	$1,356	$1,527

Source: U.S. Department of Housing and Urban Development, Fair Market Rents (FMR) for federal fiscal year 2024, All New York State counties. https://www.huduser.gov/portal/datasets/fmr.html.

Consumer Price Index

Section 211(7) of the Real Property Law requires DHCR to publish, on or before August 1st of each year, the annual percentage change for the most recent preceding calendar year in the applicable consumer price index for all urban consumers for all items, as published by the U.S. Bureau of Labor.

See the chart below for the applicable annual percentage changes in the consumer price indices in New York State, which may be used in determining the applicable inflation indices and local rent standards pursuant to §§ 211(7) and (8) of the Real Property Law for renewal leases covered by the GCE law.

NYS Consumer Price Indices: Effective [May 1, 2024]		
	New York-Newark-Jersey City, NY-NJ-PA	**Northeast Region**
Annual % Change in Consumer Price Index for Preceding Calendar Year (2022 to 2023)	3.82%	3.45%
Applicable NYS Counties (provided that, outside of NYC, only applies if a village, town, or city has adopted GCE law)	Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Westchester	Albany, Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Clinton, Columbia, Cortland, Delaware, Erie, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Montgomery, Niagara, Oneida, Onondaga, Ontario, Orange, Orleans, Oswego, Otsego, Rensselaer, St. Lawrence, Saratoga, Schenectady, Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Tompkins, Ulster, Warren, Washington, Wayne, Wyoming, Yates

Source: U.S. Bureau of Labor Statistics, Consumer Price Index (CPI) Series CUUSS12ASA0 (All items in New York-Newark-Jersey City, NY-NJ-PA, all urban consumers, not seasonally adjusted and All items in Northeast urban, all urban consumers, not seasonally adjusted). https://www.bls.gov/cpi/. Values represent the percentage change calculated for annual CPI from 2022 to 2023.

City of Beacon City Council Agenda
07/15/2024

Title:

Resolution No. 73 - Referring Proposed Local Law No. 6 of 2024 Concerning Soil Stabilization to the City of Beacon and Dutchess County Planning Boards

ATTACHMENTS

Resolution Referring Proposed Local Law No. 6 of 2024 Concerning Soil Stabilization to the City of Beacon and Dutchess County Planning Boards

Proposed Local Proposed Local Law No. 6 of 2024 Concerning Soil Stabilization

Proposed Local Proposed Local Law No. 6 of 2024: SEAF, Part 1

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 73 OF 2024

RESOLUTION REFERRING PROPOSED LOCAL LAW NO. 6 OF 2024 CONCERNING SOIL STABILIZATION TO THE CITY OF BEACON PLANNING BOARD AND DUTCHESS COUNTY PLANNING BOARD FOR A REPORT AND RECOMMENDATION

WHEREAS, the City of Beacon is considering a local law which would require fully biodegradable erosion and sediment control practices; and

WHEREAS, the City Council wishes for the Planning Board to provide a report and recommendation on the proposed local law.

NOW THEREFORE, BE IT RESOLVED THAT, the City Council hereby refers Proposed Local Law No. 6 of 2024 amending City Code Chapters 190 and 223 concerning soil stabilization to the City of Beacon Planning Board and the Dutchess County Planning Board for a report and recommendation to the City Council.

Resolution No. 73 of 2024		**Date: July 15, 2024**					
☐ **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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

PROPOSED LOCAL LAW NO. 6 OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTERS 190 AND 223 OF THE BEACON CITY CODE CONCERNING SOIL STABILIZATION

A LOCAL LAW to amend Beacon City Code, Chapters 190 and 223, concerning Soil Stabilization.

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

Section 1. Chapter 190 of the Code of the City of Beacon, Section B, entitled "Contents of stormwater pollution prevention plans," is hereby amended as follows:

§ 190-7 Stormwater pollution prevention plans.

A. Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.

B. Contents of stormwater pollution prevention plans.

…

(g) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project, from initial land clearing and grubbing to project close-out. All erosion control practices employed for soil stabilization shall be made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the Stormwater Management Officer or applicable municipal board, or unless otherwise required by NYSDEC;

Section 2. Chapter 223 of the Code of the City of Beacon, Section 12, entitled "Buildings, uses and lots," is hereby amended as follows:

§ 223-12 Buildings, uses and lots.

…

O. Stormwater Management and Erosion & Sediment Control. Stormwater management and erosion and sediment control methods shall be employed for all projects in compliance with Chapter 190 "Stormwater Management and Erosion and Sediment Control" and the New York Standards and Specifications for Erosion and Sediment Control. All erosion control practices employed for soil stabilization shall be made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the Stormwater Management Officer or applicable municipal board, or unless otherwise required by NYSDEC.

Section 3. Chapter 223 of the Code of the City of Beacon, Section 16, Subsection B, entitled "Hilltops, ridgelines and very steep slopes," is hereby amended as follows:

B. Hilltops, ridgelines and very steep slopes. For the purpose of preventing erosion, minimizing stormwater runoff and flooding, preserving the City's underground water resources and protecting the City's character and property values, it is the intent of this chapter to avoid the development of hilltops, ridgelines and very steep slopes, and toward this end, wherever practicable, new construction shall avoid such areas, and existing vegetation in such areas shall not be disturbed wherever practicable. The City Council, the Planning Board, the Zoning Board of Appeals and the Building Inspector shall take these objectives into consideration in reviewing and acting on any plans submitted pursuant to the provisions of this chapter. Further, no building, development, construction of other site improvements, excavation, filling, grading, or removal of significant vegetation shall be permitted on a very steep slope unless the approval authority has determined:

(1) That there is no other suitable alternative area within the lot available for the proposed use, improvement or development of such lot;

(2) That the activity proposed is the minimum necessary to make reasonable use of the land;

(3) That all feasible construction standards and precautions will be taken to assure that environmental impacts will be minimized; ~~and~~

(4) That all erosion control practices proposed for soil stabilization are made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the approval authority, or unless otherwise required by NYSDEC; and

(5) That the purpose and intent of this section are satisfied to the maximum degree feasible.

Section 4. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapters 219 and 223 of the Code of the City of Beacon are otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. 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 6. 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 7. Effective Date.

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

Short Environmental Assessment Form
Part 1 - Project Information

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

City of Beacon City Council

Name of Action or Project:
Local Law - Soil Stabilization

Project Location (describe, and attach a location map):
City of Beacon

Brief Description of Proposed Action:
The proposed Local Law would amend Chapters 190 (Stormwater Management and Erosion and Sediment Control) and 223 (Zoning) of the Code of the City of Beacon to add a requirement that all erosion and sediment control practices employed for the purpose of soil stabilization must be made of natural fibers that are fully biodegradable, unless otherwise approved by the City. The purpose of the proposed Local Law is to encourage green building practices and reduce environmental impacts of construction.

Name of Applicant or Sponsor:	Telephone: 245-838-5000
City of Beacon City Council	E-Mail: cityofbeacon@beaconny.gov

Address:
1 Municipal Plaza

City/PO:	State:	Zip Code:
Beacon	New York	12508

	NO	YES
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.	☐	☑
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☐	☐

3. 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

4. Check all land uses that occur on, are adjoining or near the proposed action:

☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☐
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES
If Yes, identify: _____	☐	☐
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES
	☐	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐
10. Will the proposed action connect to an existing public/private water supply?	NO	YES
If No, describe method for providing potable water: _____ _____	☐	☐
11. Will the proposed action connect to existing wastewater utilities?	NO	YES
If No, describe method for providing wastewater treatment: _____ _____	☐	☐
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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?	☐	☐
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☐
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

	NO	YES
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?	☐	☐
16. Is the project site located in the 100-year flood plan?	☐	☐
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?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☐	☐
If Yes, explain the purpose and size of the impoundment: _____ _____		
~~1~~9. 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: _____ _____		
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: _____ _____		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: City of Beacon City Council Date: 7/9/24

Signature: _____ Title: City Attorney

PRINT FORM

July 9, 2024
City of Beacon

SEAF Part 1: Narrative

Proposed Local Law Concerning Soil Stabilization

The City Council of the City of Beacon proposes a local law to amend Chapters 190 (Stormwater Management and Erosion and Sediment Control) and 223 (Zoning) of the Code of the City of Beacon to add a requirement that all erosion and sediment control practices employed for the purpose of soil stabilization must be made of natural fibers that are fully biodegradable, unless otherwise approved by the City or otherwise required by NYSDEC.

The purpose of the proposed Local Law is to encourage green building practices and reduce environmental impacts of construction. Instead of synthetic materials like nylon or plastic the local law would require use of materials such as hay, straw, jute, coconut, wood fiber, or similar materials to stabilize soils during construction or while allowing new vegetation to grow and develop root structure to stabilize the soils. The decomposition of the biodegradable materials also promotes soil health. The proposed amendment would not apply to practices such as silt fencing and other temporary sediment control measures that are ultimately removed from the site or practices required by NYSDEC to be of a specific non-degradable material.

City of Beacon City Council Agenda
07/15/2024

Title:

Resolution No. 74 - Referring Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations for the Transitional District to the City of Beacon and Dutchess County Planning Boards

ATTACHMENTS

Resolution Referring Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations for the Transitional District to the City of Beacon and Dutchess County Planning Boards

Keane & Beane, P.C. Memorandum Regarding Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations for the Transitional District

Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations for the Transitional District

Schedule of Dimensional Regulations (2024 eCode Version)

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 74 OF 2024

RESOLUTION REFERRING PROPOSED LOCAL LAW NO. 7 OF 2024 CONCERNING DIMENSIONAL REGULATIONS FOR THE TRANSITIONAL DISTRICT TO THE CITY OF BEACON PLANNING BOARD AND DUTCHESS COUNTY PLANNING BOARD FOR A REPORT AND RECOMMENDATION

WHEREAS, the City of Beacon is considering a local law which concerns dimensional regulation of the Transitional District; and

WHEREAS, the City Council wishes for the Planning Board to provide a report and recommendation on the proposed local law.

NOW THEREFORE, BE IT RESOLVED THAT, the City Council hereby refers Proposed Local Law No. 7 of 2024 concerning dimensional regulations for the Transitional District to the City of Beacon Planning Board and the Dutchess County Planning Board for a report and recommendation to the City Council.

Resolution No. 74 of 2024		**Date: July 15, 2024**					
☐ **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					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

KEANE & BEANE P.C.
ATTORNEYS AT LAW

- **Westchester**
  445 Hamilton Avenue
  Suite 1500
  White Plains, NY 10601
  Phone 914.946.4777
- **Long Island**
  534 Broadhollow Road
  Suite 130
  Melville, NY 11747
  Phone 631.776.5910
- **Mid-Hudson**
  200 Westage Business Center
  Suite 120
  Fishkill, NY 12524
  Phone 845.896.0120
- **New York City**
  60 East 42nd Street
  Suite 810
  New York, NY 10165
  Phone 646.794.5747

MEMORANDUM

TO: **Mayor Lee Kyriacou**
Members of the City Council

FROM: **Keane & Beane, P.C.**

RE: **Proposed Local Law re T Zoning District Schedule of Dimensions - Townhouses**

DATE: **July 15, 2024**

Please find attached herewith a proposed local law to amend the Beacon Zoning Code, § 223-13.D – Attachment 1 entitled "Schedule of Dimensions." This proposed local law will add Footnote "e" to the T Zoning District's Schedule of Dimensions which currently only applies to townhouses in the RD Zoning. It should be noted, townhouses are also a permitted use within the T Zoning District and in the L Zoning District. Thus, by adding the T Zoning District to Footnote "e", the dimensional requirements for townhouse would be consistent with the requirements in the RD Zoning District. However, without the proposed amendment, applicants seeking to develop townhouses in the T Zoning District would likely need a variety of variances, or would they would need to develop a different type of housing altogether, such as an apartment building or condominium.

The proposed local law would also correct Footnote "e" to include a missing portion of the final sentence as originally adopted via Local Law No. 7-2020.

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

cc: Chris White, City Administrator

PROPOSED LOCAL LAW NO. 7 OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE CONCERNING DIMENSIONAL REGULATIONS

A LOCAL LAW to amend Article III – General Regulations, Section 223-17.D of the City Code to amend the Schedule of Dimensional Regulations concerning townhouses in the T 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 D, Attachment 1 entitled "Schedule of Dimensional Regulations", is hereby amended to add Footnote "e" to the T Zoning District column.

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled "Schedule of Dimensional Regulations", Footnote "e" is hereby amended as follows:

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.

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.

DRAFT

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020;[1] amended 9-19-2022 by L.L. No. 8-2022]

Zoning District	Minimum Lot Size Area[h] (see also § 223-121)				Minimum Yards[a]			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear[d,e] (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	10	10	20	—	2.5 / 35	N.A.	40%	1	—	R1-5	
RD-7.5[d,e]	2 acres	7,500	200	200	20 to 35	25	50	30	3 / 35	15%	20%	12	—	RD-7.5[d,e]	
RD-6[d,e]	2 acres	6,000	200	200	50	25	50	30	2.5 / 35	15%	20%	16	—	RD-6[d,e]	
RD-5[d,e]	5,000	5,000	50	100	30	10	25	30	3 / 35	20%	30%	16	—	RD-5[d,e]	
RD-4[d,e]	5,000	4,000	200	200	40	20	40	30	2.5 / 35	20%	25%	20	—	RD-4[d,e]	
RD-3[d,e]	5,000	3,000	50	100	30	20	25	30	3.5 / 45	20%	40%	24	—	RD-3[d,e]	
RD-1.8[d,e]	5,000	1,800	50	100	30	20	25	30	10[b] / 100	25%	40%	—[c]	—	RD-1.8[d,e]	
RD-1.7[d,e]	5,000	1,700	50	100	30	20	25	30	4.5[f] / 55[f]	25%	40%	36[g]	—	RD-1.7[d,e]	
T	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T	
GB	—	1,500	—	100	15	20	25	—	— / 35	—	—	—	—	GB	
CMS	—	—	—	75	0 to 10	0	20	—	3 /| 38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4 / 48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3 / 40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5 / 35	20%		—	—	WP	Art. IVA
WD	5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	WD	Art. IVA
LI	—	1,500	60	100	20	20	25	—	— / 35	70%		—	20%	LI	
HI	—	—	60	100	30	20	25	—	— / 40	70%		—	20%	HI	

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 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.

[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.

[1] Editor's Note: This local law also repealed former 223 Attachment 1, § 223-17C, Schedule of Regulations for Residential Districts, as amended.

City of Beacon City Council Agenda
07/15/2024

Title:

June 1, 2024 Minutes

ATTACHMENTS

July 1, 2024 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 Dan Aymar-Blair, Ward 4
City Administrator Chris White

July 1, 2024
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://vimeo.com/user1296488. 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 Dan Aymar-Blair, Ward Four

Also Present

Christopher White, City Administrator

Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 64 - Adopting the 2025-2029 Capital Program

   Motion to pass the resolution by Councilmember Rhodes
   Second by Councilmember Grant.
   Motion passes 7 – 0.

2. Resolution No. 65 - Awarding Community Investment Program Funding

   Motion to pass the resolution by Councilmember Wake.
   Second by Councilmember Aymar-Blair.
   Motion passes 7 – 0.

3. Resolution No. 66 - Authorizing the Settlement of Litigation against Columbia Utilities, LLC

   Motion to pass the resolution by Councilmember Domanski.
   Second by Councilmember Aymar-Blair.
   Motion passes 7 – 0.

4. Resolution No. 67 - Granting Special Use Permit Extension No. 1 for 416-420 Main Street

   Motion to amend the resolution by Councilmember Aymar-Blair.
   Second by Councilmember Grant.
   Motion passes 7 – 0.

   Motion to pass the resolution, as amended, by Councilmember Grant.
   Second by Councilmember Rhodes.
   Motion passes 7 – 0.

5. Resolution No. 68 - Establishment of Standard Workday For Elected Officials and Authorizing Reporting to the New York State and Local Retirement System

Motion to pass the resolution by Councilmember Wake.
Second by Councilmember Aymar-Blair.
Motion passes 7 – 0.

Approval of Minutes

1. June 17, 2024 Minutes

Motion to approve the minutes by Councilmember Rhodes.
Second by Councilmember Aymar-Blair.
Motion passes 7 – 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: July 15, 2024 at 7:00 p.m.

Executive Session

1. Executive Session: Personnel

Motion to go into executive session regarding personnel and to adjourn therefrom with no further business by Councilmember Grant.
Second by Councilmember Rhodes.
Motion passes 7 – 0.

Adjournment

Motion to come out of executive session and adjourn by Councilmember Grant.
Second by Councilmember Rhodes.
Motion passes 7 – 0.

City of Beacon City Council Agenda
07/15/2024

Title:

Executive Session: Real Estate

ATTACHMENTS