



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

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

**March 17, 2025
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for a Proposed Local Law Amending the Zoning Map Concerning East Main Street
Public Hearing for a Proposed Local Law Concerning Use Regulations for Drive-Through Facilities
and Self-Storage Businesses

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 34 - Referring a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon to the City of Beacon and the Dutchess County Planning Boards

Approval of Minutes

1. March 3, 2025 Minutes

Public Comment - Second Opportunity

Announcement of Next Workshop: March 31, 2025 at 7:00 p.m.

Adjournment

City of Beacon City Council Agenda
03/17/2025

Title:

Public Hearing for a Proposed Local Law Amending the Zoning Map Concerning East Main Street

ATTACHMENTS

Proposed Local Law Amending the Zoning Map Concerning East Main Street

City of Beacon Zoning Map

City of Beacon Schedule of Use Regulations

Proposed Local Law Amending the Zoning Map Concerning East Main Street: SEAF Part 1 - Narrative

Proposed Local Law Amending the Zoning Map Concerning East Main Street: SEAF Part 1

Building Inspector Memorandum Regarding East Main Street Zoning Recommendation

City of Beacon Planning Board Memorandum Concerning a Proposed Local Law Amending the Zoning Map Concerning East Main Street

Dutchess County Planning Memorandum Concerning a Proposed Local Law Amending the Zoning Map Concerning East Main Street

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL

CITY OF BEACON

**PROPOSED LOCAL LAW TO AMEND THE ZONING MAP OF THE CITY OF
BEACON CONCERNING EAST MAIN STREET**

A LOCAL LAW to amend
the zoning map of the City
of Beacon.

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

Section 1. The Zoning Map of the City of Beacon, established by Section 223-3 of the Beacon City Code entitled “Zoning Map,” is hereby amended to change the Zoning District designation of the following parcels, from the Light Industrial (“LI”) Zoning District to the Central Main Street (“CMS”) Zoning District:

City of Beacon Tax Parcel No.: 6054-38-140756, which is located at 1 East Main Street,
Retail 1;

City of Beacon Tax Parcel No.: 6054-38-139755, which is located at 1 East Main Street,
Retail 1A;

City of Beacon Tax Parcel No.: 6054-38-138753, which is located at 1 East Main Street,
Retail 2;

City of Beacon Tax Parcel No.: 6054-38-136748, which is located at 1 East Main Street,
Retail 3;

City of Beacon Tax Parcel No.: 6054-38-133744, which is located at 1 East Main Street,
Retail 4;

City of Beacon Tax Parcel No.: 6054-38-129739, which is located at 1 East Main Street,
Retail 5;

City of Beacon Tax Parcel No.: 6054-38-147733, which is located at 1 East Main Street, Unit
101;

City of Beacon Tax Parcel No.: 6054-38-141753, which is located at 1 East Main Street, Unit
201;

City of Beacon Tax Parcel No.: 6054-38-139731, which is located at 1 East Main Street, Unit
202;

City of Beacon Tax Parcel No.: 6054-38-140748, which is located at 1 East Main Street, Unit 203;

City of Beacon Tax Parcel No.: 6054-38-137733, which is located at 1 East Main Street, Unit 204;

City of Beacon Tax Parcel No.: 6054-38-139744, which is located at 1 East Main Street, Unit 205;

City of Beacon Tax Parcel No.: 6054-38-136736, which is located at 1 East Main Street, Unit 206;

City of Beacon Tax Parcel No.: 6054-38-137739, which is located at 1 East Main Street, Unit 207;

City of Beacon Tax Parcel No.: 6054-38-149752, which is located at 1 East Main Street, Unit 301;

City of Beacon Tax Parcel No.: 6054-38-142735, which is located at 1 East Main Street, Unit 302;

City of Beacon Tax Parcel No.: 6054-38-147748, which is located at 1 East Main Street, Unit 303;

City of Beacon Tax Parcel No.: 6054-38-144739, which is located at 1 East Main Street, Unit 304;

City of Beacon Tax Parcel No.: 6054-38-146745, which is located at 1 East Main Street, Unit 305;

City of Beacon Tax Parcel No.: 6054-38-145742, which is located at 1 East Main Street, Unit 306;

City of Beacon Tax Parcel No.: 6054-38-152750, which is located at 1 East Main Street, Unit 401;

City of Beacon Tax Parcel No.: 6054-38-145732, which is located at 1 East Main Street, Unit 402;

City of Beacon Tax Parcel No.: 6054-38-150744, which is located at 1 East Main Street, Unit 403;

City of Beacon Tax Parcel No.: 6054-38-146737, which is located at 1 East Main Street, Unit 404;

City of Beacon Tax Parcel No.: 6054-38-148741, which is located at 1 East Main Street, Unit 405;

- and -

All common areas of the aforementioned parcels, including, but not limited to, the parking lot thereto.

Section 2. Ratification, Readoption and Confirmation

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

Section 3. Numbering for Codification

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

Section 4. Severability. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

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

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022]

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

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

BEACON CODE

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

Beacon – SEAF Part 1 Narrative

Proposed Local Law Concerning the City of Beacon Zoning Map

On February 24, 2025, the Beacon City Council discussed a proposed Zoning Map amendment recommended by the former Building Inspector. Specifically, the proposed local law would amend the City's Zoning Map to change the zoning designations of 25 parcels at 1 East Main Street from the Light Industrial (LI) Zoning District to the Central Main Street (CMS) Zoning District. Over the course of several years, 1 East Main Street has undergone substantial renovations which has resulted in residential units thereat being more akin to multifamily dwellings, which are permitted uses in the CMS Zoning District, than the artist/live work studios permitted in the LI Zoning District. Additionally, several businesses located at 1 East Main Street are now utilized in a manner similar to restaurants or coffee houses which is permitted in the CMS Zoning District as opposed to the LI Zoning District. The other retail/commercial uses present at 1 East Main Street would remain "use" compliant if the proposed local law is adopted. As such, the rezoning of the 25 parcels at 1 East Main Street is intended to bring the uses thereat into conformity with permitted uses by amending the Zoning District thereof from LI to CMS. Moreover, a majority of surrounding properties are currently within the CMS Zoning District.

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			
Name of Action or Project:			
Proposed Local Law to amend the zoning designations of certain parcels from LI to CMS.			
Project Location (describe, and attach a location map):			
25 parcels and common area(s) thereto located at 1 East Main Street, Beacon NY.			
Brief Description of Proposed Action:			
A proposed local law to amend the Zoning Map of the City of Beacon to bring several parcels into conformity with the zoning uses permitted thereat. Specifically, the proposed local law would amend the zoning designations of 25 parcels, and common area(s) thereto including the parking lot, at 1 East Main Street from the Light Industrial (LI) Zoning District to the Central Main Street (CMS) Zoning District. This proposed change is a result of the former Beacon Building Inspector's recommendation. Here, 18 of the 25 parcels at 1 East Main are used for residential dwelling purposes, which is not permitted in the LI Zoning District but is a permitted use in the CMS. Furthermore, some of the commercial uses at 1 East Main Street have transitioned into uses which are more akin to the restaurant or coffee house uses permitted in the CMS Zoning District. The other retail/commercial retails at 1 East Main Street would remain zoning compliant uses if the proposed local law is adopted.			
Name of Applicant or Sponsor:		Telephone: (845) 838-5000	
City Council of the City of Beacon		E-Mail: cityofbeacon@beaconny.gov	
Address:			
1 Municipal Plaza			
City/PO:		State:	Zip Code:
Beacon		NY	12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
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.			YES
			☐
			☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
			☐
			☐
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			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	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:	NO ☐	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☐	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☐	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>City of Beacon</u> Date: <u>March 11, 2025 (revised)</u>		
Signature: <u></u> Title: <u>City Attorney</u>		



CITY OF BEACON New York Building Department

*Bruce Flower
Building Inspector*

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

To: Christopher White, City Administrator

From: Bruce Flower, Building Inspector

Re E Main Street Zoning recommendation

Date: February 5, 2025

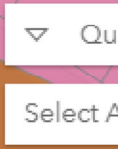
After reviewing the zoning regulations for the area around 1 East Main Street and talking to some of the owners of the retail units in 1 East Main Street, I recommend the City Council look into a possible change in zoning for a few parcels in this area. The parcels in question are 1 East Main Street (multiple grid numbers), 7 East Main Street (6054-38-132727) and Churchill Parking Lot (Grid # 6054-37-121715). Currently these parcels are located in the LI (Light Industrial) Zone, I would recommend to include these parcels into the adjacent CMS (Central Main Street) Zone for the following reasons.

1. Some of the businesses in the area have changed from their original use which are currently not allowed in the LI Zone. Some businesses have become more in line with the restaurant or coffeehouse uses which are allowed in the CMS Zone.
2. The majority of the properties surrounding these parcels are currently zoned CMS.
3. With the proposed conversion of the unused railroad tracks to an extension of the Dutchess County Rail Trail, the businesses along this path will become better connected to Main Street directly after the trail is completed. Currently the railway right of way is zoned CMS which directly borders Main Street in this area.
4. The conversions of the buildings in the area have been substantially renovated over the years. With the investments into these buildings the property owners will probably not convert the buildings back into the light industrial uses they were in the past.
5. The residential units within 1 East Main Street are more in line with multifamily dwellings as opposed to the artist live/work which are allowed.

Attached is a copy of the zoning use chart for CMS and LI and a marked up copy of the zoning map of the area described above.

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

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





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

John Gunn, Chair

March 17, 2025

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

Subject: City Council Referral of Local Law Amending the Zoning Map of the City of Beacon to Rezone Certain Parcels on East Main Street

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending the Zoning Map of the City of Beacon to rezone certain parcels on East Main Street from the Light Industrial (LI) District to the Central Main Street (CMS) District. The proposed Local Law was reviewed during the March 11, 2025 Planning Board meeting. Planning Board Attorney, Jennifer Gray, summarized the proposed local law which would rezone property located at 1 East Main Street currently occupied by residential and mixed commercial uses. Ms. Gray also explained that the proposed rezoning was recommended by the City's former Building Inspector for the reasons set forth in his February 5, 2025 memorandum including that the current uses operating at 1 East Main Street are more consistent with the uses permitted in the CMS District, rather than the LI District. He also noted the substantial renovations and investment into the building at 1 East Main Street make it unlikely that the building will revert to its prior industrial occupancy. Also referenced was the proposed conversion of the unused railroad tracks to an extension of the Dutchess County Rail Trail adjacent to the property.

After discussing the proposed amendments, the consensus of the five Planning Board members in attendance was that rezoning 1 East Main Street from LI to CMS makes sense in terms of the applicable use regulations, but the Planning Board questioned whether the CMS District was appropriate for that property in terms of the dimensional and density regulations applicable to the CMS District. For example, the CMS District allows for zero front and side yard setbacks. While zero setbacks make sense along Main Street where you want to encourage a continuous street wall, it may not make sense for the property at 1 East Main Street which is separated from Main Street by a grade change and the rail line. The consequence of not having required setbacks for this parcel would include the possibility of significant additions being constructed on the existing building or, if the current building were to be destroyed, it may result in a much larger building being constructed in its place. A positive aspect of the CMS District that was discussed was the CMS District's design guidelines. Alternative proposals were also discussed such as rezoning the property to the General Business (GB) District which would be a less drastic change as compared to the existing LI District use regulations, or adding uses to the LI District that would align with the uses at 1 East Main Street.



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

John Gunn, Chair

Sincerely,

John Gunn
Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law Amending the Zoning Map Concerning East Main Street**

Applicant: **City of Beacon**

Address of Property:

Exempt Actions:*
239 Review is NOT Required

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

Date Response Requested: **3/14/2025**

Entered By: **Swanson, Benjamin**

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

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted: 3/4/2025	Notes:	☐ Major Project	
Date Received: 3/4/2025		Referral #: ZR25-057	
Date Requested: 3/14/2025			
Date Required: 4/3/2025	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 3/7/2025			

City of Beacon City Council Agenda
03/17/2025

Title:

Public Hearing for a Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses

ATTACHMENTS

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses

City of Beacon Zoning Map

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Full EAF Part 1 - Narrative

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Full EAF Part 1

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Negative Declaration

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Final Environmental Assessment Form

Fishkill Avenue Concepts Committee Memorandum Regarding Initial Zoning Recommendations

City of Beacon Planning Board Memorandum Concerning a Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses

Dutchess County Planning Memorandum Concerning a Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

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

A LOCAL LAW to amend Chapter 223 of the Beacon City Code to amend the Schedule of Use Regulations concerning drive-through facilities and self-storage business and to clarify only expressly permitted uses are allowed.

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 entitled “Schedule of Regulations,” Subsection C, Attachment 2 entitled “Schedule of Use Regulations,” is hereby amended as provided on the attached Schedule of Use Regulations.

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, entitled “Schedule of Regulations,” Subsection B is hereby amended as follows:

§ 223-17 **Schedule of Regulations.**

...

- B. ~~Uses not expressly permitted are prohibited. It is the intention that the~~Any uses ~~not expressly permitted in a district by this Chapter, or as set forth in § 223-17C, Schedule of Use Regulations, for each district shall not be~~permitted ~~prohibited uses in any other district in the schedules, unless allowed specifically or by reference as permitted uses in said district.~~

...

Section 3. Chapter 223 of the Beacon City Code, Article IVD – Central Main Street (CMS) District, Section 223-41.18, entitled “Regulations,” Subsection D is hereby amended as follows:

§ 223-41.18 **Regulations.**

...

- D. ~~Prohibited uses. Uses not listed in Subsection A or B above and the following specific uses are prohibited in the CMS District~~RESERVED.;

~~(1) Gasoline filling stations.~~

~~(2) Drive-through facilities, standalone or used in connection with any other use.~~

...

Section 4. Chapter 223 of the Beacon City Code, Article IVE – Linkage District (L), Section 223-41.21, entitled “Regulations,” Subsection C is hereby amended as follows:

§ 223-41.21 **Regulations.**

...

- C. ~~Prohibited uses. Uses not listed in Subsection A or B above and the following specific uses are prohibited in the L District~~RESERVED.;

~~(1) Gasoline filling station.~~

~~(2) Drive-through facilities, stand-alone or used in connection with any other use.~~

...

Section 5. 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 6. 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 7. 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 8. 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.

ZONING

223 Attachment 2

City of Beacon

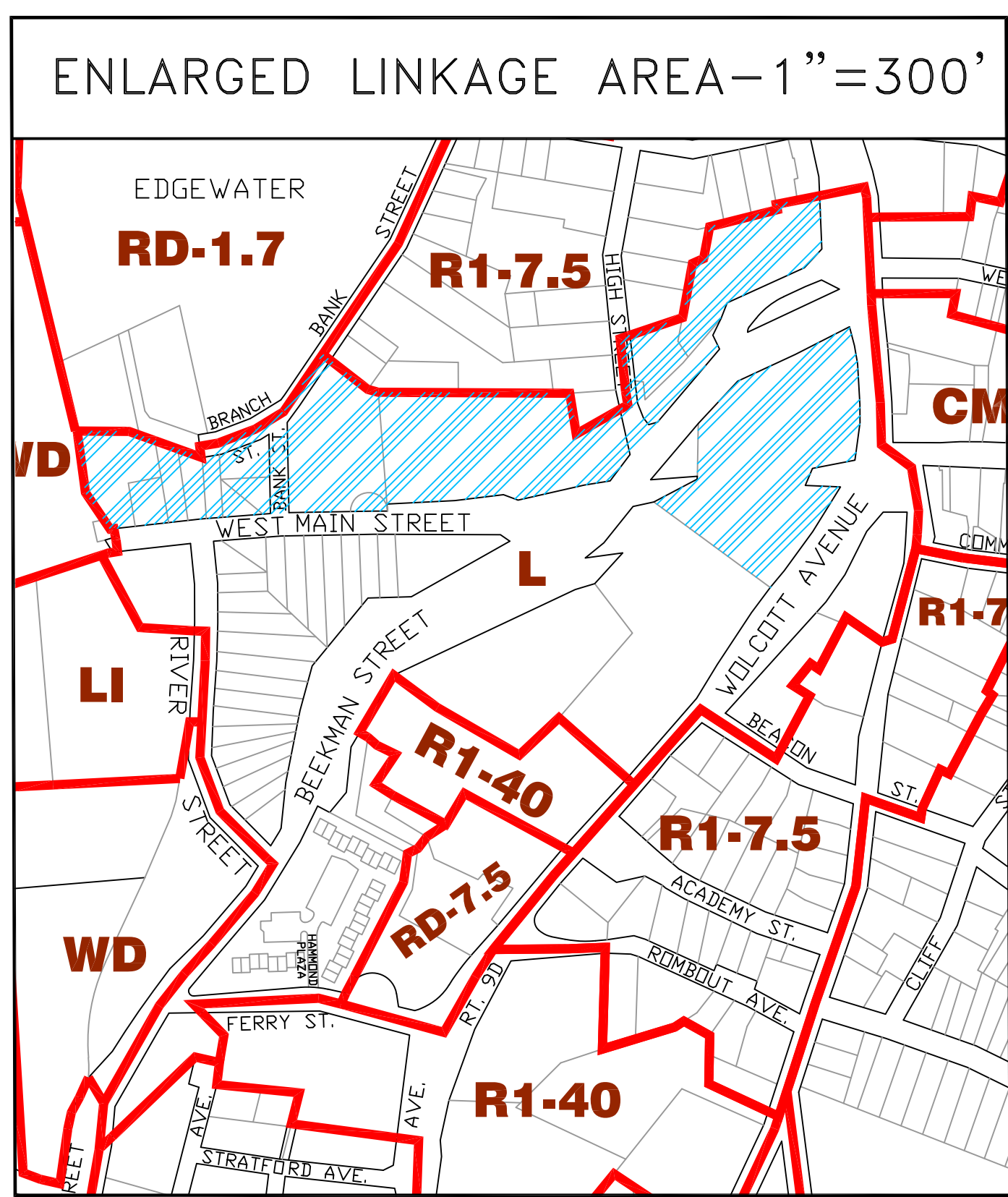
§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022]

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

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

BEACON CODE

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



R1-120	One Family 120,000 sq.ft./dwelling
R1-80	One Family 80,000 sq.ft./dwelling
R1-40	One Family 40,000 sq.ft./dwelling
R1-20	One Family 20,000 sq.ft./dwelling
R1-10	One Family 10,000 sq.ft./dwelling
R1-7.5	One Family 7,500 sq.ft./dwelling
R1-5	One Family 5,000 sq.ft./dwelling
RD-7.5	Designed Residence 7,500 sq.ft./dwelling
RD-6	Designed Residence 6,000 sq.ft./dwelling
RD-5	Designed Residence 5,000 sq.ft./dwelling
RD-4	Designed Residence 4,000 sq.ft./dwelling
RD-3	Designed Residence 3,000 sq.ft./dwelling
RD-1.8	Designed Residence 1,800 sq.ft./dwelling
RD-1.7	Designed Residence 1,700 sq.ft./dwelling

Beacon – FEAF Part 1 Narrative

Proposed Local Law Concerning Drive-Through Facilities & Self-Storage Businesses

On February 10, 2025, the Beacon City Council introduced a local law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”). This proposed local law would amend the City’s permitted use regulations for drive-through facilities, self-storage businesses, and clarify that any uses not expressly permitted are prohibited.

Specifically, the proposed local law would amend the Zoning Code’s schedule of permitted uses to eliminate drive-through facilities as a permitted use in all zoning districts when such use is only prohibited in the Central Main Street (“CMS”) and Linkage (“L”) districts. The proposed local law would also eliminate self-storage businesses from all zoning districts when such uses are only allowed in the General Business (“GB”), Light Industrial (“LI”), and Heavy Industrial (“HI”) zoning districts. As such, the proposed local law would affect all zoning districts, except the CMS and L districts, in the City of Beacon by eliminating the two aforementioned uses from the Schedule of Permitted Uses as established by the Beacon Zoning Code § 223-17C.

The proposed local law would further amend Beacon Zoning Code § 223-17B to clarify that any uses not expressly permitted by the Zoning Code, or the Schedule of Permitted Uses established by § 223-17C, are prohibited.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses		
Project Location (describe, and attach a general location map): City of Beacon		
Brief Description of Proposed Action (include purpose or need): A proposed local law to amend the City of Beacon's Zoning Code, Chapter 223 of the City Code, concerning permitted Use Regulations applicable to drive-through facilities and self-storage businesses. Specifically, the proposed local law would prohibit drive-through facilities in all zoning districts within the City when such uses are currently prohibited in only the CMS and L zoning districts. The proposed local law would also prohibit self-storage businesses in all zoning districts when such uses are currently allowed in only the GB, LI, and HI zoning districts. Finally, the proposed local law would also clarify that any uses not expressly permitted in a zoning district, or the City's Zoning Code, are prohibited.		
Name of Applicant/Sponsor: City of Beacon	Telephone: (845) 838-5000	
	E-Mail: cityofbeacon@beaconny.gov	
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Mayor Lee Kyriacou	Telephone: (845) 838-5000	
	E-Mail: mayor@beaconny.gov	
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

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

C. Planning and Zoning

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

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? All zoning districts are affected, except the CMS and L districts which already both prohibit drive-through facilities and self-storage business.	☒ Yes ☐ No
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes,	☒ Yes ☐ No
i. What is the proposed new zoning for the site? To prohibit drive-through facilities and self-storage businesses in all districts.	
C.4. Existing community services.	
a. In what school district is the project site located? Beacon City School District.	
b. What police or other public protection forces serve the project site? City of Beacon Police Department.	
c. Which fire protection and emergency medical services serve the project site? City of Beacon Fire Department and various emergency medical services providers including the Beacon Volunteer Ambulance Corps.	
d. What parks serve the project site? Beacon City Parks.	

D. Project Details

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

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

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

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

D.2. Project Operations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

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

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site			
a. Existing land uses.			
i. Check all uses that occur on, adjoining and near the project site.			
☐ Urban	☐ Industrial	☐ Commercial	☐ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	☐ Rural (non-farm)
ii. If mix of uses, generally describe: _____			
b. Land uses and covertypes on the project site.			
Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____												
E.2. Natural Resources On or Near Project Site												
a. What is the average depth to bedrock on the project site? _____ feet												
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %												
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%; border-bottom: 1px solid black;"></td> <td style="width: 10%; border-bottom: 1px solid black;"></td> <td style="width: 30%; text-align: right; border-bottom: 1px solid black;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; border-bottom: 1px solid black;">%</td> </tr> </table>			%			%			%			
		%										
		%										
		%										
d. What is the average depth to the water table on the project site? Average: _____ feet												
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">☐ Well Drained:</td> <td style="width: 30%;"></td> <td style="width: 40%; text-align: right;">% of site</td> </tr> <tr> <td>☐ Moderately Well Drained:</td> <td></td> <td style="text-align: right;">% of site</td> </tr> <tr> <td>☐ Poorly Drained</td> <td></td> <td style="text-align: right;">% of site</td> </tr> </table>	☐ Well Drained:		% of site	☐ Moderately Well Drained:		% of site	☐ Poorly Drained		% of site			
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f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">☐ 0-10%:</td> <td style="width: 30%;"></td> <td style="width: 40%; text-align: right;">% of site</td> </tr> <tr> <td>☐ 10-15%:</td> <td></td> <td style="text-align: right;">% of site</td> </tr> <tr> <td>☐ 15% or greater:</td> <td></td> <td style="text-align: right;">% of site</td> </tr> </table>	☐ 0-10%:		% of site	☐ 10-15%:		% of site	☐ 15% or greater:		% of site			
☐ 0-10%:		% of site										
☐ 10-15%:		% of site										
☐ 15% or greater:		% of site										
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____												
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>	• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____										
• Lakes or Ponds:	Name _____	Classification _____										
• Wetlands:	Name _____	Approximate Size _____										
• Wetland No. (if regulated by DEC)	_____											
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____												
i. Is the project site in a designated Floodway? ☐ Yes ☐ No												
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No												
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No												
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____												

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

Beacon – FEAF Part 3 Attachment
Negative Declaration of Environmental Significance

Proposed Local Law Concerning Drive-Thru Facilities & Self-Storage Businesses

On February 10, 2025, the Beacon City Council introduced a local law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”). This proposed local law would amend the City’s permitted use regulations for drive-thru facilities, self-storage businesses, and clarify that any uses not expressly permitted are prohibited. The Local Law was referred to the Dutchess County Planning Board, which by letter dated February 27, 2025, opined that the proposed Local Law is a matter of local concern without comment. The Local Law was also referred to the City of Beacon Planning Board, which at its March 11, 2025, meeting discussed the proposed local law and provided comments which were reviewed by the Council. The proposed local law will not have a significant adverse impact on the environment for the following reasons:

The proposed amendment to the City of Beacon’s Zoning Code is not inconsistent with the City’s Comprehensive Plan. Rather, the proposed Local Law furthers the City’s goals of increasing walkability and shift away from autocentric uses by eliminating drive-thru facilities from the City Code. Additionally, the proposed Local Law, by eliminating self-storage businesses as a permitted use, aims to encourage other uses of possible site such as housing, manufacturing, industrial, or general business purposes. Furthermore, the City Council is, thru its police powers and authorities granted to by the New York State Constitution and Statues expressly authorized to and dictates the types of uses which may be permitted within the territorial boundaries of the City of Beacon.

The proposed Local Law does not create any adverse environmental impacts because the local law will not result in any direct or physical impacts to land. Instead it prohibits certain types of uses in all zoning districts. It may, however, result in indirect or secondary impacts as owners will not be able to construct drive-thru facilities or self-storage businesses and will utilize such land for a different permissible purpose. Nonetheless, each application will involve a unique and individual set of circumstances, the particular nature of which will be subject to the regulations and requirements of the Zoning Code, the City Code, and State law. The evaluation of such future uses will involve independent review for conformance with the Zoning Code as well as environmental impacts. However, the proposed local law alone will not have a direct impact on land. As such, the potential for secondary or indirect effects of the proposed Local Law do not support the conclusion that the legislation will or may create a significant adverse environmental impact requiring preparation of an environmental impact statement. Further, potential secondary or indirect impacts do not give rise to any currently identifiable potential significant adverse environmental impacts. Therefore, an environmental impact statement need not be prepared.

The proposed Local Law does not propose any actions or land uses which are sharply or drastically different from surrounding land use patterns. There are no known impacts to

population density, nor will it cause a change in density of development that is not supported by existing infrastructure by the exclusion of drive-thru facilities and self-storage businesses in the City. It is not inconsistent with the City's current land use plan which aims to move away from autocentric uses and increase housing affordability. It is not inconsistent with any known County or regional land use plan(s).

While the proposed Local Law may give rise to secondary development impacts by the elimination of drive-thru facilities and self-storage businesses within the City, future residential or commercial development is not readily accessible but permitted uses may obviously continue as has always been the case. Notwithstanding the aforementioned, there is one known self-storage facility in the City which will become a pre-existing non-conforming use and therefore continue such use until it is terminated. Furthermore, there is currently one pending application before the City of Beacon Planning Board involving a proposed drive-thru facility. While the drive-thru facility component of the application would not be permitted, the owner/developer may continue the application as a coffee shop without drive-thru. As such, the proposed Local Law, except for the current aforementioned use (i.e., self-storage) or the proposed use (i.e., coffee shop) is not expected to have a significant impact on existing land uses.

Moreover, this environmental review is not expected to have significant adverse environmental impact because permitted land uses are being further restricted. As such, further or future applications for land use within the City will require independent environmental review for the specific development as it relates to uses permitted within the City. As this proposed Local Law does not involve the actual development of land (i.e., restricts it), the extent that this environmental review precedes future development or pending development, it is thus no less protective of the environment than the requirements of SEQRA.

Additionally, the proposed Local Law will not result in a substantial adverse change or impact in existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage because the Local Law serves to eliminate two distinct types of uses and therefore has no direct impact on the environment.

The proposed Local Law will not have a direct impact on or cause the removal or destruction of large quantities of flora or fauna, nor substantially interfere with any protected flora or fauna, habitats, or environmentally sensitive areas.

The proposed Local Law is not inconsistent with the City's Comprehensive Plan or other local or regional land use plan or goals. It will not result in the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources of the existing community or neighborhood. Nor will it create a hazard to human health or significant change in the intensity of land uses, or result in the loss of open space or recreation because it will eliminate two types of uses from the City's Schedule of Permitted Land Uses. It is not believed that the proposed Local Law will drastically change or result in material demand for other permitted uses in the City.

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

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

Agency Use Only [If applicable]
 Project : Local Law re Drive-throughs and Self Storage
 Date : March 17, 2024

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

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

Tips for completing Part 2:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

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

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

PRINT FULL FORM

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

SEE ATTACHED

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information
The proposed local law, the Fishkill Avenue Concepts Committee Memorandum (dated January 24, 2025), the City of Beacon Zoning Map, the City of Beacon Schedule of Uses, the Full EAF Part 1 and Narrative, the Dutchess County Planning response letter (dated February 27, 2025), various letters submitted to the City Council regarding the proposed local law, and the Beacon Planning Board response letter (dated INSERT DATE).

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

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

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

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

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

Name of Action: Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses.

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

Name of Responsible Officer in Lead Agency: Lee Kyriacou

Title of Responsible Officer: Mayor

Signature of Responsible Officer in Lead Agency: _____ Date: _____

Signature of Preparer (if different from Responsible Officer) _____ Date: _____

For Further Information:

Contact Person: Ben Swanson; Secretary to the Mayor

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: (845) 838-5000

E-mail: cityofbeacon@beaconny.gov

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

TO: Lee Kyriacou, Mayor
FR: Fishkill Avenue Concepts Committee
DATE: January 24, 2025
RE: Initial Zoning Recommendations by Fishkill Avenue Concepts Committee*
*The committee reserves the right to modify these recommendations based on forthcoming public input at an event on February 15, 2025

At the City Council meeting of November 25, 2024, the Mayor asked for initial zoning action items to be identified by the Fishkill Avenue Concepts Committee. A broad range of zoning and non-zoning recommendations are being considered by the committee, such as access points for the future rail trail; connecting to Matteawan Road; housing (affordable & market rate); appropriateness of ground floor residential uses; Complete Streets design that include options with continuous sidewalks, bike lanes, additional landscaping, bio orientation and on-street parking within the City's Right-of-Way; building heights and public scenic viewsheds, amongst others.

While comprehensive recommendations, feedback from the public, and a full report are forthcoming, the committee would like to submit following initial priority zoning recommendations:

Zoning/Land-Use - The committee has comprehensively evaluated the corridor from a zoning and land-use perspective and looks forward to sharing these ideas with the City Council and public at a later date. In general, the corridor has zoning districts which facilitate a wide range of uses, but as noted above, the committee is crafting a longer term vision for the corridor which promotes smart growth practices, pedestrian scale, housing (affordable & market rate), and a higher quality design.

From a Zoning and Land Use perspective, there are a few early action steps that the committee has discussed.

Recommendation 1: One use that is permitted in a few of the corridor's Zoning Districts is Self Storage. While the committee recognizes that there is a need on some level for this use (and in fact, one self storage use exists in a reused former brick factory building adjacent to the Lofts), due to the low numbers of employment these uses provide, as well as their lack of contributions to vibrant corridors, the committee recommends that the use of "Self Storage Business" be separated from "Wholesale, warehouse storage and self storage business" and be prohibited within the zoning districts along the corridor.

Recommendation 2: The committee has similar concerns regarding uses with a drive thru component. These uses typically focus on an auto-centric design and are

considered detrimental to pedestrian safety because they often create congested traffic patterns with cars entering and exiting at various angles, leading to increased risk of collisions with pedestrians. An evolution of the corridor with this type of use is not consistent with the overall pedestrian-scale vision that the committee is working towards. The committee recommends that “Drive through facilities, standalone or used in connection with any other uses” be expressly prohibited within all zoning districts along the Fishkill Avenue corridor.

Recommendation 3: It is noted that the committee was particularly impressed with the approved but not yet constructed mixed-use building at 397 Fishkill Avenue. This site design in this example which was approved by the Planning Board incorporates pleasing architectural design with the building situated towards the street frontage and parking to the rear. Members of the committee and public have noted that the prevalence of buildings along the corridor that are set back from the sidewalk or street edge, behind expanses of asphalt and parking, detracts from the walkability and vitality of the corridor by disrupting the “street wall,” prioritizing vehicle access over pedestrian access, and detracting from over street aesthetics. The committee recommends that the Council consider reducing the required minimum front yard setback within the GB district from 15 ft to 10 ft, and that the following language be applied to surface parking facilities within the district - “All parking shall be located behind, underneath, or to the side of a building. If to the side, parking shall be screened by a low wall, hedge, or other landscaping to maintain continuity of street wall.”

Recommendation 4: The committee has similar concerns as those noted in recommendations 1 and 2 with regards to other auto-oriented uses permitted within the GB zoning district. The committee recommends that the Council consider prohibiting the following auto-oriented uses, which are currently permitted by special permit in the GB District. The existing active auto-oriented uses within the corridor should be permitted to remain under the code as existing non-conforming uses, however, the change to zoning would allow these uses to potentially be phased out over time.

- a. Gas filling stations and/or car wash
- b. Vehicle sales or rental lot
- c. Auto body or repair shop

Please note that the above recommendations did not have unanimous support from all committee members. One committee member who is a business owner on the corridor felt that the prohibition of uses could be detrimental to existing businesses and property owners.

Please note that the committee believes these recommendations align with community input received during three (3) public engagement pop-ups and an online survey conducted

by the committee over the summer. It is the committee's intention to conduct additional public engagement to vet draft recommendations with the community prior to submission of a final report to the Mayor. As noted above, a public workshop is currently being planned for February 15, 2025 and the committee welcomes all stakeholder, including business owners, to attend and provide feedback.

Cc: J.C. Calderón, Committee Chair



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

John Gunn, Chair

March 17, 2025

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

Subject: City Council Referral of Local Law Amending Chapter 223 of the Code of the City of Beacon Use Regulations Concerning Drive-Through Facilities and Self-Storage Business

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending Chapter 223 of the Beacon Code regarding permitted use regulations for drive-through facilities and self-storage business during the March 11, 2025, Planning Board meeting. Planning Board Attorney, Jennifer Gray, reviewed the proposed local law to amend the Zoning Code's schedule of permitted uses to eliminate drive-through facilities as a permitted accessory use in all zoning districts. Currently, drive-through facilities are prohibited in the Central Main Street (CMS) and Linkage (L) Districts. The proposed local law would also eliminate self-storage businesses from all zoning districts. Currently, self-storage businesses are permitted in the General Business (GB), Light Industrial (LI), and Heavy Industrial (HI) Districts.

After discussing the proposed amendments, the five Planning Board members in attendance expressed concerns with the categorical prohibition of drive-through facilities and self-storage businesses. The board members encouraged a more specific approach to identifying areas within the City of Beacon, either on a district by district approach or by looking at areas within individual zoning districts, where these uses should be prohibited, rather than a blanket approach.

Sincerely,

John Gunn
 Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses**

Applicant: **City of Beacon**

Address of Property:

**Exempt Actions:*
239 Review is NOT Required**

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

Date Response Requested: **3/13/2025**

Entered By: **Swanson, Benjamin**

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

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted: 2/19/2025	Date Received: 2/19/2025	Date Requested: 3/13/2025	☐ Major Project Referral #: ZR25-044
Date Required: 3/20/2025	Date Transmitted: 2/27/2025	☐ Also mailed hard copy	Reviewer:

City of Beacon City Council Agenda
03/17/2025

Title:

Resolution No. 34 - Referring a Proposed Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements in the City of Beacon to the City of Beacon and the Dutchess County Planning Boards

ATTACHMENTS

[Resolution Referring a Proposed Local to Amend the Zoning Code Concerning Accessory Apartment Requirements.pdf](#)

[KARC Planning Consultants, Inc. Memorandum Concerning Accessory Apartment Regulation Amendments](#)

[Draft Local Law to Amend the Zoning Code Concerning Accessory Apartment Requirements](#)

[Draft Schedule of Use Regulations](#)

[Draft Schedule of Regulations for Accessory Buildings on Residential Lots](#)

[Accessory Apartment Setback Diagrams](#)

[City of Beacon Building Department Accessory Apartment Data](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 34 OF 2025

**RESOLUTION REFERRING A PROPOSED LOCAL LAW AMENDING THE ZONING CODE
CONCERNING ACCESSORY APARTMENT REQUIREMENTS TO THE CITY OF BEACON
PLANNING BOARD AND DUTCHESS COUNTY PLANNING BOARD FOR REPORT AND
RECOMMENDATION**

WHEREAS, the City of Beacon is considering a local law which would amend the City of Beacon Zoning Code concerning accessory apartment requirements; and

WHEREAS, the City Council wishes for both the City of Beacon and Dutchess County Planning Boards to provide a report and recommendation on the proposed local law.

NOW THEREFORE, BE IT RESOLVED THAT, the City Council hereby refers a Proposed Local Law amending the City of Beacon Zoning Code concerning accessory apartment requirements to the City of Beacon Planning Board and the Dutchess County Planning Board for a report and recommendation to the City Council; and

BE IT FURTHER RESOLVED THAT the City Council hereby schedules a public hearing for April 21, 2025 at 7:00 pm for a Proposed Local Law which would amend the City of Beacon Zoning Code concerning accessory apartment requirements.

Resolution No. 34 of 2025			Date: March 3, 2025				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
Motion Carried							

MEMORANDUM

TO: Lee Kyriacou, Mayor
Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants, Inc.

DATE: March 7, 2025

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

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

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

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

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

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

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

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

❖ **Answer:** See previous answer.

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

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

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

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

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

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

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

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

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

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

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

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

LOCAL LAW NO. ____ OF 2025

CITY COUNCIL
CITY OF BEACON

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

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

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

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

§ 223-24.1 **Accessory apartments.**

- A. Purpose and intent. It is the purpose and intent of allowing accessory apartments on all existing detached single-family properties in all ~~residence~~ districts ~~and the Transitional District~~ to provide the opportunity and encouragement for the development of small, rental housing units designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income and relatives of families presently living in Beacon. It is the further purpose and intent of this provision to allow the more efficient use of the City's existing stock of dwellings and accessory buildings, to provide economic support for present resident families of limited income and to otherwise help to protect and preserve property values.
- B. Owner occupancy required. The owner of the single-family lot upon which an accessory apartment is located shall occupy at least one of the dwelling units on said lot.
- C. Location on the lot. An accessory apartment may be located either in or attached to a detached single-family dwelling or in an accessory building on such a single-family lot.
- D. Apartment size. ~~The floor area of an accessory apartment shall not exceed a maximum of 1,000 square feet or be less than a minimum of 200 square feet. Notwithstanding the foregoing, the Planning Board may permit a larger accessory apartment where appropriate in an existing accessory building which was issued a certificate of occupancy more than five years before the date of application to construct accessory apartment. For accessory apartments with a total square footage that is greater than 50% of the primary building footprint, site plan approval from the Planning Board is~~

required. There shall be no more than one accessory apartment permitted per single-family lot.

- E. Exterior appearance. If an accessory apartment is located in a detached single-family dwelling, the entry to such unit and its design shall be such that, to the degree reasonably feasible, the exterior appearance of the building will remain that of a single-family residence.
- F. Off-street parking. ~~A minimum of one off-street parking space shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot.~~ There is no minimum off-street parking requirement for accessory apartments. The Planning Board may, in its discretion, ~~waive all parking requirements~~ require parking for an accessory apartment ~~when deemed appropriate that is seeking site plan approval for an unit with a maximum square footage that is greater than 50% of the primary building's footprint.~~
- G. The accessory apartment shall not be used for short-term rentals as defined in § 223-26.5.
- H. An existing structure that does not conform to the yard requirements of Chapter 223 may be converted into an accessory apartment without a variance from the Zoning Board of Appeals if the proposed use will not enlarge or increase the dimensional nonconformity. ~~However, an application to the City's Architectural and Community Appearance Board of Review certificate of appropriateness from the Planning Board shall be required if the proposed use is less than 10 feet from the property and within 20 feet of any dwelling unit on an adjacent property.~~ The Architectural and Community Appearance Board of Review shall consider the bulk, height, window placement and other design feature considerations to minimize visual, aesthetic and quality of life impacts associated with the accessory apartment being located within the proximity set forth above.
- H.I. In the R1-10, R1-7.5 and R1-5 zoning districts, where a side and rear setback of 5 feet is required for accessory apartments, a certificate of appropriateness from the Planning Board review by the Architectural and Community Appearance Board of Review is required if the proposed accessory apartment is less than 10 feet from a dwelling unit on an adjacent property, using the design considerations set forth in Section (H) above..
- H.J. The Building Inspector shall have approval authority for all accessory apartments ~~entirely contained within an existing single-family dwelling and meeting provided that all setback requirements and the provisions of this section are met.~~ All other ~~Proposed~~ accessory apartments, whether expansions or new construction, that do not meet the setback requirements of this section, including any accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings, shall require site plan approval from the Planning Board.

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

§ 223-63 Definitions.

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

...

OCCUPIED PRIMARY RESIDENCE

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

...

OWNER

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

...

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

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

...

D. Schedule of off-street parking standards.

- (1) In order to promote walkability and other transportation alternatives and to avoid excessive automobile traffic and unnecessarily large paved parking lots, parking maximums have been established for all uses. Unless otherwise determined by the Planning Board, no minimum number of off-street parking spaces are required within the CMS, L, and WD districts due to the proximity of these districts to municipal parking areas, public transportation, and pedestrian-oriented streetscapes.
- (2) The Planning Board shall determine the appropriate number of off-street parking spaces within the range provided in the table at § **223-26D(4)** as part of

its application review and based on the context of the property, including but not limited to, as applicable, the size of the parcel, proposed uses, existing buildings on the parcel, especially if they are designated as historic, availability of public and street parking in the area, access to public transit, a parking study submitted by the applicant, shared parking arrangements, land-banking authorized under § **223-26C(2)**, compliance with the Americans with Disabilities Act (ADA) and any state requirements for accessible parking, and input from any public hearing. The number of off-street parking spaces determined by the Planning Board to be appropriate shall become the required number of off-street parking spaces for the proposed use of the subject property.

- (3) Any professional parking study submitted by the applicant shall be based primarily on specific site-related information, a comparable analysis of similar uses and properties in the area or region, and an examination of demand reduction strategies, including such elements as promotion of walking, bicycle parking or storage facilities, alternative mobility options, transit access opportunities, car-share rentals, and ride-sharing or carpooling services.
- (4) The following table establishes the range of the minimum and maximum number of off-street parking spaces within which the Planning Board has discretion to determine the required number of such spaces based on the considerations set forth at § **223-26D(2)**. Where more than the maximum or less than the minimum number of off-street parking spaces are provided an area variance from the Zoning Board of Appeals shall be required. An area variance may also be sought from the required number of parking spaces determined to be appropriate by the Planning Board.

Schedule of Off-Street Parking Standards ¹				
Building Use	CMS, L, WD		R1, RD, LI, HI, WP, FCD, GB, T ²	
	Min	Max	Min	Max
Residential³ <i>(Including accessory apartment)</i>	—	1 space per dwelling unit	1 space per dwelling unit	3 spaces per dwelling unit
Lodging	—	0.75 space per guest room	0.5 space per guest room	1.5 space per guest room

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

NOTES:

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

...

Section 4. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection C, Attachment 2 entitled “Schedule of Use Regulations”, is hereby

amended to permit accessory apartments in all Zoning Districts as provided on the attached Schedule of Use Regulations.

SEE ATTACHED SCHEDULE OF USE REGULATIONS

...

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

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

Section 65. Applicability.

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

Section 75. 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 86. 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 97. 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 108. Effective Date.

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

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022]

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

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

BEACON CODE

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

ZONING

223 Attachment 3

CITY OF BEACON

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

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

BEACON CODE

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Cumulative Square Footage for All Accessory Buildings	Maximum Square Footage Permitted For Each Accessory Building (Based on footprint ^a of principal building) ^b	Maximum Number of Sheds Permitted
RD-6 Designed Residence District	Not permitted in front yard	50	50	2,775	40%	2
RD-5 Designed Residence District	Not permitted in front yard	1530	1030	2,125	40%	2
RD-4 Designed Residence District	Not permitted in front yard	25	25	1,625	40%	2
RD-3 Designed Residence District	Not permitted in front yard	20	20	1,250	40%	2
RD-1.8 Designed Residence District	Not permitted in front yard	15	15	960	40%	2
RD-1.7 Designed Residence District	Not permitted in front yard	5	5	720	40%	1
R1-5 Designed Residence District	Not permitted in front yard	5	5	720	40%	1

NOTES:

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

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

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

Notes:

GENERAL

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

R1-120

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

R1-80

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

RD-7.5

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

R1-5

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

RD-6

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

RD-5

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

RD-4

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

RD-3

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

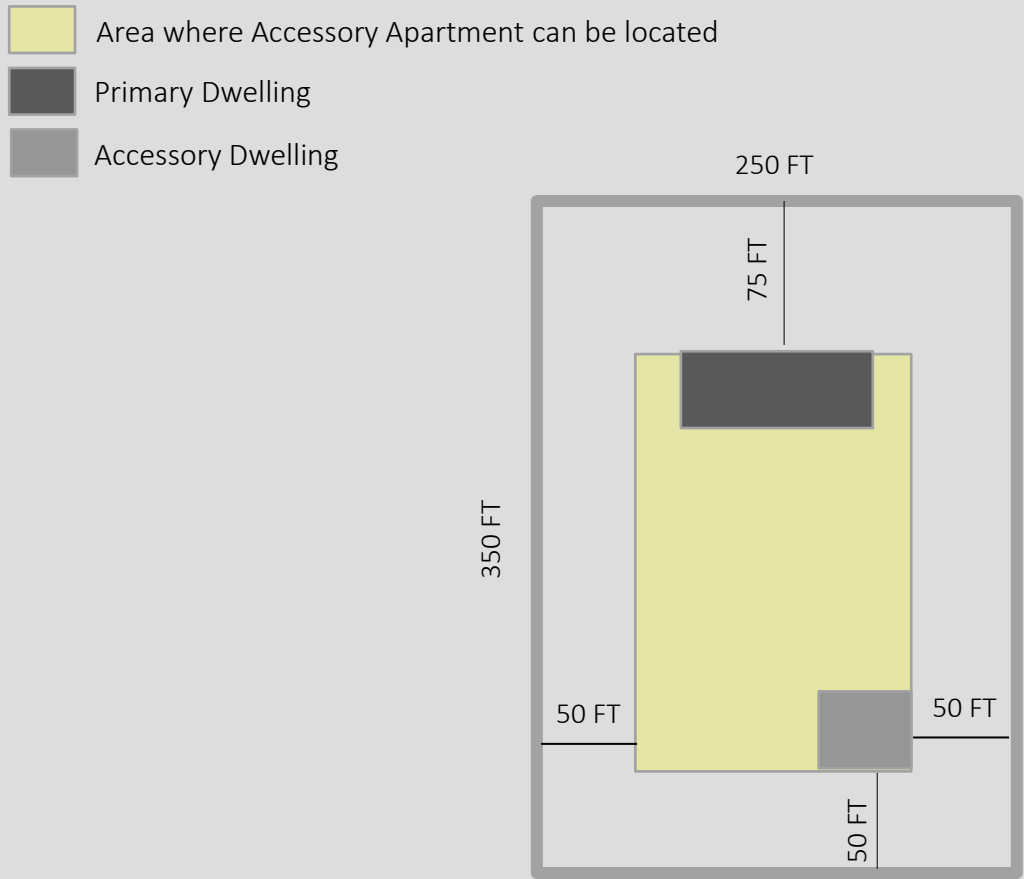
RD-1.8

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

RD-1.7

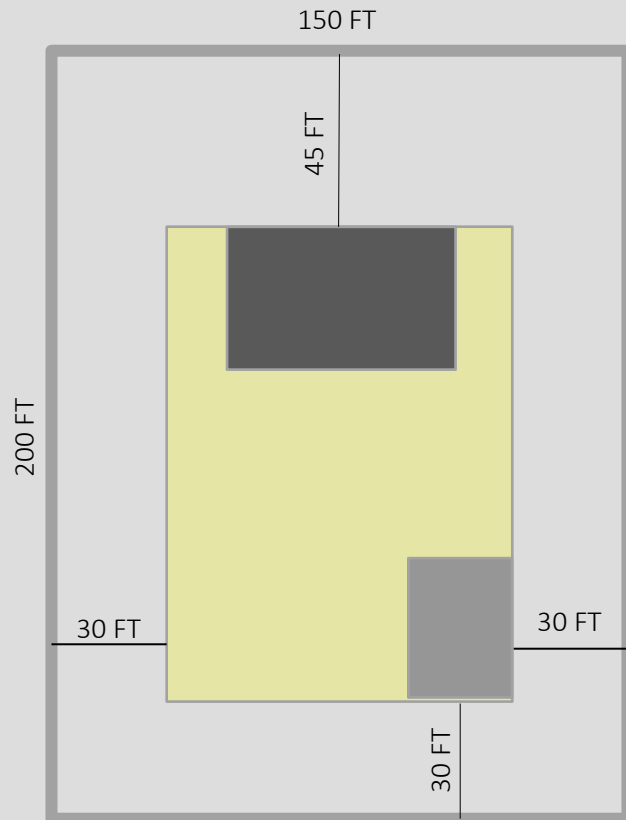
- There is only one parcel in this district, and it is much larger than the requirements.
- Minimum required setbacks do not make sense for this district. If the minimum setbacks are applied, a primary building would only be permitted to be 10 feet wide (see diagram).

R1-120 District



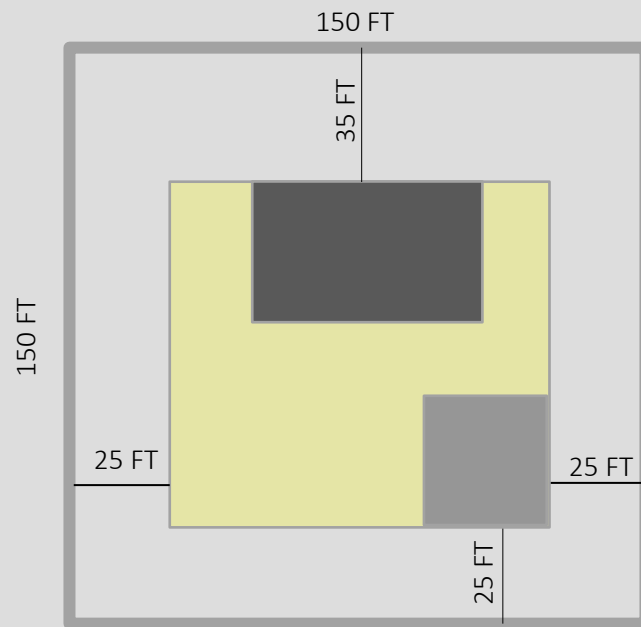
Parcel # 130200-6054-02-723821

R1-80 District



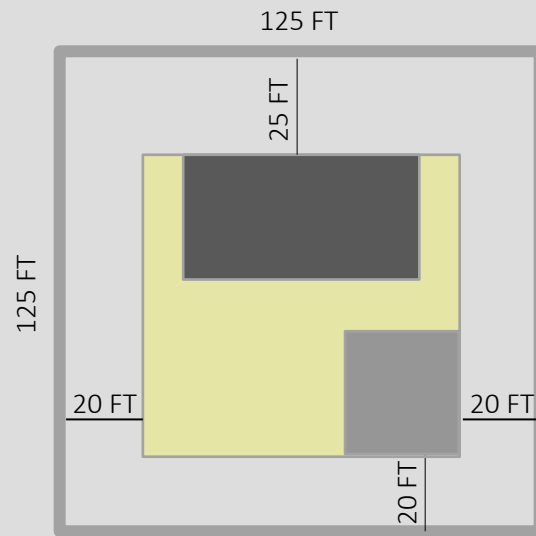
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R1-40 District



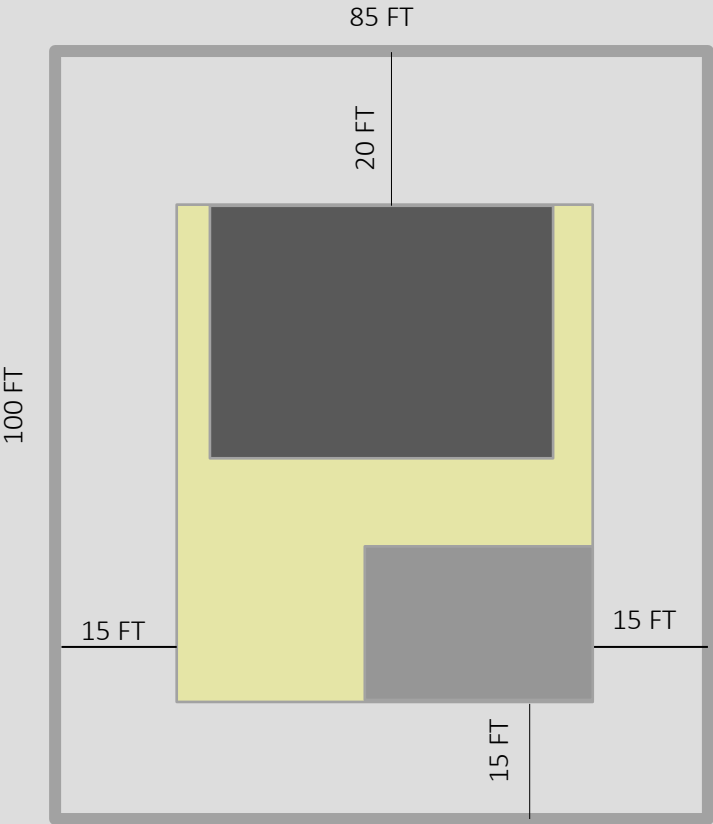
Parcel # 130200-5954-16-806472

R1-20 District



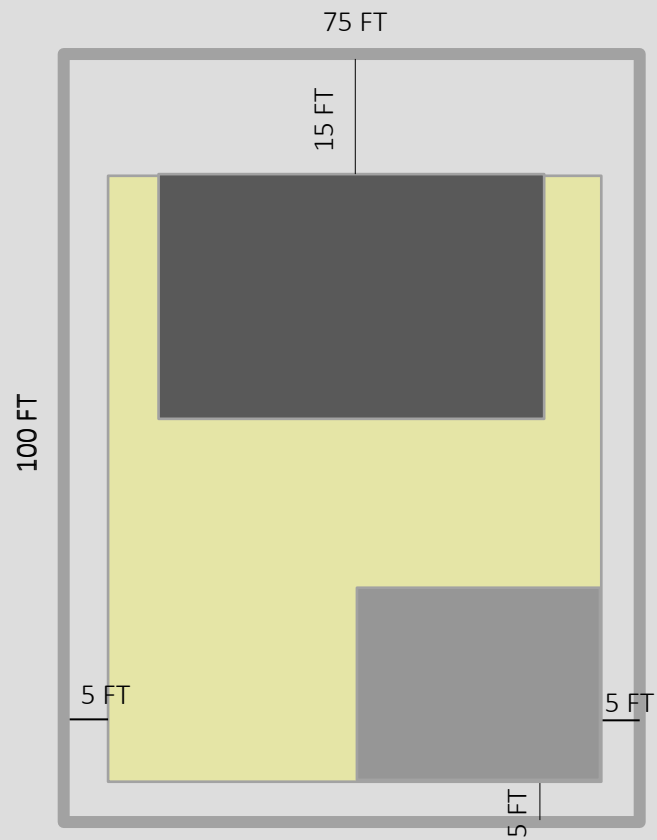
Parcel # 130200-5955-04-647233

R1-10 District



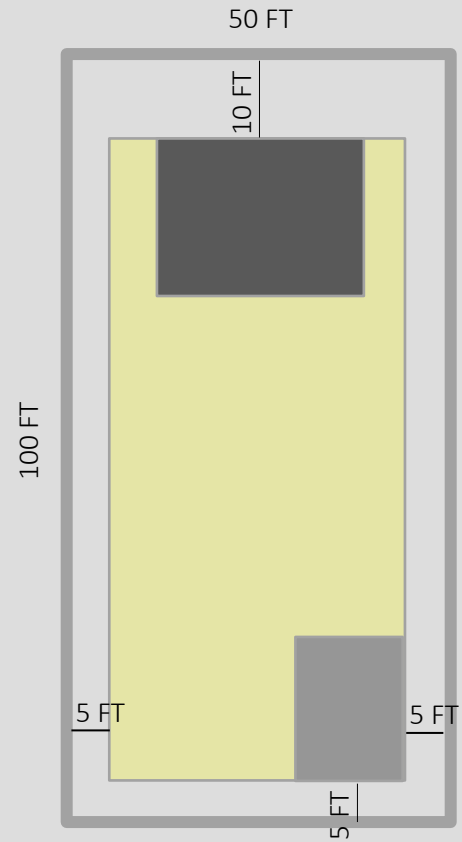
Parcel # 130200-6054-32-380829

R1-7.5 District



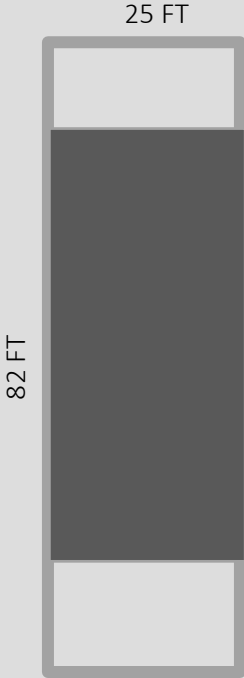
Parcel # 130200-5955-76-964127

R1-5 District



Parcel # 130200-6054-38-218709

RD-7.5 District



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

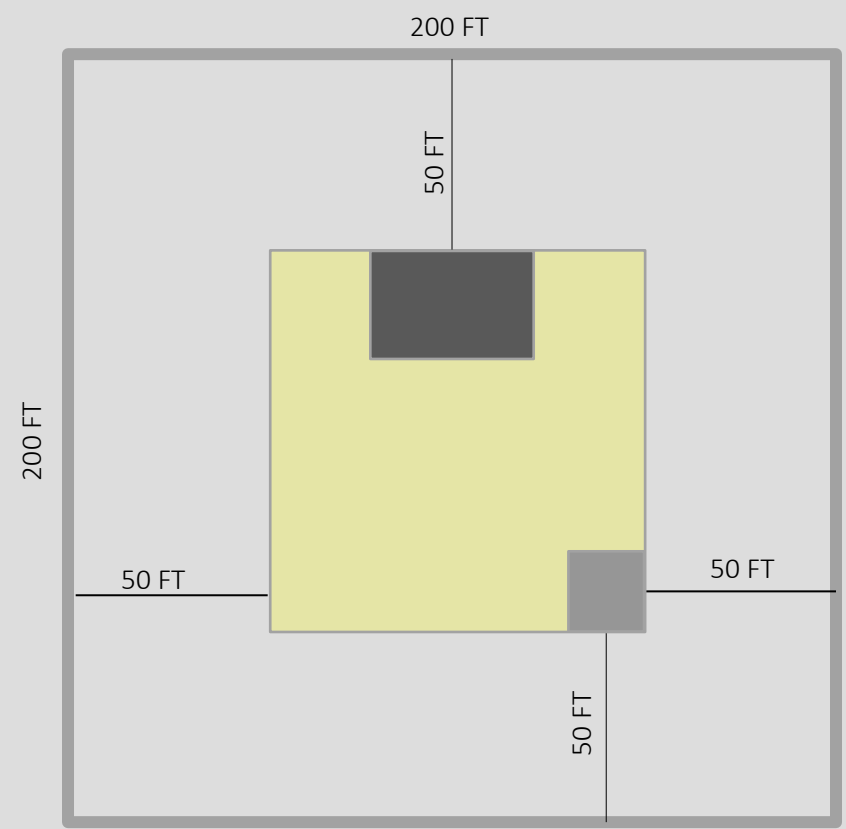
Pictured is one of the subdivided townhome lots.



Parcel # 130200-5954-34-644863

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

RD-6 District

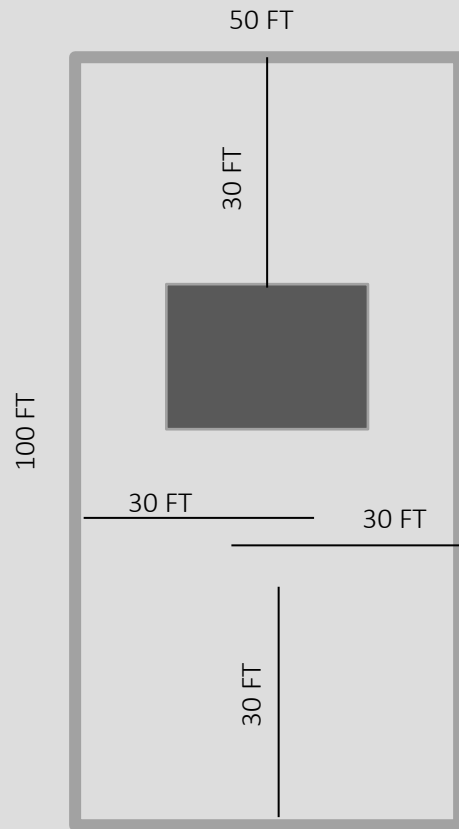


Parcel # 130200-5954-42-667670

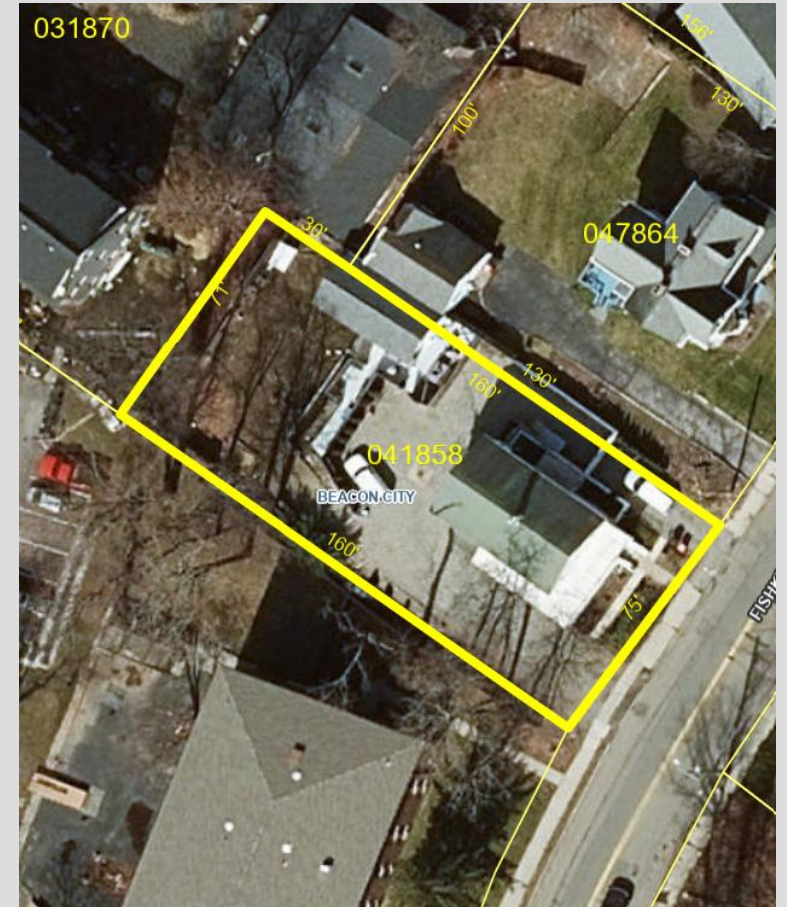


Parcel # 130200-6055-03-217160
(apartments)

RD-5 District

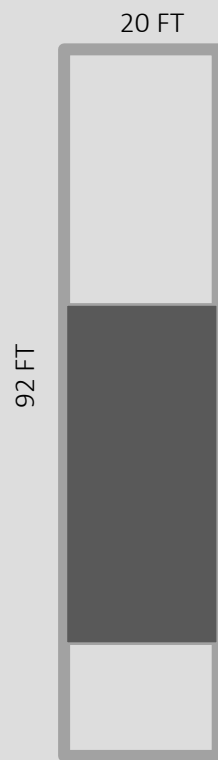


Note: Minimum requirements for this district do not make sense with the minimum setbacks for an ADU.



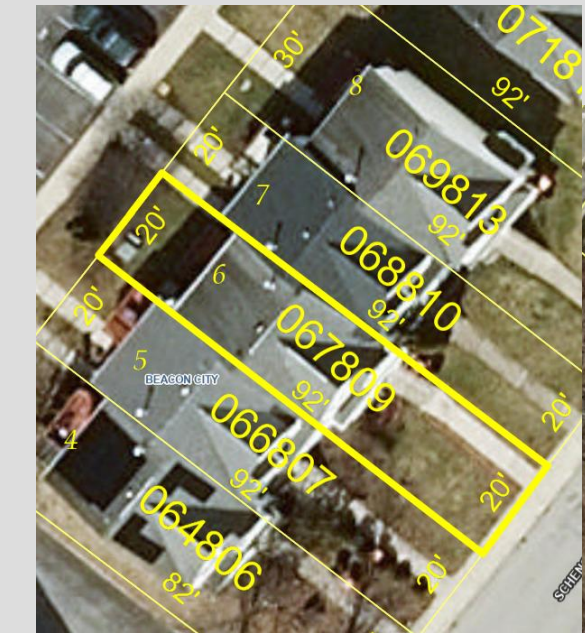
Parcel # 130200-6054-29-041858

RD-4 District

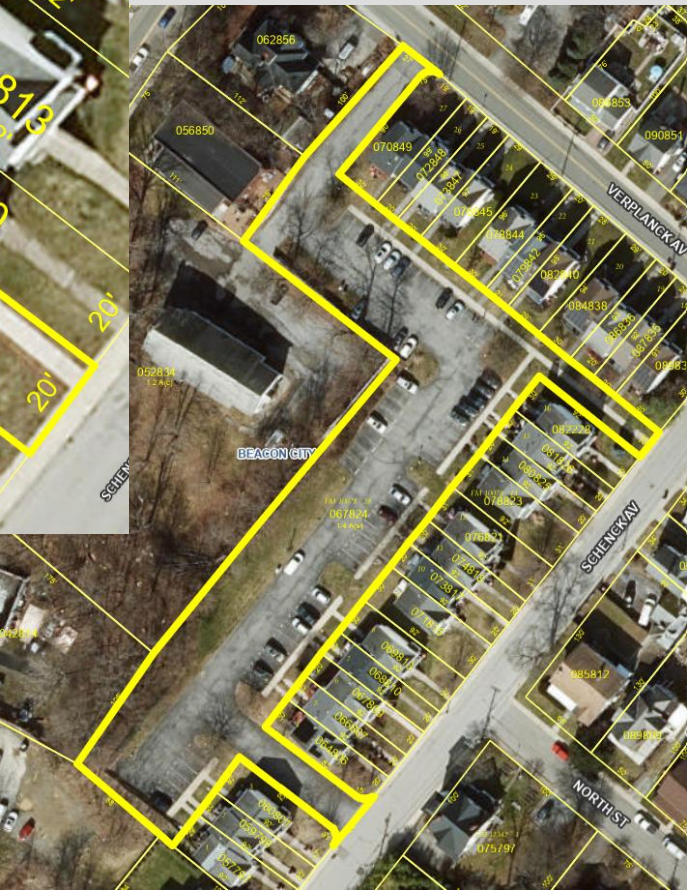


Note: Bulk requirements for this district include a front yard setback of 40 feet, a side yard setback of 20 feet and a rear yard setback of 40 feet. None of these setbacks are met for any of the townhome/apartment lots.

Pictured is one of the subdivided townhome lots.

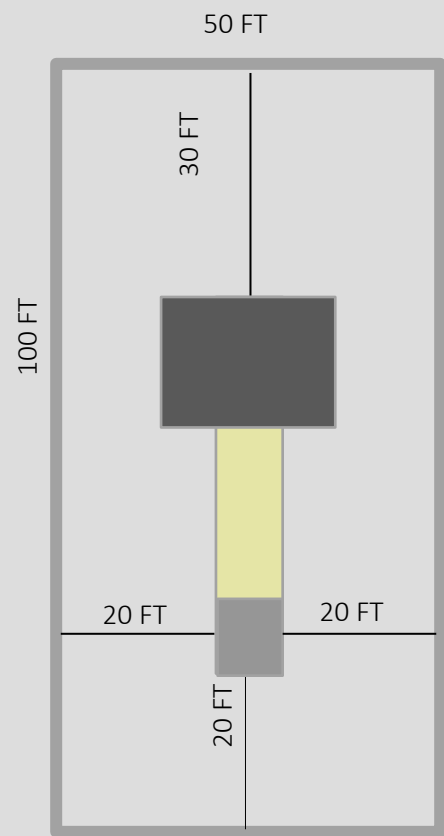


Parcel # 130200-6054-29-067809



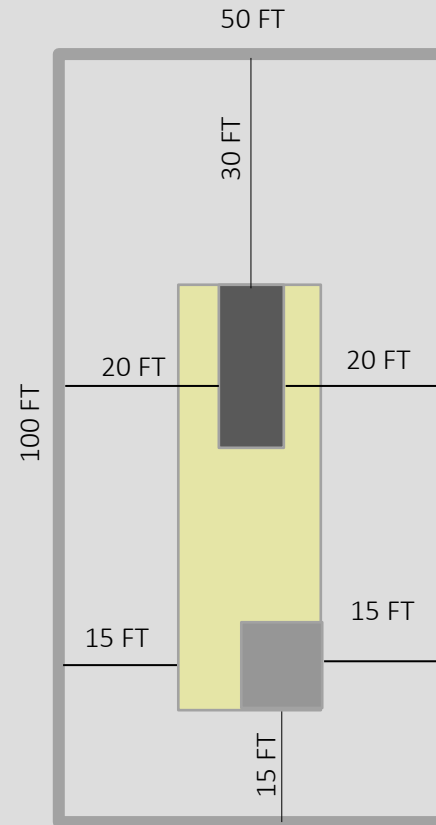
Parcel # 130200-6054-29-067824
Note: Subdivision (Filed Map)

RD-3 District



Parcel # 130200-6054-13-212498

RD-1.8 District

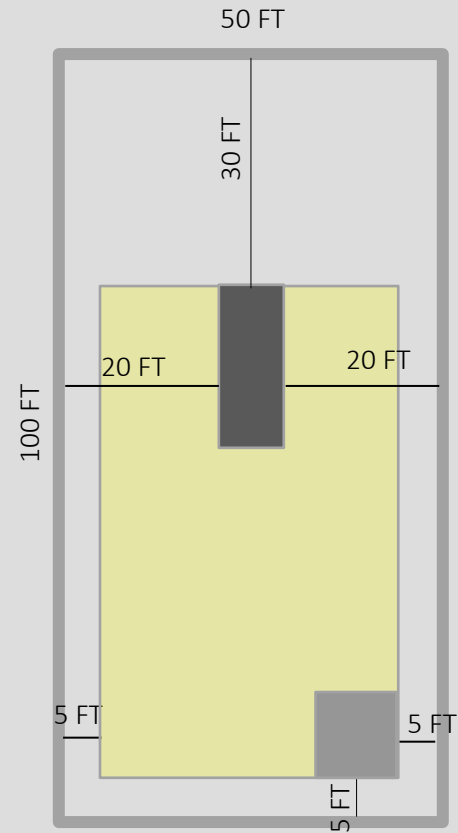


Note: Minimum requirements for this district do not make sense with the minimum setbacks for the primary building. The building would only be permitted to be a width of 10 feet on the minimum size lot.



Parcel # 130200-5954-42-746730

RD-1.7 District



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



Parcel # 130200-5955-19-590022



CITY OF BEACON New York Building Department

*Bruce Flower
Building Inspector*

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

To: Christopher White, City Administrator

From: Bruce Flower, Building Inspector

Re ADU Data from Building Department

Date: January 31, 2025

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

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

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

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

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

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

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

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

City of Beacon City Council Agenda
03/17/2025

Title:

March 3, 2025 Minutes

ATTACHMENTS

[March 3, 2025 Minutes](#)



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

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

**March 3, 2025
7:00 PM
Draft
City Council
Minutes**

Regular Meeting

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

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

Councilmembers Present

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

Also Present

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

Call to Order

Pledge of Allegiance

Roll Call

2025 State of the City Address

[2025 State of the City Address](#)

Community Segment

[Dutchess County Transportation Council Presentation on the Proposed Beacon-Hopewell Rail Trail Project](#)

Public Comment

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 31: Appointing Bryan Murphy to the Position of Building Inspector II](#)

Motion to pass the resolution by Councilmember Grant.

Second by Councilmember Rhodes.

Motion passes 7 - 0.

2. [Resolution No. 32: Approving 2024 Length of Service Award Program \(LOSAP\) Contributions](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Rhodes.

Motion passes 7 - 0.

3. [Resolution No. 33: Referring a Proposed Local Law Amending the Zoning Map Concerning East Main Street to the City of Beacon and the Dutchess County Planning Boards](#)

Motion to pass the resolution by Councilmember Grant.

Second by Councilmember Rhodes.

Motion passes 7 - 0.

Approval of Minutes

1. [February 18, 2025 Minutes](#)

Motion to approve the minutes by Councilmember Rhodes.

Second by Councilmember Grant.

Motion passes 7 - 0.

Public Comment - Second Opportunity

Announcement of Next Workshop: March 10, 2025 at 7:00 p.m.

Executive Session

Motion to go into executive session regarding real property and to adjourn therefrom with no further business by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 - 0.

1. [Executive Session \(Real Property\)](#)

Adjournment

Motion to adjourn by Councilmember Rhodes.

Second by Councilmember Wake.

Motion passes 7 - 0.