



CITY OF BEACON, NEW YORK
THE ZONING BOARD OF
APPEALS WILL MEET ON
TUESDAY, MARCH 16, 2021 AT
7:00 PM. DUE TO PUBLIC
HEALTH AND SAFETY
CONCERNS RELATED TO
COVID-19, THE ZONING
BOARD OF APPEALS WILL
NOT BE MEETING IN-PERSON.

IN ACCORDANCE WITH THE
GOVERNOR'S EXECUTIVE
ORDER 202.1, THE MARCH 16,
2021 MEETING WILL BE HELD
VIA VIDEOCONFERENCING,
AND A TRANSCRIPT WILL BE
PROVIDED AT A LATER DATE.
THE PUBLIC CAN WATCH THE
LIVE MEETING ONLINE AT
YOUTUBE AT

[HTTPS://WWW.YOUTUBE.COM/CHANNEL/UCVPPIGGWZDER](https://www.youtube.com/channel/UCVPPIGGWZDER)
SUDXG. IF ANY INTERESTED

MEMBERS OF THE PUBLIC
WOULD LIKE TO PROVIDE
COMMENTS ON THE

APPLICATION, COMMENTS
CAN BE CALLED IN DURING
THE MEETING AT (929) 205-
6099; WEBINAR ID: 890 7372
0278; PASSWORD 767174.

COMMENTS CAN ALSO BE
PROVIDED VIA EMAIL NO
LATER THAN 5PM ON MARCH
16, 2021 TO ETHA GROGAN,
PLANNING BOARD

SECRETARY, AT
EGROGAN@CITYOFBEACON.ORG.

PLEASE CHECK THE MEETING
MATERIALS POSTED ON THE
CITY WEBSITE
(WWW.CITYOFBEACON.ORG)

AND FOR FURTHER
INSTRUCTIONS TO ACCESS
THE VIRTUAL MEETING.

March 16, 2021

7:00 PM

Zoning Board of Appeals Agenda

Regular Meeting

1. Review application submitted by Anne Lewis, 247 Liberty Street, Tax Grid No. 30-6054-24-397929-00, R1-10 Zoning District, for relief from Section 223-17 for an addition with a 6 ft. side yard setback (15 ft. required)
2. Review application submitted by Clodagh Aubrey, 15 Water Street, Tax Grid No. 30-6054-38-170705-00, R1-5 Zoning District, for relief from Section 223-17 for a one-story addition with a 3.2 ft. side yard setback (10 ft. required) and an open rear deck with a 1.1 ft. side yard setback (5 ft. required)
3. Consider request for a six (6) month extension of Use and Area Variance, 53 Eliza Street, submitted by PIE Development Company, Inc.

City of Beacon Zoning Board of Appeals Agenda
03/16/2021

Title:

Review application submitted by Anne Lewis, 247 Liberty Street, Tax Grid No. 30-6054-24-397929-00, R1-10 Zoning District, for relief from Section 223-17 for an addition with a 6 ft. side yard setback (*15 ft. required*)

ATTACHMENTS

[247 Liberty Street Application.pdf](#)

[247 Liberty Street Elevations & Floor Plans.pdf](#)

[247 Liberty Street Site Plan.pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEALOWNER: Anne LewisADDRESS: 247 Liberty Street
Beacon, NY 12508TELEPHONE: 831-239-6984E-MAIL: lewis.anne@gmail.comAPPLICANT (if not owner): n/a

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

REPRESENTED BY: n/a

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

PROPERTY LOCATION: 247 Liberty StreetZONING DISTRICT: R1-10TAX MAP DESIGNATION: SECTION 6054
~~130200~~BLOCK 24 LOT 397929

Section of Zoning Code appealed from or Interpretation desired:

Section 223-17 to construct an addition with a 6 ft. sideyard setback (15 ft. req'd)

Reason supporting request:

I am a CPA & work solely from my home office located on 2nd floor of my house. As I age, I fully anticipate needing an office on the first floor as the existing stairs are unsafe. Addition will serve purpose of home office along with entry for clients. Layout of existing house makes the placement of the proposed addition the most sensible.

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

S-1 Proposed Site Plan; P-1 Preliminary Floor PlanDate: 1/17/2021
Owner's Signature**Fee Schedule**

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

Applicant's Signature*****escrow fees may apply if required by Chairman*****

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Anne Lewis

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

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

Applicant Address: 247 Liberty Street, Beacon, NY 125058

Project Address: 247 Liberty Street

Project Tax Grid # 130200 6054-24-397929

Type of Application Request for an AREA VARIANCE

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

I, Anne Lewis, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

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

Anne Lewis

Signature of Owner

Title if owner is corporation

Office Use Only:

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

NO

YES

Initial

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

—

X

SL

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

—

X

SL

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

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

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

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

SECTION AName of Applicant: Anne LewisAddress of Applicant: 247 Liberty StreetTelephone Contact Information: 831-239-6984**SECTION B. List all owners of record of the subject property or any part thereof.**

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Anne Lewis	247 Liberty Street	831-239-6984	4/12/2018; Purchase	4/30/2018; Dutchess County Clerk

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

☐ YES ☒ NO

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

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship
n/a			

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

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

☐ YES ☒ NO

I, Anne Lewis being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Anne Lewis

(Signature) Anne Lewis

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information							
Addition for 247 Liberty Street							
Name of Action or Project: 247 Liberty Street Proposed Addition							
Project Location (describe, and attach a location map): 247 Liberty Street, Beacon, NY							
Brief Description of Proposed Action: I am requesting permission to build an addition to my primary residence and home office (see S-1). The addition would consist of a room & entryway off the back of the existing structure (see P-1). The additional square footage to be added is 350 SF.							
Name of Applicant or Sponsor: Anne Lewis		Telephone: 831-239-6984 E-Mail: lewis.anne@gmail.com					
Address: 247 Liberty Street							
City/PO: Beacon	State: NY	Zip Code: 12508					
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;">NO</td> <td style="text-align: center;">YES</td> </tr> <tr> <td style="text-align: center;">☒</td> <td style="text-align: center;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
3.a. Total acreage of the site of the proposed action? 0.253 acres							
b. Total acreage to be physically disturbed? 350 SF acres							
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.253 acres							
4. Check all land uses that occur on, adjoining and near the proposed action. ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	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?	NO	YES	
	☒	☐	
b. Are public transportation service(s) available at or near the site of the proposed action?	NO	YES	
	☒	☐	
c. Are any pedestrian accommodations or bicycle routes available on or <u>near</u> 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 site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the proposed action located in an archeological sensitive area?	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?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	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 plain?	NO	YES	
	☒	☐	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? ☐ NO ☐ YES	NO	YES	
	☒	☐	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	☐ NO ☐ YES		

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☒	YES ☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: <u>Anne Lewis</u> Date: <u>2/17/2021</u> Signature: <u><i>Anne Lewis</i></u>		

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

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

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

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

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

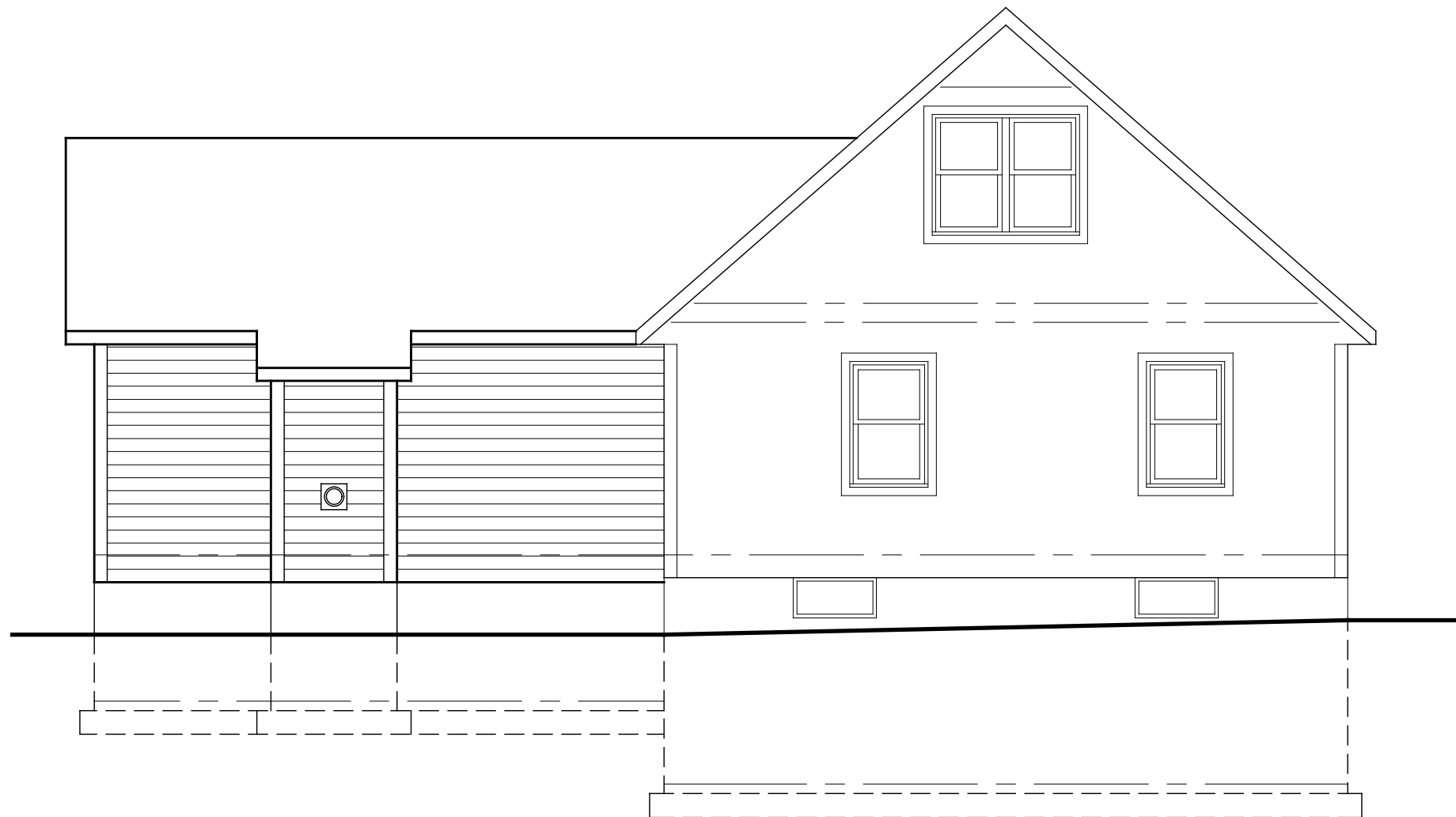
PRINT



1 Preliminary Right Side Elevation
P-1 Scale: 3/16" = 1'-0"



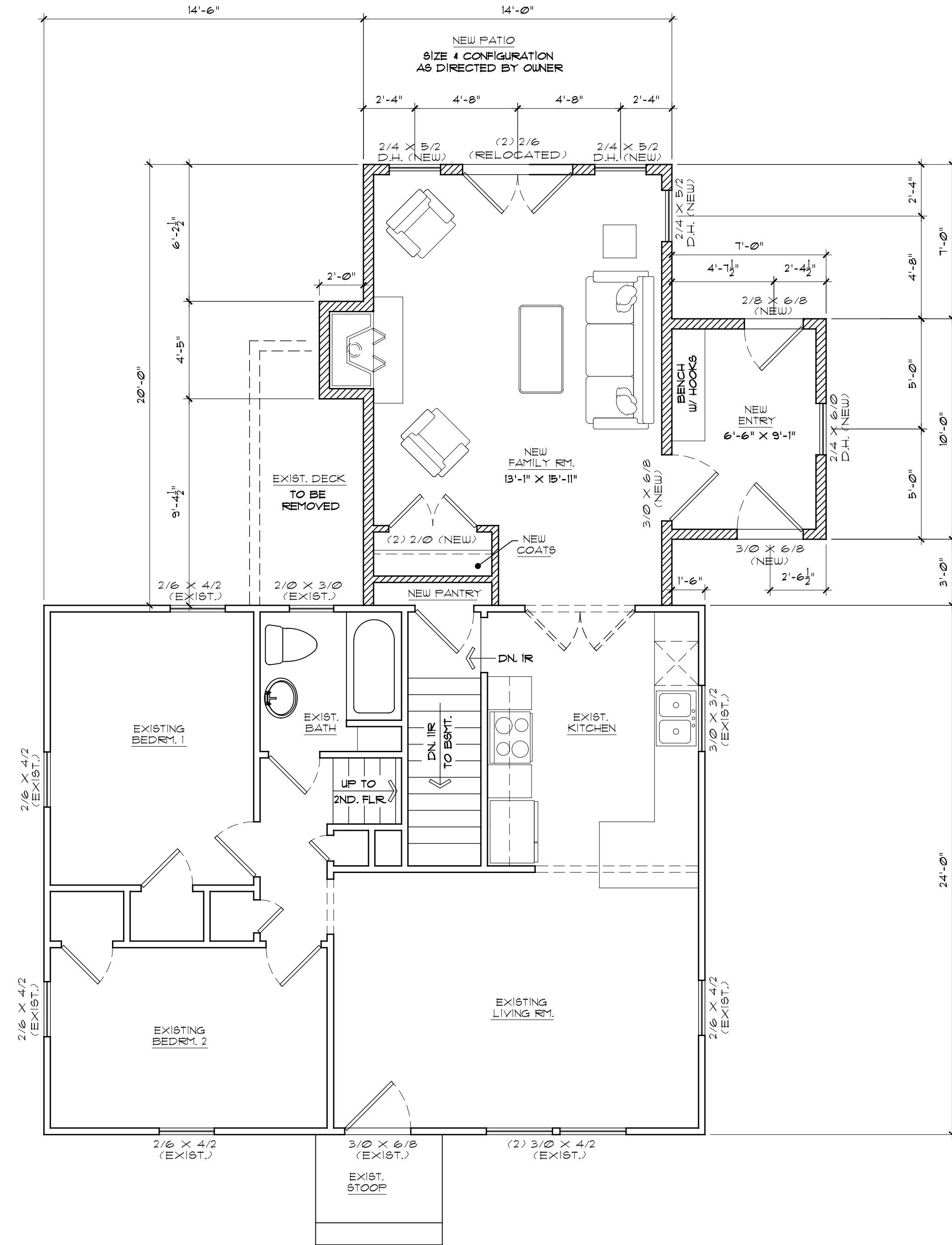
2 Preliminary Rear Elevation
P-1 Scale: 3/16" = 1'-0"



3 Preliminary Left Side Elevation
P-1 Scale: 3/16" = 1'-0"



4 Preliminary Front Elevation
P-1 Scale: 3/16" = 1'-0"



5 Preliminary Floor Plan
P-1 Scale: 1/4" = 1'-0"

REVISION DATE

ENERGY NOTE :
ENERGY CONFORMANCE IS BY THE
PRESCRIPTIVE METHOD, MEETING
R-VALUES AND U-FACTORS AS
LISTED IN TABLE 402.1.1 OF THE
2020 NEW YORK STATE ENERGY
CONSERVATION CONSTRUCTION CODE.

BUILDING INSPECTOR NOTE :
THESE PLANS ARE NOT VALID FOR
A BUILDING PERMIT UNLESS
ORIGINALLY SIGNED AND SEALED BY
ARCHITECT. BLUEPRINTS OR PHOTO
COPIES OF SEAL AND SIGNATURE
ARE INVALID. THESE PLANS ARE FOR
THE CONSTRUCTION OF ONE BUILDING
ONLY BY THE PERSONS WHOSE NAME
APPEARS ON THE PLANS.
ALL RIGHTS RESERVED.
ANY USE OR REPRODUCTION, IN
WHOLE OR IN PART, WITHOUT
WRITTEN AUTHORIZATION FROM
KATHLEEN RIFKIN IS STRICTLY
PROHIBITED.



Kathleen
Rifkin
architect

20 North Street
Middletown, N.Y. 10940
Phone (845) 956-2210

BUILDER / HOMEOWNER:

ANNE LEWIS

JOB TITLE:

PROPOSED
ADDITION

JOB LOCATION:

241 LIBERTY ST.
CITY OF BEACON
DUTCHESS COUNTY, NY

JOB 21-493

DATE FEBRUARY, 2021

SCALE NOTED

DWN BY KR

SHEET NO :

P-1
OF 1

City of Beacon Zoning Board of Appeals Agenda
03/16/2021

Title:

Review application submitted by Clodagh Aubrey, 15 Water Street, Tax Grid No. 30-6054-38-170705-00, R1-5 Zoning District, for relief from Section 223-17 for a one-story addition with a 3.2 ft. side yard setback (*10 ft. required*) and an open rear deck with a 1.1 ft. side yard setback (*5 ft. required*)

ATTACHMENTS

[15 Water Street Application.pdf](#)

[15 Water Street Site Plan.pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEALOWNER: Tim O'KennedyADDRESS: The Cowhouse, Ballinspittle,
Co. Cork, IrelandTELEPHONE: +353 87 9750557E-MAIL: okennedy.tim@gmail.comAPPLICANT (if not owner): Clodagh AubryADDRESS: 15 Water Street, Beacon, NYTELEPHONE: 646 338-7455E-MAIL: clodagh@clodagh.comREPRESENTED BY: Aryeh Siegel ArchitectADDRESS: 84 Mason Circle
Beacon, NY 12508TELEPHONE: 845-838-2490E-MAIL: ajs@ajsarch.comPROPERTY LOCATION: 15 Water StreetZONING DISTRICT: R1-5TAX MAP DESIGNATION: SECTION 6054BLOCK 38 LOT 170705

Section of Zoning Code appealed from or Interpretation desired:

Relief to allow 3.2 foot side yard setback where 10 feet is required: for a one story
dining room addition & 1.1 ft side yard setback for an open rear deck

Reason supporting request:

Proposed Dining Room to match existing line of house. Existing setback does not conform to current zoning.

Applicant owns 17 Water Street, which is a flag lot.

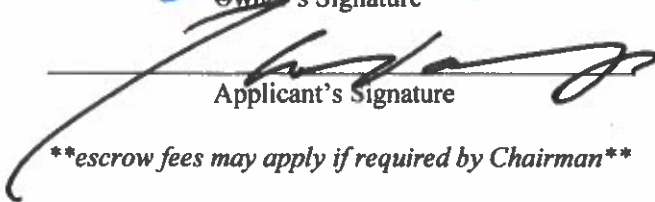
Supporting documents submitted herewith: Site Plan, Survey, etc. as required:

Site PlanDate: February 23, 2021

Owner's Signature

Fee Schedule

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



Applicant's Signature

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

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Tim O'Kennedy

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

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

Applicant Address: 15 Water Street

Project Address: 15 Water Street

Project Tax Grid # 6054-38-170705

Type of Application Zoning Board of Appeals Variance

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

I, Tim O'Kennedy, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

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


Signature of Owner

Title if owner is corporation

Office Use Only:

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

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

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

NO	YES	Initial
☒	☐	EB
☐	☒	GM
☐	☒	AL

617.20
Appendix B
Short Environmental Assessment Form

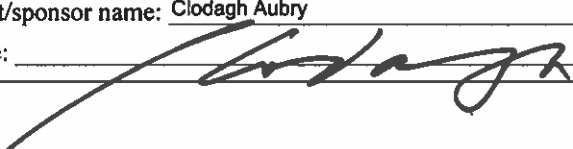
Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 - Project and Sponsor Information							
Name of Action or Project: 15 Water Street Dining Room Addition							
Project Location (describe, and attach a location map): 15 Water Street							
Brief Description of Proposed Action: Add Dining Room to rear of existing single family residence							
Name of Applicant or Sponsor: Clodagh Aubry		Telephone: (212) 780-5300 E-Mail: clodagh@clodagh.com					
Address: 15 Water Street							
City/PO: Beacon		State: NY	Zip Code: 12508				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☒</td> <td style="text-align: center; padding: 2px;">☐</td> </tr> </table>	NO	YES	☒	☐
NO	YES						
☒	☐						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: ZBA - variance to allow side yard setback smaller than zoning Building Department - Building Permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">NO</td> <td style="width: 50%; padding: 2px;">YES</td> </tr> <tr> <td style="text-align: center; padding: 2px;">☐</td> <td style="text-align: center; padding: 2px;">☒</td> </tr> </table>	NO	YES	☐	☒
NO	YES						
☐	☒						
3.a. Total acreage of the site of the proposed action?		0.08 acres					
b. Total acreage to be physically disturbed?		0 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.08 acres					
4. Check all land uses that occur on, adjoining and near the proposed action. ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ☐ Parkland							

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

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	☒	☐
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>Clodagh Aubry</u>		Date: <u>February 23, 2021</u>
Signature: 		

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

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

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

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

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

PRINT

FOR OFFICE USE ONLY

Application #

CITY OF BEACON
1 Municipal Plaza, Beacon, NY
 Telephone (845) 838-5000 • <http://cityofbeacon.org/>

INDIVIDUAL DISCLOSURE FORM

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

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

SECTION A

Name of Applicant: Clodagh Aubry
 Address of Applicant: 15 Water Street, Beacon, NY
 Telephone Contact Information: 646 338-7455

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
TIM O'KENNEDY	THE CONHOUSE BALLINSPITTLE CO. DORK IRL	+353 879750557	OUTRIGHT PURCHASE	DUTCHESS COUNTY OCT 19

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



YES

NO

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

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship
	N/A		

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

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

☐ YES

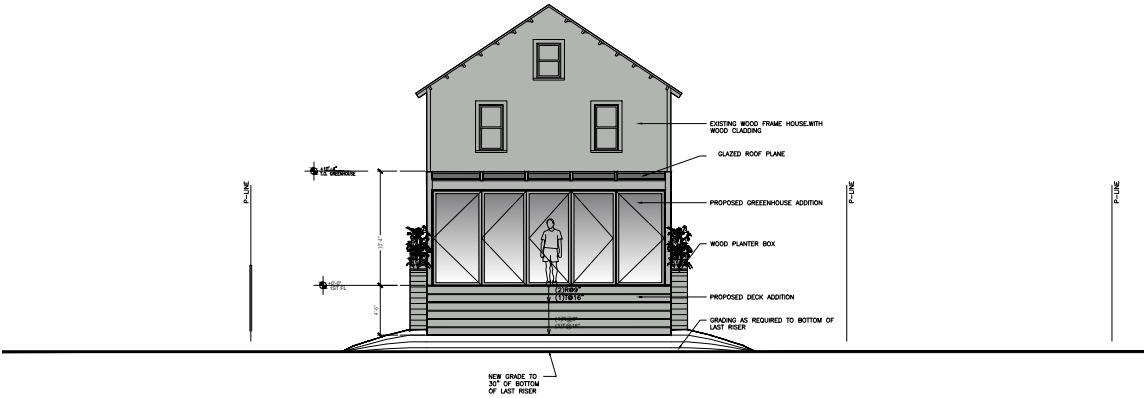
☒ NO

I, TIM O'KENNEDY being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) TIM O'KENNEDY

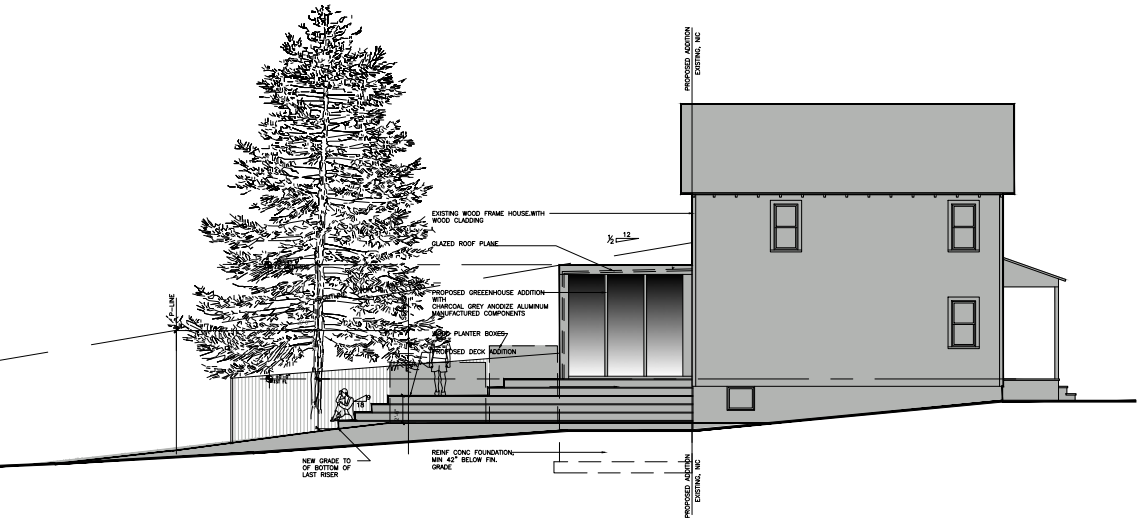
(Signature)

Zoning Regulations Table													
	Required Setbacks			Existing Setbacks			Proposed Setbacks			Maximum Building Coverage	Proposed Building Coverage	Maximum Building Height	Existing Building Height
	Front	Side	Rear	Front	Side	Rear	Front	Side	Rear				
Zoning District													
R1-5	15'	10'	20'	11.6'	4.6'	43.7'	11.6'	3.2'	31.9'	30%	25%	2.5 Stories 35'	2.5 Stories 26' existing
					15.7'			15.8'					



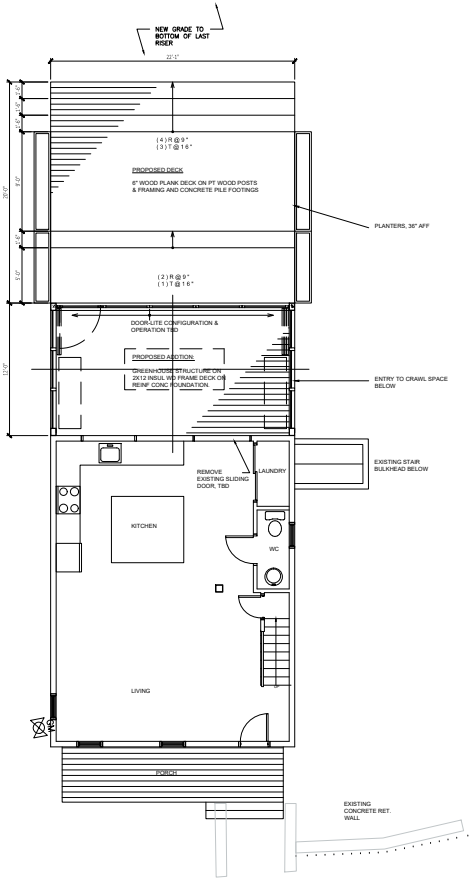
Rear Elevation

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



Side Elevation

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



1st Floor Plan

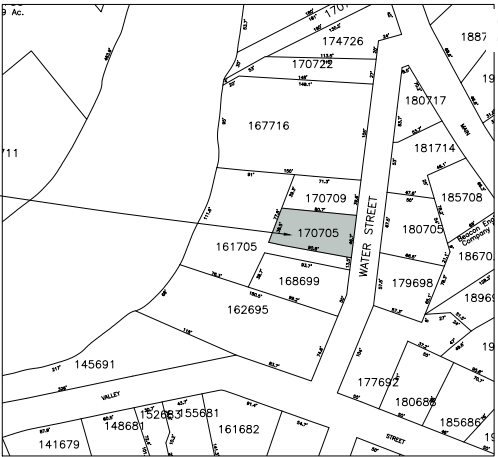
Scale: 1/8" = 1'-0"

Zoning Summary

Zoning District: R1-5
Tax Map No.: 6054-38-170705
Lot Area: 3,622.8 Square Feet (0.08 Acres)
Existing Building Footprint: 637 square feet
Proposed Building Footprint: 905 square feet
Historical Overlay District: No
Parking Overlay District: No
Existing Use: Single Family Residential
Proposed Use: Single Family Residential – New Dining Room Addition

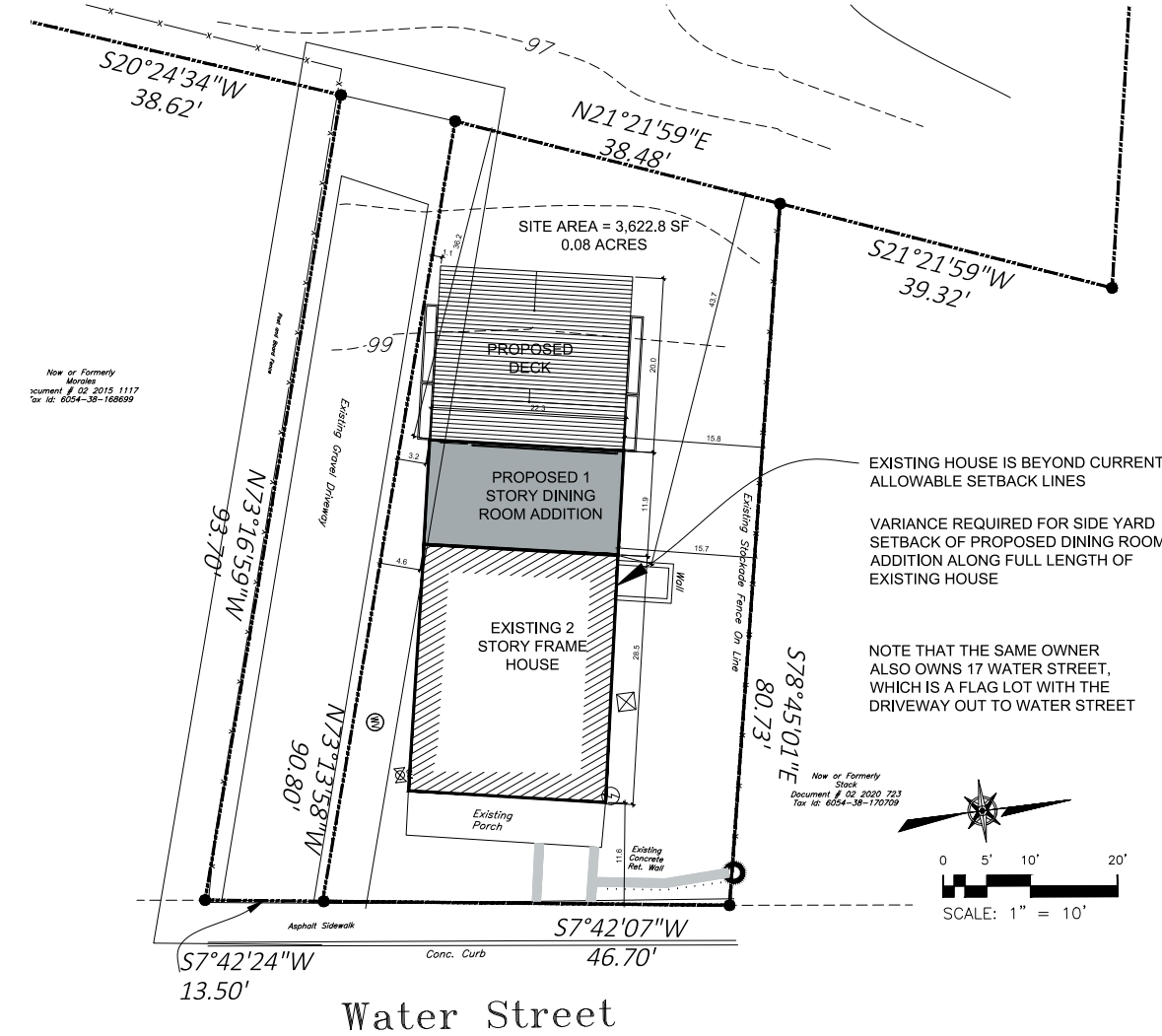
Use & Parking Requirements	Proposed Area	Parking Requirement
Residential		
2 spaces for each dwelling unit	1 dwelling unit	2 parking spaces
Total Required Parking Spaces		2 Parking Spaces
Total Existing Parking Spaces		2 Parking Spaces

- Notes:**
- The allowable building area based on setbacks, and conforming to current zoning, would not allow for the construction of a house of any reasonable size. Refer to the survey and building envelope attached
 - Apart from the front yard and rear yard setbacks, the proposed house complies with other zoning requirements
 - The owner is seeking relief from the front yard setback requirement of 30' noted in Schedule of Regulations for Residential Districts Residential (Table 223-17C), and proposes a front yard setback of 16.66 feet at the closest point, which is an improvement over the existing front yard setback of 9.7 feet.
 - The owner is also seeking relief from the rear yard setback requirement of 30' noted in Schedule of Regulations for Residential Districts Residential (Table 223-17C), and proposes a rear yard setback of 16.54 feet at the closest point. Note that technically, the owner has riparian rights to the centerline of the creek so the rear yard setback is extended based on that location. However, in order to simplify the application, the owner is requesting the rear yard variance.



Location Plan

Not to Scale



Proposed Site Plan

Scale: 1" = 10'

Schematic Design - Dining Room Addition

15 Water Street - Single Family Residence

Owner:
Clodagh Aubry
15 Water Street
Beacon, NY 12508

Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

Beacon, New York
Scale: As Noted
February 23, 2021

City of Beacon Zoning Board of Appeals Agenda

Title:

Consider request for a six (6) month extension of Use and Area Variance, 53 Eliza Street, submitted by PIE Development Company, Inc.

ATTACHMENTS

[53 Eliza Street - Extension Request with Exhibits.pdf](#)



445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
T 914 761 1300
F 914 761 5372
cuddyfeder.com

Taylor M. Palmer
tpalmer@cuddyfeder.com

VIA EMAIL (egrogan@cityofbeacon.org)

December 29, 2020

Hon. David Jensen, Chairman
& Members of the Zoning Board of Appeals
City of Beacon
One Municipal Plaza
Beacon, New York 12508

Re: PIE Development Company, Inc. (53 Eliza Street) Use & Area Variance Approvals
Request for Additional Six (6) Month Extension

Dear Chairman Jensen and Members of the Zoning Board of Appeals:

On behalf of PIE Development Company, Inc. (the "Applicant"), we are writing to request an additional six (6) month extension of the Use & Area Variance Approval Resolution (the "ZBA Resolution") that was adopted by this Board on February 20, 2019.¹

Specifically, the ZBA Resolution provides in relevant part that "... [t]he Applicant has one year to obtain a building permit from the Applicant's last appearance before the Planning Board." See **Exhibit A** at page 8. As this Board is aware, the Planning Board granted Site Plan Approval for the project at its July 9th, 2019 Planning Board Meeting (the "Planning Board Resolution"),² and the ZBA granted a six (6) month extension dated July 21, 2020, which extended the ZBA Resolution until January 9, 2021.

Since the Applicant last appeared before the ZBA, the Applicant has remained diligent in its efforts to satisfy the conditions of the ZBA Resolution and the Planning Board Resolution. Further, the circumstances and conditions upon which the variances were granted have not substantially changed. The Applicant has nearly satisfied all approval conditions, which included the submission of an Application for a Building Permit, a copy of which is enclosed as **Exhibit C**. At this time, the Applicant continues to work toward obtaining the requisite surety performance bond conditioned in the Planning Board Resolution. The bond estimate has since been confirmed by the City and a draft of the performance bond was reviewed by the Planning Board attorney. We have been advised that the Applicant is still pursuing the performance bond that is

¹ Copies of the ZBA Resolution and the first six (6) month extension granted by the ZBA are attached to this letter as **Exhibit A**.

² A copy of the Planning Board Resolution dated July 12, 2019 is attached to this letter as **Exhibit B**.



Page -2-
December 29, 2020

conditioned in the Planning Board Resolution, and that the Applicant has had additional difficulties with filing of the performance guarantee due to further complications arising from the COVID-19 pandemic.

Accordingly, given the Applicant's diligent efforts to satisfy the conditions of the ZBA Resolution and Planning Board Resolution, including pursuing the issuance of a Building Permit, we respectfully submit this formal request for a six (6) month extension of the ZBA Resolution, thus extending the ZBA Resolution until July 9, 2021, the date by which the Applicant must satisfy the conditions in the ZBA Resolution.

We respectfully request that you please place this extension request on the next available ZBA Agenda for consideration of the Applicant's request for a six (6) month extension. In the event that the Applicant is able to secure the Building Permit prior to the January 9th expiration of the ZBA Resolution, the Applicant will withdraw its application for an extension.

Thank you in advance for your consideration in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Taylor M. Palmer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Taylor M. Palmer

Enclosures

cc: Drew V. Gamils, Esq. – ZBA Attorney

Exhibit A

CITY OF BEACON
ZONING BOARD OF APPEALS

RESOLUTION

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by **PIE Development Company, Inc.** (the "Applicant") to allow a multifamily development consisting of nine dwelling units, which will be distributed into three buildings, on property located at 53 Eliza Street in the R1-5 Zoning District, said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 6054-29-031870** (the "Property"); and

WHEREAS, the Property is comprised of approximately 0.69 acres (30,307 square feet) of land; and

WHEREAS, the Applicant seeks a use variance from City Code § 223-17.C/223 Attachment 1:2 to permit multifamily dwelling units in the R1-5 Zoning District where multifamily dwelling units are not a permitted use; and

WHEREAS, the Applicant also seeks an area variance to construct up to nine dwelling units, where the maximum number of dwelling units permitted on the Property is six pursuant to the City Code § 223-17.C/223 Attachment 1:2; and

WHEREAS, a duly advertised public hearing on the use variance application was held on September 18, 2018, and continued to October 16, 2018, November 20, 2018, December 18, 2018, and January 15, 2019, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, a duly advertised public hearing on the area variance application was held on December 18, 2018, and continued to January 15, 2019, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearings on the use and area variance applications on January 15, 2019; and

WHEREAS, the proposed action is an Unlisted action pursuant to the New York State Environmental Quality Review Act; and

WHEREAS, pursuant to the City Code Section 223.55.C(1)(b), when deciding a request for a use variance:

No such use variance shall be granted by a Board of Appeals without a showing by the applicant that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

- [1] The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;
- [2] The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;
- [3] The requested use variance, if granted, will not alter the essential character of the neighborhood; and
- [4] The alleged hardship has not been self-created; and

WHEREAS, pursuant to New York State General City Law § 81-b(4) and City Code Section 223.55.C(2)(b), when deciding the request for an area variance:

The Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such a determination, the board shall also consider:

- [1] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
- [2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
- [3] Whether the requested area variance is substantial;
- [4] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
- [5] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance; and

WHEREAS, the Board of Appeals, in granting variances, shall grant the minimum variance that it shall deem necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community; and

WHEREAS, based upon the Record before it and after viewing the premises and neighborhood concerned and upon considering each of the factors set forth in Section 223.55.C(1)(b)[1]-[4] of the City Code, the Zoning Board finds with respect to the requested use variance to permit a multifamily use in a single family residential zoning district:

1. The Applicant cannot realize a reasonable return as demonstrated by competent financial evidence.

The Applicant must show with “dollars and cents” proof that land cannot yield a reasonable return if used only for a purpose allowed in that zone. For example, the courts have determined that evidence should be provided to show: (1) the amount of purchase price paid by the applicant for the entire parcel of property; (2) the present value of the entire parcel of property or any part thereof; (3) the expenses and carrying charges in connection with the maintenance of the entire parcel of property or any part thereof; (4) the amount of taxes on the entire parcel of property or any part thereof; (5) the amount of any mortgages, liens or other encumbrances, if any, on the entire parcel of property or any part thereof; (6) the amount of annual income realized by the current use of the property; (7) the amount of potential annual income realized by the permitted

uses; and (8) an estimate as to what a reasonable return on the entire parcel of property or any part thereof should be based on the initial investment of the applicant or the present value of the property. This list is not exhaustive, but is a recommendation as to what type of evidence should be in the record when the Board makes its determination. *Crossroads Recreation, Inc. v. Broz*, 4 N.Y.2d 39,44 (1959).

The Applicant provided the Zoning Board with a breakdown of the costs associated with the Applicant's purchase and renovation of the property. The application provides "dollars and cents" proof that the Applicant cannot realize a reasonable return if the property is used for any use currently permitted under the zoning.

The existing zoning permits residential uses, detached single-family dwellings not to include house trailer; buildings, structures and uses owned by the City of Beacon; churches or other places of worship; public schools; and parks and farms. The Applicant's Financial Analysis confirms that subdividing the lot into two or three lots, as permitted by right, and improving each with a single-family home for rental and/or for sale, will result in a significant financial loss to the Applicant, given its initial investment in the property and subsequent improvements.

The Applicant submitted a Supplemental Financial Analysis, which includes correspondence from the Applicant's financial consultant, McAlpine Construction Co., Inc., dated January 7, 2019, which references opinions from CR Properties Group, LLC, dated January 3, 2019 and from McGrath Realty Inc., dated January 7, 2019. Each expert assessed the Property, the location of the Property, access to the Property, and the highest and best use of the Property given its existence as non-conforming commercial use and its marketability as a commercial use given the site conditions and constraints. The Supplemental Financial Analysis considered the fair market value representative of these factors that are not otherwise reflected in a sale comparison approach. The Supplemental Financial Analysis confirms that the fair market value of the Property is between \$400,000 and \$450,000. Pursuant to a letter submitted by the Applicant's account, Kevin David, dated January 29, 2019, the Property was purchased in March of 1999 for \$161,039 (\$145,000 for the buildings, \$10,000 for the land and \$6,039 for closing costs). As of December 31, 2017, the building depreciated \$69,867 and had a cost basis of \$75,133. In his letter, Mr. Davis stated that the current cost basis remains \$75,133 plus the cost of improvements to the property (\$545,000) for a total of \$620,133. Sale of the property at \$450,000 would not provide the Applicant with a reasonable return on his investment.

The Applicant's supplemental submission dated October 30, 2018, includes a schedule of costs for a hypothetical three lot residential subdivision. A three lot subdivision is the maximum theoretical as-of-right subdivision buildout/layout for the premise based on the City's dimensional requirements and the shape of the lot. Such a subdivision would result in a total loss of \$540,000, factoring in land cost, building cost, potential sale price of the homes, site development costs and other soft costs. This submission also includes a schedule of costs associated with a six unit multifamily development complex. According to the cost breakdown, such a development would result in a total loss of \$151,440. Comparatively, a nine unit multifamily development complex is the only option that would provide a reasonable return, with a \$174,700 profit, as set forth in the Applicant's January 7, 2019 submission.

The Applicant submitted a letter from Robert McAlpine, dated December 7, 2018 providing a breakdown of soft costs and several estimates providing a breakdown of site costs as part of the Applicant's December 14, 2018 submission. The Applicant also submitted a Proposal for Architectural Services from Aryeh Sigel, dated December 3, 2018 to design the proposed multifamily development complex with nine condominium apartments distributed to three buildings.

Other permitted uses, such public schools or a church would require extensive off-street parking which is not available on the site. The Applicant's Supplemental Financial Analysis, dated January 7, 2019, provides that none of the permitted uses, including the existing non-conforming use, would result in any return on the Property. The Applicant's financial analyses demonstrate that a use variance to permit multifamily housing and an area variance to permit up to nine dwelling units on the Property are the minimum variances necessary to provide a reasonable return.

The Applicant's Financial Analysis, dated January 7, 2019, considers the amount paid for the property, the present value of the parcel; expenses and carrying charges for the Property, renovation costs, an accountant statement regarding cost basis, property appraisal information, taxes on the Property; mortgages on the Property; the income realized by the business (including prospective tenants) and the economic viability of each permitted use under existing zoning, including the pre-existing non-conforming use. After reviewing the Applicant's submission, the Board finds that the Applicant has demonstrated by competent financial evidence that it cannot realize a reasonable return by using the property for uses currently permitted by the City of Beacon Zoning Code in the R1-5 Zoning District.

2. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.

The Applicant's hardship is unique to the Applicant's property and is not applicable to a substantial portion of the zoning district or neighborhood. The Property is approximately 30,307 square feet. It is a very large lot in the R1-5 Zoning District. This Property presents a unique situation because of its large lot size, existing buildings on the premise, and its pre-existing non-conforming commercial use. The proposed project also allows the Applicant to reuse one of the existing buildings on the site for two multifamily dwelling units. The proposed project is more conforming than the existing non-conforming commercial use. The site location and use constraints of the Property make it not commercially viable because there is limited access to main roads and highways for commercial transportation. Furthermore, it is located adjacent to other multifamily housing developments. Thus, the alleged hardship is unique to 53 Eliza Street.

3. The requested use variance, if granted, will not alter the essential character of the neighborhood.

Granting the use variance will not alter the essential character of the neighborhood. Nor will the variance stimulate a pattern for future development that would eventually alter the neighborhood's character. The Property is zoned in the R1-5 Zoning District and is surrounded by residential uses, including multifamily residential uses located at 31 Eliza Street and 195 Fishkill Avenue. The Property has been occupied by nonconforming commercial and office building uses for several decades, and is presently used as a storage yard.

The Applicant is seeking to reuse the Property in a manner more consistent with the area's existing residential zoning. The Applicant seeks to use the Property for a residential purpose that is less

intense and onerous than the existing non-conforming use. Several properties in the R1-5 Zoning District that surround 53 Eliza Street contain multifamily uses, such as townhouse developments, two-family-developments, multi-family apartment uses and other commercial uses.

The Applicant's multifamily proposal will bring the Property further into conformity with surrounding uses, development patterns and the intent of residential zoning. As a result, the Board finds that the granting of the variance will not alter the essential character of the neighborhood.

4. The alleged hardship has not been self-created.

The hardship exists because the neighborhood has changed since the original commercial zoning classification on the Property. The Property is presently zoned in the R1-5 (1-Family Residence District) and is surrounded by residential uses. Prior to 1998 the Property was zoned as commercial in the OB (Office Business) district. For decades the property has been occupied by commercial uses and office buildings. The Applicant has owned the Property since March 1999 and has maintained the property as a legal non-conforming office, storage and contractor's yard. Over twenty years, the residential uses in the community have intensified. Multifamily developments have been constructed on adjacent land. Since 1998 the City has become popular among residents moving away from New York City. Retail, commercial and hospitality businesses have also increased on Main Street. The current use of the Property as a non-conforming storage yard is now out of place for the surrounding neighborhood. As a result, the Property is no longer suitable for such commercial use.

The Applicant did not purchase the Property intending to develop multifamily housing. The Applicant has owned the Property for more than two decades and originally purchased the property to conduct his commercial business. The Applicant tried to sell the property for several years, beginning in 2014, but was unsuccessful.¹

As a result, the hardship is not self-created.

AND WHEREAS, based upon the Record before it and after viewing the premises and neighborhood concerned and upon considering each of the factors set forth in Section 223.55(C)(2)(b)[1]-[5] of the City Code, the Zoning Board finds with respect to the requested area variance to permit nine multifamily units where six are permitted:

- 1. The area variance for nine multifamily units will not produce an undesirable change in the character of the neighborhood and there will not be a detriment to nearby properties created by the granting of the area variance.**

¹ *54 Marion Avenue, LLC v. City of Saratoga Springs*, 162 A.D.3d 1341 (2d Dep't 2018) ("Property owner's allegation, that financial hardship arising from residential property's unique location on corner of intersection between side street and busy commercial thoroughfare arose decades after the property was acquired due to a gradual shift in the character of the area that rendered the permitted residential use onerous and obsolete, alleged that the hardship was not self-created.")

Kontogiannis v. Fritts, 131 A.D.2d 944 (3d Dep't 1987) ("Zoning board's conclusion that use variance petitioner's hardship was self-created was unsupported; record showed that applicant did not construct recreation building with the goal of converting it into multifamily dwelling several years later, but that original purpose of building became obsolete.")

The proposed residential use will replace the existing legal non-conforming commercial use on the property to bring the Property further into conformity with surrounding uses, development patterns and the intent of the residential zoning designation for the lot. The Applicant also plans to adaptively reuse one of the existing structures on the Property for two multifamily dwelling units. The Property is also adjacent to existing multifamily residential developments, including a seventy unit multi-story apartment building at 31 Eliza Street, and an eight unit multi-story apartment building at 195 Fishkill Avenue.

For these reasons, in addition to the reasons discussed above, the area variance for nine multifamily units will not produce an undesirable change in the character of the neighborhood.

2. The benefit sought by the Applicant cannot be achieved by some method feasible for the Applicant to pursue, other than the requested area variance.

The benefit sought by the Applicant is to obtain a reasonable return on its original investment. As outlined in the Applicant's Financial Analysis and supplemental documentation, nine multifamily units, is the minimum necessary that would provide a reasonable return. The Applicant's Financial Analysis demonstrates that the use of the Property for a residential use with nine residential dwelling units is the minimum density necessary to provide a reasonable return. None of the permitted uses under zoning, including the pre-existing legal non-conforming use would provide a reasonable return for the Applicant. The Applicant also evaluated whether it could achieve a reasonable return by constructing up to six multifamily dwelling units. Such a development would also yield a financial loss to the applicant of up to \$151,440. The Applicant considered building costs, land costs, estimated sales prices, soft costs and site costs in its evaluation. The Zoning Board believes that the Applicant has demonstrated through its financial analyses, other supplemental information and accompanying dollar and cents proof, that the benefit sought cannot be achieved by any other feasible methods. There is no other feasible design for the lot that would yield a reasonable return.

3. The requested variance is mathematically substantial; however, this does not outweigh the other factors meriting the granting of the variance.

The requested variance is mathematically substantial. The variance request represents a fifty percent increase from what is permitted. However, in considering whether a variance is substantial, the Board must examine the totality of the circumstances within the application and the overall effect of granting the requested relief. The proposed Project complies with all other bulk requirements in the City Code. The design of the proposed dwelling units is reflective of other properties within the immediate vicinity of the premises and is therefore not a departure from the overall design of the neighborhood. In addition, as previously discussed, the project will not adversely impact neighboring properties. Therefore, while the project is mathematically substantial, this factor does not outweigh the other factors involved in the area variance balancing test.

4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The Property currently contains a more intense, legal non-conforming use that is less compatible with the neighborhood and the R1-5 Zoning District, as compared to the proposed multifamily use. The proposed area variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. There will be no adverse effects of noise, vibrations, odor, traffic, or impact on public services caused by the requested variance.

The Applicant retained the services of Maser Consultant, P.A. to review any potential traffic impacts. The Traffic Evaluation, dated September 27, 2018, concludes that the Proposed Development is not anticipated to have a significant impact on traffic operating conditions in the vicinity of the Property. Furthermore, the proposed nine unit multifamily development and the as-of-right three-unit single family homes would have similar traffic generation during each of the Peak Hours analyzed. As part of the Uncoordinated SEQRA review, the Zoning Board has determined that the entire action, including the required variances, will have no potential significant adverse environmental impacts.

5. The alleged difficulty is not self-created for the reasons discussed above.

NOW THEREFORE, BE IT RESOLVED, after taking a “hard look” at the EAF and all of the associated materials prepared in connection with the use and area variance request, undergoing an uncoordinated review, the Board herein adopts the attached Negative Declaration for the Proposed Action.

BE IT FURTHER RESOLVED, that the Board of Appeals, finds that for the reasons set forth above, the requested use and area variances are the minimum variances necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

BE IT FURTHER RESOLVED, that the Board finds that for the reasons set forth above, the Applicant has demonstrated that the applicable zoning regulations and restrictions have caused an unnecessary hardship for the Applicant.

BE IT FURTHER RESOLVED, that for the reasons set forth above, said application by PIE Development Company, Inc. for a use variance from City Code § 223-17.C/223 Attachment 1:2 to permit multifamily dwelling units on property located at 53 Eliza Street in the R1-5 Zoning District, is hereby GRANTED.

BE IT FURTHER RESOLVED, that for the reasons set forth above, the application by PIE Development Company Inc. for an area variance to construct up to nine dwelling units, where density requirements allow a maximum of six units pursuant to City Code § 223-17.C/223 Attachment 1:6, is hereby GRANTED.

BE IT FURTHER RESOLVED, that all the variances granted herein are subject to the following conditions:

1. No permit or Certificate of Occupancy shall be issued until the Applicants have paid in full all application and consultant fees incurred by the City of Beacon in connection with the review of this application.
2. The Applicant has six months to commence construction following the date of issuance of a building permit and 24 months after the date of issuance of said building permit to complete construction. The Applicant has one year to obtain a building permit from the Applicant's last appearance before the Planning Board.
3. The use and area variances granted by this resolution are subject to approval of the site plan from the Planning Board for no more than nine multifamily dwelling units.

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

Dated: February 20, 2019



Mr. Robert Lanier, Chairman

Use Variance to Permit Multifamily Housing

Chairman Lanier called the roll:

Motion	Second	Zoning Board Member	Aye	Nay	Abstain	Excused	Absent
		Robert Lanier	X				
		John Dunne	X				
X		Jordan Haug	X				
	X	Judy Smith	X				
		David Jensen		X			
Motion Carried			4	1			

Area Variance to Permit Up to Nine Residential Units

Chairman Lanier called the roll:

Motion	Second	Zoning Board Member	Aye	Nay	Abstain	Excused	Absent
		Robert Lanier	X				
	X	John Dunne	X				
X		Jordan Haug	X				
		Judy Smith	X				
		David Jensen		X			
Motion Carried			4	1			

Vote to Approve Resolution with Conditions, As Amended on the Record

Chairman Lanier called the roll:

Motion	Second	Zoning Board Member	Aye	Nay	Abstain	Excused	Absent
		Robert Lanier	X				
		John Dunne	X				
		Jordan Haug	X				
X		Judy Smith	X				
	X	David Jensen	X				
Motion Carried			5	0			

**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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: 53 Eliza Street		
Project Location (describe, and attach a general location map): 53 Eliza Street Beacon, NY 12508		
Brief Description of Proposed Action (include purpose or need): Proposed multi-family development to replace the existing non-conforming commercial buildings and commercial uses with nine (9) apartments in 3 separate buildings with parking areas, internal travel-ways and landscaped areas on the residentially zoned property		
Name of Applicant/Sponsor: PIE Development Company, Inc.		Telephone: (845) 838-1775 E-Mail: EPPDHV@optonline.net
Address: 53 Eliza Street		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Aryeh Siegel Architect		Telephone: 845-838-2490 E-Mail: ajs@ajsarch.com
Address: 84 Mason Circle		
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		
b. City, Town or Village ☒ Yes ☐ No <u>Planning Board</u> or Commission	SITE PLAN AND ARCHITECTURAL REVIEW BOARD APPROVAL	8/28/18
c. City Council, Town or ☒ Yes ☐ No Village <u>Zoning Board of Appeals</u>	VARIANCE RELIEF	8/28/18
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	DCDOH GML 239 Advisory Referral Review	12/1/18
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. ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

The project is located in the R1-5 Single Family Residential district adjacent to properties zoned RD-5 Designed Residence.

- 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? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site?

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

- c. Which fire protection and emergency medical services serve the project site?

City of Beacon Fire Department

- d. What parks serve the project site?

Memorial Park, South Ave Park, Scenic Hudson's Long Dock Park.

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)? Residential

- b. a. Total acreage of the site of the proposed action? 0.696 acres
b. Total acreage to be physically disturbed? 0.590 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.696 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 proposed action be constructed in multiple phases? ☐ Yes ☒ No

- i. If No, anticipated period of construction: 12 months

- ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase I (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			9 units
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 proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will 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: _____ 1,980 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: City of Beacon
- 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), 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: _____ 1,980 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): _____
Sanitary wastewater.

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

- Name of wastewater treatment plant to be used: Beacon Sewage Treatment Plant
- Name of district: City of Beacon
- 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 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 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 semi-trailer truck trips/day: _____ 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 1/4 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: <u>7am-5pm</u> • Saturday: <u>8am-5pm</u> • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: <u>N/A Residential</u> • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: <u>7am-5pm</u> • Saturday: <u>8am-5pm</u> • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: <u>N/A Residential</u> • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: <u>7am-5pm</u> • Saturday: <u>8am-5pm</u> • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: <u>N/A Residential</u> • 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: <u>Construction Vehicles at work between the hours of 7am and 5pm</u>	
ii. Will 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: <u>Building mounted lights and pole mounted lights for parking lot all shielded and pointed downward Proposed building mounted lights and parking lot light poles are within 50 feet to nearest occupied structures.</u>	
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 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 proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Mixed Uses & Former Beacon High School

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	0.640	*0.468	-0.172
• 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: <u>Grass/Landscaped Areas</u>	.056	0.228	+0.172

*0.222 acres of the total 0.468 ac. will be Permeable Pavers.

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:
City of Beacon High School athletic fields

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 Provide DEC ID number(s): _____
☐ Yes - Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
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): B00130 , C314118
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
B00130 remedial actions completed in August 2004. C314118 remedial actions completed on 4/10/2017

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? _____ > 6.7 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:

Knickerbocker-Urban land complex	66.4 %
Dutchess-Cardigan-Urban land com-	33.6 %
_____	_____ %

d. What is the average depth to the water table on the project site? Average: _____ > 6.7 feet

e. Drainage status of project site soils: ☒ Well Drained: 66.4 % of site
☒ Moderately Well Drained: 33.6 % of site
☐ Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: 97 % of site
☐ 10-15%: _____ % of site
☒ 15% or greater: 03 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☒ No
If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☒ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐ Yes ☒ No

j. Is the project site in the 100 year Floodplain? ☐ Yes ☒ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No
If Yes:
i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: Raccoon Grey Squirrel White Tail Deer	
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 Indiana Bat	
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	
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: _____	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	☐ Yes ☒ No
f. 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? *The CRIS system confirms the property is not adjacent to a sensitive archaeological site(s).	☒ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	☐ Yes ☒ No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: Scenic Hudson's Long Dock Park; Mount Beacon ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>State or Local Park</u> iii. Distance between project and resource: _____ 1.5 miles.	☒ Yes ☐ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	☐ Yes ☒ No ☐ Yes ☐ No

F. Additional Information

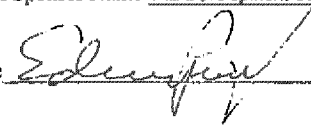
Attach any additional information which may be needed to clarify your project

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

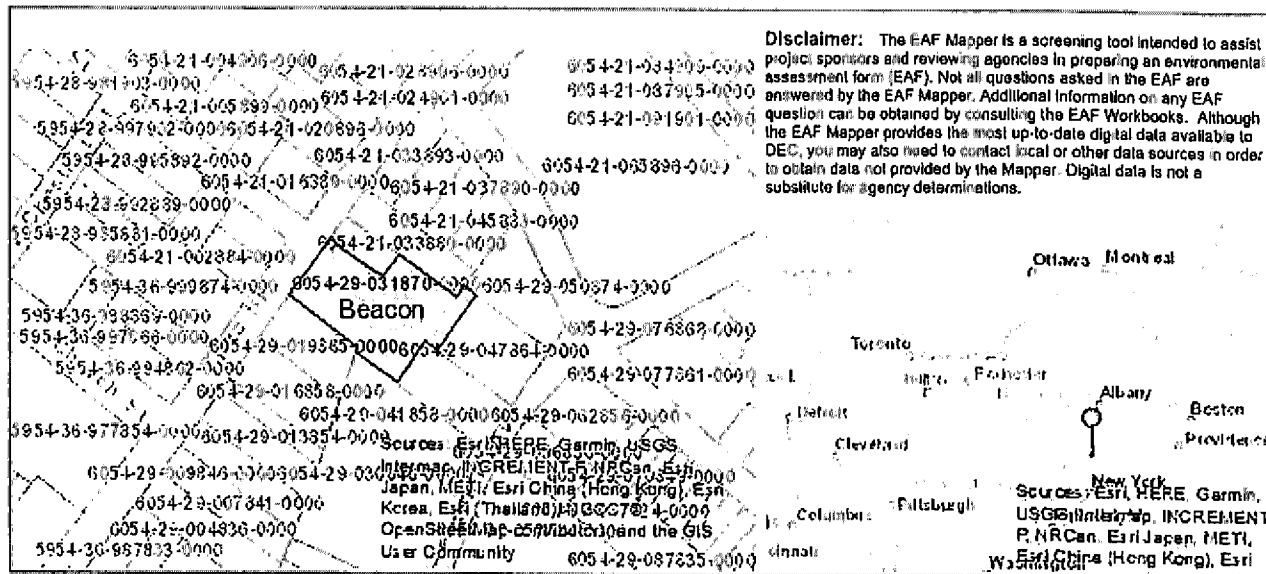
Applicant/Sponsor Name PIE Development Company, Inc. Date 8/28/2018

Signature  Title president

PRINT FORM

EAF Mapper Summary Report

Thursday, August 23, 2018 10:22 AM



B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.ii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00130 , C314118
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	No
E.2.h.iii [Surface Water Features]	No
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes

E.2.o. [Endangered or Threatened Species - Indiana Bat Name]

E.2.p. [Rare Plants or Animals] No

E.3.a. [Agricultural District] No

E.3.c. [National Natural Landmark] No

E.3.d. [Critical Environmental Area] No

E.3.e. [National Register of Historic Places] Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.3.f. [Archeological Sites] Yes

E.3.i. [Designated River Corridor] No

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

Agency Use Only (If applicable)	
Project :	53 Eliza Street
Date :	February 20, 2019

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 I. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) If "Yes", answer questions a - h. If "No", move on to Section 5.			
		☒ 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 I. E.2) If "Yes", answer questions a - g. If "No", move on to Section 6.			
		☒ 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) If "Yes", answer questions a - f. If "No", move on to Section 7.			
	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 If "Yes", answer questions a - j. If "No", move on to Section 8.			
	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.	E1a, 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 1/4 -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.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

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

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. ☒ NO ☐ YES (See Part I, 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 I, 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 I, 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.) If "Yes", answer questions a - h. If "No", go to Section 18.			
		☒ 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) If "Yes", answer questions a - g. If "No", proceed to Part 3.			
		☒ 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

Site Plan, Existing Conditions, Survey, Building Plan, letter from the Applicant dated January 7, 2019, letter from the Applicant dated December 14, 2018, letter from the Applicant dated November 28, 2018, letter from the Applicant dated October 30, 2018, letter from the Applicant dated September 28, 2018, Traffic Evaluation by Maser Consulting P.A. dated September 27, 2018, letter from the Applicant dated August 28, 2018, and photographs.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
City of Beacon Zoning Board of Appeals 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: Use and area variance application to permit a nine-unit multi-family development on 53 Eliza Street.

Name of Lead Agency: City of Beacon Zoning Board of Appeals.

Name of Responsible Officer in Lead Agency: Robert K. Lanier

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency: Robert K. Lanier

Date: 2/25/19

Signature of Preparer (if different from Responsible Officer): Sethi, Harish in behalf of the city

Date: February 26, 2019

For Further Information:

Contact Person: Etha Grogan, Secretary to the Zoning Board of Appeals

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: 845-838-5002

E-mail: Egrogan@cityofbeacon.org

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

**ATTACHMENT TO
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION**

**APPLICATION FOR USE AND AREA VARIANCE APPROVAL
FOR 53 ELIZA STREET**

Parcel No. 6054-29-031870

CONCLUSIONS

Based upon a review of Parts 1 and 2 of the Full Environmental Assessment Form (EAF) and all other application materials that were submitted in support of the Proposed Action (Unlisted), along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the City of Beacon Zoning Board of Appeals, undergoing an uncoordinated review, makes the conclusions set forth below.

Project Description:

The Proposed Action is to allow a multi-family development on 0.69 acres consisting of nine multifamily dwelling units, which will be distributed into three buildings, on property located at 53 Eliza Street in the R1-5 Zoning District (the "Property"). The Proposed Action includes a request for a use variance from City Code § 223-17.C/223 Attachment 1:2 to permit a multi-family residence in the R1-5 Zoning District where such development is not a permitted use, and an area variance to construct up to nine dwelling units, where the maximum number of dwelling units permitted on the Property is six pursuant to the City Code § 223-17.C/223 Attachment 1:2.

The Proposed Action is an Unlisted action. The Zoning Board of Appeals opened a public hearing to consider comments on the application on September 18, 2018. The public hearing was closed on January 15, 2019.

Summary of Rationale for Negative Declaration

The Proposed Action will not result in any significant adverse impacts on the environment. In summary:

- **Impact on Land:** The Proposed Action will not have a significant adverse environmental impact as a result of any physical change to the project site.

The Property is located in the R1-5 Zoning District and is currently improved with non-conforming commercial buildings. The Property is already fully developed. The Proposed Action will involve the demolition of certain existing commercial buildings and construction of up to nine multifamily residential dwelling units with typical

grading and site work associated with such construction. There are no wetlands, water bodies, steep slopes or other environmentally sensitive areas on the Property. The Proposed Action will not have a significant adverse environmental impact as a result of physical changes to the Property.

- **Impact on Geological Features:** The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms on the site.

There are no unique geological features on the Property.

- **Impacts on Surface Water and Groundwater:** The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity.

Residential land uses are generally not associated with the discharge of contaminants into aquifers or other groundwater sources. There will be no bulk storage of petroleum or chemicals on-site. The Project does not include or require wastewater discharged to groundwater. The Project will be connected to the existing public water distribution and sanitary sewer systems. Water usage and liquid waste generation is anticipated to be an additional 1,980 gallons per day above the existing condition. Adequate water supply and sewer capacity exist for these additional flows.

The Proposed Action will not result in any significant adverse impact to surface or groundwater quality or quantity.

- **Impact on Flooding:** The Proposed Action will not have a significant adverse environmental impact on or alter drainage flows or patterns, or surface water runoff.

The Proposed Action will disturb less than one acre and will not create any net additional stormwater runoff. Therefore, the Project will not have a significant adverse impact on or alter drainage flows or patterns, or on surface water runoff.

- **Impact on Air:** The Proposed Action will not have a significant adverse environmental impact on air quality.

Construction activities associated with grading and excavation could result in temporary air quality impacts. Air quality in the area, however, is not expected to be significantly impacted by project construction because the construction activities will be temporary and confined to the Property. Construction vehicles will emit certain air pollutants through engine exhaust. There is also the potential for fugitive dust to be created during the construction period from site preparation activities, including removal of existing impervious surfaces and vegetation, and site grading. These unavoidable short term

impacts to air quality will cease upon project completion. Construction will be conducted in accordance with all applicable federal, state and local codes.

- **Impact on Plants and Animals: The Proposed Action will not have a significant adverse environmental impact on flora or fauna.**

0.056 acres of the Property is currently grass/landscaped areas. After the project is completed 0.228 acres will be grass/landscaped areas. This is an increase of 0.172 acres. The predominate wildlife species that occupy or use the project site include raccoons, grey squirrels and white tail deer. The project site does not contain a designated significant natural community. Although the Full EAF indicates that the Property may contain or serve as habitat for the endangered Indiana Bat, there are no trees on the Property that would serve as suitable habitat for the Indiana Bat.

- **Impact on Agricultural Resources: The Proposed Action will not have a significant adverse environmental impact on agricultural resources.**

There are no agricultural resources in the vicinity of the Property.

- **Impact on Aesthetic Resources: The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.**

The Proposed Action will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views, or visible from any publicly accessible vantage points either seasonally nor year around.

- **Impact on Historic and Archeological Resources: The Proposed Action will not have a significant adverse environmental impact on historic or archeological resources.**

Developing the property into a multifamily development with up to nine dwelling units in an existing residential neighborhood will not have a significant adverse impact on historic or archeological resources because there are no historic resources in the immediate vicinity of the Site.

- **Impact on Open Space and Recreation: The Proposed Action will not have a significant adverse environmental impact on open space and recreation.**

The area of the Proposed Action is not designated as open space by the City of Beacon. The Proposed Action will not result in the loss of a current or future recreational resource, eliminate significant open space, or result in loss of an area now used informally by the community as an open space resource.

- **Impact on Critical Environmental Areas: The Proposed Action will not have a significant adverse environmental impact on Critical Environmental Areas.**

The Proposed Action is not located in a Critical Environmental Area.

- **Impact on Transportation: The Proposed Action will not have a significant adverse environmental impact on transportation.**

The construction of nine multifamily dwelling units will not result in a significant adverse traffic impact. The Applicant submitted a traffic evaluation study prepared by Maser Consulting P.A., dated September 27, 2018 to review the traffic impacts associated with the proposed multifamily development. It is anticipated that the multifamily development will generate similar traffic during peak hours as the existing commercial use. The Site will be accessed via a driveway connection to Eliza Street offset approximately 30 feet to the south of Oak Street. The Proposed Action will eliminate the two (2) existing driveways located on each side of the existing building fronting on Eliza Street and consolidate the driveways into one (1) central two-way access driveway for better circulation into and out of the Site.

Maser Consulting conducted turning movement traffic counts at the intersection of Eliza Street and Oak Street on Tuesday September 25, 2018 during the AM and PM Peak Periods. In order to assess the potential traffic impacts of the Proposed Development, estimates of the anticipated Site Generated Traffic Volumes were made based on information provided by the Institute of Transportation Engineers (ITE) as contained in their publication Trip Generation, 10th Edition dated 2017 based on ITE Land Use Code 220 – Multi-Family Low Rise Residential. In addition, for comparison purposes, estimates of the potential traffic generation of the as-of-right use for the property, i.e. three (3) single family residential dwellings, were also computed based on ITE Land Use Code – 210 – Single Family Housing. According to the Maser Consulting traffic report, the proposed nine (9) unit multi-family development and the as-of-right three-unit single family homes would have similar traffic generation during each of the Peak Hours. Maser Consulting concluded that “the Proposed Development is not anticipated to have a significant impact on traffic operating conditions in the vicinity of the Site. Furthermore, as previously indicated, the proposed nine (9) unit multi-family development and the as-of-right three-unit single family homes would have similar traffic generation during each of the Peak Hours analyzed.”

- **Impact on Energy: The Proposed Action will not have a significant adverse environmental impact on energy.**

The existing energy infrastructure will adequately serve the additional demand. The Proposed Action does not require a new substation, or an upgrade to any existing substation.

- **Impact on Noise, Odor and Light: The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise or light.**

The Proposed Action is not anticipated to generate any noxious odors. Outdoor lighting will be consistent with typical residential lighting and will include building mounted lights and pole mounted lights for the parking lot. All lighting shall be shielded and pointed downward. Noise impacts associated with the proposed Project will be limited to temporary impacts generated during construction. Temporary noise impacts associated with construction will be mitigated by limiting construction activities to the hours between 7:00 a.m. and 5:00 p.m Monday-Friday, and 8 a.m. — 5 p.m on Saturday. It is not anticipated that blasting will be necessary during the proposed construction. If blasting does become necessary, it will be performed in accordance with all applicable state and local requirements. In addition, there will be no significant noise impacts post-construction.

- **Impact on Human Health: The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.**

Residential land uses are generally not associated with significant adverse impacts on human health from exposure to new or existing sources of contaminants. The site is currently used for office/warehouse space, however there has never been any hazardous waste generated, treated and/or disposed of at the site and no spills have been reported at the site. There is no existing contamination on the site.

- **Consistency with Community Plans and Community Character: The Proposed Action is not inconsistent with adopted community plans and community character.**

The Proposed Action is generally consistent with the Comprehensive Plan and City Zoning Code.

Based upon this information and the information in the Full Environmental Assessment Form, the Zoning Board of Appeals finds that the Proposed Action will not have any significant adverse impacts upon the environment. .

Adopted: February 20, 2019
Beacon, New York

Received Office of the City Clerk 2/26/2019

CITY OF BEACON
ZONING BOARD OF APPEALS

RESOLUTION
Parcel ID# 6054-29-031870

WHEREAS, on February 20, 2019, the City of Beacon Zoning Board of Appeals granted **PIE Development Company, Inc.** (1) a use variance to permit multifamily dwelling units in the R1-5 Zoning District where multifamily dwelling units are not a permitted use, and (2) an area variance to construct up to nine dwelling units, where the maximum number of dwelling units permitted on the Property is six pursuant to the City Code § 223-17.C/223 Attachment 1:2, to allow a multifamily development consisting of nine dwelling units, which will be distributed into three buildings, on property located at 53 Eliza Street in the R1-5 Zoning District, said premises being known and designated on the tax map of the City of Beacon as **Parcel ID# 6054-29-031870** (the “Property”); and

WHEREAS, the approval resolution required the Applicant to obtain a building permit within one year from the Applicant’s last appearance before the Planning Board; and

WHEREAS, the Planning Board granted Site Plan approval on July 9, 2019; and

WHEREAS, as of the date of this Resolution, the Applicant has not obtained a building permit; and

WHEREAS, the variance therefore expires on July 9, 2020; and

WHEREAS, the Zoning Board of Appeals is in receipt of a letter from Taylor Palmer, Esq., on behalf the Applicant, dated June 30, 2020, requesting an extension of the variances; and

WHEREAS, the Applicant has been diligent in its efforts to obtain a building permit. The Applicant has had difficulties filing the performance guarantee due to complications arising from the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon Zoning Board hereby grants a six (6) month extension of the variances referenced herein for property located at 53 Eliza Street to expire on January 9, 2021.

BE IT FURTHER RESOLVED, except as specifically modified by the amendment contained herein, the Zoning Board of Appeals Resolution dated February 20, 2019 is otherwise to remain in full force and effect.

Dated: July 21, 2020

Chairman David Jensen called the roll:

Motion	Second	Zoning Board Member	Aye	Nay	Abstain	Excused	Absent
		David Jensen	X				
	X	Judy Smith	X				
X		Robert Lanier	X				
		Jordan Haug	X				
		Elaine Ciaccio	X				
Motion Carried			5	0			

Exhibit B

RESOLUTION
PLANNING BOARD
BEACON, NEW YORK

SITE PLAN APPROVAL FOR
53 ELIZA STREET

WHEREAS, the Beacon Planning Board received an application for Site Plan Approval from PIE Development Company, Inc. (the “Applicant”) for the construction of a multifamily development consisting of nine (9) dwelling units which will be distributed among three (3) buildings (the “Project” or “Proposed Action”); and

WHEREAS, the subject property is located at 53 Eliza Street in the R1-5 Zoning District and designated on the City tax maps as Parcel No. 6054-29-031870 (the “Site”); and

WHEREAS, the Site Plan is shown on the drawings entitled, “Site Plan Application,” Sheets 1-13, dated August 28, 2018, last revised June 25, 2019, prepared by Aryeh Siegal, Architect and Hudson Land Design; and

WHEREAS, the application also consists of application forms, correspondence, the Environmental Assessment Form (EAF) and professional studies and reports submitted to the Planning Board; and

WHEREAS, the Project is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA) and has undergone an uncoordinated review; and

WHEREAS, on February 20, 2019 the City of Beacon Zoning Board of Appeals granted a use variance from City Code § 223-17.C/223 Attachment 1:2 to permit a multi-family residence in the R1-5 Zoning District where such development is not a permitted use, and an area variance to construct up to nine dwelling units, where the maximum number of dwelling units permitted on the Property is six pursuant to the City Code § 223-17.C/223 Attachment 1:2; and

WHEREAS, the Planning Board forwarded the Application to the Architectural Review Subcommittee for review of the architecture of the proposed buildings; and

WHEREAS, the Applicant met with the Architectural Review Subcommittee on several dates to review the architectural plans for the Project and the Planning Board reviewed the Architectural Review Subcommittee’s recommendations; and

WHEREAS, on April 9, 2019, the Planning Board opened a public hearing on the Site Plan application, and the public hearing was closed on June 11, 2019; and

Site Plan Approval
53 Eliza Street

WHEREAS, on June 11, 2019 after taking a “hard look” at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action the Planning Board adopted the a Negative Declaration for this Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board is fully familiar with the Project and has reviewed the Project relative to all applicable provisions of the City Code.

NOW THEREFORE BE IT RESOLVED, that the Planning Board hereby grants Site Plan Approval for the Project, as shown on the application materials described above, subject to the conditions and modifications set forth herein.

A. The following conditions shall be fulfilled prior to the signing of the Site Plan by the Chairman of the Planning Board:

1. All application review fees shall be paid in full.
2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Project and shall meet all conditions contained in such approvals, as required therein.
3. The comments contained in the City Engineer’s letter to the Planning Board dated July 1, 2019, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.
4. The comments contained in the City Planner’s letter to the Planning Board dated July 5, 2019, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner, including implementation of a front yard setback that matches the adjacent house to the north.
5. The Applicant shall prepare a construction cost estimate for the proposed work within the road right-of-way and submit the estimate for approval by the City Engineer.
6. The Applicant shall submit a performance guarantee for the proposed work in the road right-of-way in an amount to be approved by the City Engineer and in a form acceptable to the City Attorney.
8. The Applicant shall fund an escrow account with the City of Beacon for the construction observation and monthly stormwater inspections of the proposed utilities and site improvements in an amount as determined by the City Engineer.

Site Plan Approval
53 Eliza Street

9. The appropriate sheets within the plan set including but not limited to renderings and elevations, shall be revised to eliminate the brick above the first floor on the front elevation of the building fronting Eliza Street and replace with the same Hardie Board siding shown for such front elevation.

When the conditions above have been satisfied, six (6) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairman. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

B. Prior to the issuance of a Building Permit, the following conditions shall be fulfilled to the satisfaction of the Building Inspector:

1. Information regarding the size of the individual water service shall be provided to the Building Department.

C. Prior to the issuance of the Certificate of Occupancy, the following conditions shall be fulfilled to the satisfaction of the Building Inspector:

1. Based on the current and anticipated future need for park and recreational opportunities in the City of Beacon, as set forth in the analysis provided by BFJ Planning, and the demands of the future population of the Project, the Planning Board hereby finds that additional recreation/parkland should be created as a condition of approval. However, the Planning Board hereby determines that recreation/parkland of adequate size and location cannot be provided on the Project Site. Therefore, that Applicant shall pay a Recreation Fee as prescribed under Sections 223-25.H(4) and 223-61.A(7) of the Zoning Law.

The Planning Board hereby requires that, prior to the issuance of the Certificate of Occupancy, the Applicant shall pay a Recreation Fee for each of the nine (9) dwelling units in accordance with Sections 223-25.H(4) and 223-61.A(7) of the Zoning Law, as per the City's Fee Schedule in effect at the time of payment.

D. The following are general conditions which shall be fulfilled:

1. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.
2. This approval is conditioned upon compliance with all of the mitigation measures specified in the Applicant's Environmental Assessment Form and related

Site Plan Approval
53 Eliza Street

application documents. The Applicant shall be responsible for the funding and/or implementation of all such identified mitigation measures. Where the terms of this resolution may be inconsistent with the EAF, the terms of this resolution shall be controlling.

3. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.
4. As used herein, the term "Applicant" shall include PIE Development Company Inc., and its heirs, successors and assigns, and where applicable its contractors and employees.
5. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.
6. The approval granted by this resolution does not supersede the authority of any other entity.
7. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer.

Resolution Adopted: July 9, 2019
Beacon, New York


John Gunn, Chairman
City of Beacon Planning Board

July 12th, 2019
Dated

Motion by G.Barrack, seconded by R.Muscat:

Gary Barrack	Voting: AYE	Jill Reynolds	Voting: AYE
David Burke	Voting: EXCUSED	Randall Williams	Voting: AYE
Patrick Lambert	Voting: AYE	John Gunn, Chairman	Voting: AYE
Rick Muscat	Voting: AYE		

Approved 6-0

Exhibit C

BUILDING DEPARTMENT FEE SCHEDULE

<i>Application Fee for all permits unless otherwise noted</i>	\$50
<i>Certificates of Occupancy and Certificates of Compliance (in conjunction with a permit unless otherwise noted)</i>	\$50
<i>Refund (prior to commencement of work)</i>	1/2 of permit fee

*Occupancy use classification as set forth in the NYSBC.
Fee based on gross sq. ft. including utility, storage and basement area.*

Residential

1 & 2 Family Homes (New and Additions) (all finished areas including basement)	.50/sq. ft.
Renovation/Alteration	.25/sq. ft.
Structural Repair (that does not constitute renovation/alteration)	\$5/\$1,000 of Est. Cost
Carport	\$50
Garage (1 story)	.35/sq. ft.
Garage (2 story)	.45/sq. ft.
Pool - in ground	\$50
Pool - above ground	\$30
Deck/Porch	.25/sq. ft.
Covered/Enclosed Deck/Porch	.35/sq. ft.
Solar Panels	\$5/\$1,000 of Est. Cost
Miscellaneous work (does not constitute renovation/alteration)	\$5/\$1,000 of Est. Cost
Demolition	\$50/1,000 sq. ft. or part there of
Renewal - max 1 yr extension	\$35

Commercial

All - 'R' occupancy	\$50 per unit + .60/sq. ft.
All - B,M,	.75/sq. ft. up to 5,000 sq. ft. plus
	.30 sq. ft. over 5,000 sq. ft.
All = S,U,	.40/sq. ft. up to 5,000 sq. ft. plus
	.20/sq. ft. over 5,000 sq. ft.
All - A,F,E,H,I	\$1/sq. ft. up to 5,000 sq. ft. plus
	.50/sq. ft. over 5,000 sq. ft.
Renovation/alteration	one half of "new construction" cost set forth herein.
Structural Repair (that does not constitute renovation/alteration)	\$5/\$1,000 of Est. Cost
Demolition	\$100 plus .01 per sq. ft.
Renewal - maximum one (1) year extension	\$100 plus 1% of original BP fee

\$50 - Application Fee
\$50 - Certificate of Occupancy Fee
\$450 - 9 units @ \$50/unit
\$11,792.40 - permit fee - 19,654 sf x \$0.60/sf
\$1,149.30 - alteration fee - 3,831 sf x \$0.30/sf
\$720 - sprinkler fee - 1.5% x \$48,000
\$14,211.70 - TOTAL FEE

Other Building Department Fees

Storage Tanks	Remove and or install
Up to 500 Gallon	\$75
500-1100 Gallon	\$125
1100-5000 Gallon	\$250
5000 Gallon	\$350

(please note: fee is per removal and per installation - so if you remove and install up to 500 gallon tank fee is \$150)

Plumbing Reciprocal License (Separate Application)	\$350
Plumbing Permit	\$20 Application plus
(Separate Application)	\$7.50 per fixture

HVAC Permit (Heating and Air Conditioning)	\$100 (\$50 application fee and \$50
(Separate Application)	certification compliance)

Plumbing Reciprocal License (Separate Application)	\$350
Electrical Work Permit	Up to \$500 = \$20
(Separate Application)	\$500 - \$1,500 = \$30.00
	\$1,500 - \$3,500 = \$40.00
	> \$3,500 = \$50.00

Fire Suppression systems/equipment	
Fire Alarm System/equipment	
(installation or modification)	1.5% of approved cost



City of Beacon
Building Department

**APPLICATION FOR CERTIFICATE OF OCCUPANCY
OR CERTIFICATE OF COMPLIANCE**

DATE: November 29, 2019

The undersigned requests that a Certificate of Occupancy be issued pursuant to

BUILDING PERMIT



CHANGE IN USE



OWNER PIE Development Company, Inc.

APPLICANT PIE Development Company, Inc.

LOCATION 53 Eliza Street

SECTION 6054

BLOCK 29

LOT 031870

PERMITTED USE: Multi-family residential - 9 units

Signature of Owner

53 Eliza Street

Address

Beacon, NY 12508

FEE: \$50.00

APPROVED: _____
Building Inspector

DATE APPROVED: _____



City of Beacon Building Department

APPLICATION PROCESSING RESTRICTION LAW Affidavit of Property Owner

Property Owner: PIE Development Company, Inc.

(Applicant)

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

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

Applicant Address: 53 Eliza Street

Project Address: 53 Eliza Street

Project Tax Grid #: 6054-29-031870

Type of Application: Building Permit

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

I, Ed Petrowski, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.
(Check statements that are **true**)

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





Signature of Owner

President

Title if owner is corporation

Office Use Only:

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

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

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

NO YES Initial

CITY OF BEACON
1 Municipal Plaza, Beacon, NY
Telephone (845) 838-5000 • <http://cityofbeacon.org/>

INDIVIDUAL DISCLOSURE FORM

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

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

SECTION A

Name of Applicant: PIE Development Corporation Inc
Address of Applicant: 53 Eliza Street, Beacon, NY 12508
Telephone Contact Information: 845-838-1775

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.

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

☐

YES

☒

NO

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

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship

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

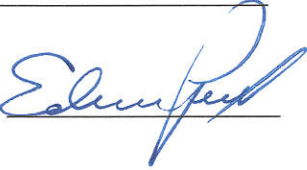
SECTION D. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES

☒ NO

I, Edward J Pietrowski Jr being first duly sworn, according to law, deposes and says that the statements made herein are true, accurate, and complete.

(Print) Edward J Pietrowski Jr

(Signature) 

CITY OF BEACON
1 Municipal Plaza, Beacon, NY
Telephone (845) 838-5000 • <http://cityofbeacon.org/>

ENTITY DISCLOSURE FORM

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

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-62 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

IF AFFIANT IS A PARTNERSHIP, JOIN VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:

Name of Entity	Address of Entity
Place where such business entity was created	Official Registrar's or Clerk's office where the documents and papers creating entity were filed
Date such business entity or partnership was created	Telephone Contact Information

IF AFFIANT IS A CORPORATION:

Name of Entity PIE Development Corporation	Telephone Contact Information 845-838-1775
Principal Place of Business of Entity 53 Eliza Street, Beacon, NY 12508	Place and date of incorporation 1/16/1998 Dutchess County
Method of Incorporation S	Official place where the documents and papers of incorporation were filed Dutchess County

SECTION B. List all persons, officers, limited or general partners, directors, members, shareholders, managers, and any others with any interest in or with the above referenced Entity. List all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock. Use a supplemental sheet to list additional persons.

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Edward J Pietrowski Jr	5 Meadow Lane	845-831-0169	President

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.

SECTION D. Is any owner, of record or otherwise, an officer, director, stockholder, agent or employee of any person listed in Section B-C?

☐ YES

☒ NO

Name	Employer	Position

SECTION E. Is any party identified in Sections A- C an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐ YES

☒ NO

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

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship

SECTION F. Was any person referred to in Sections A-D known by any other name within five (5) years preceding the date of the application?

☐

YES

☒

NO

Current Name	Other Names

SECTION G. List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address

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

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

☐

YES

☒

NO

I, Edward J Pietrowski Jr being first duly sworn, according to law, deposes and says that I am (Title) President, an active and qualified member of the PIE Development Corp Inc, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) Edward J Pietrowski Jr

(Signature)





City of Beacon Building Department

Application for Building Permit

Approved: _____ 20 _____

Disapproved: _____ 20 _____

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building Permit pursuant to the New York State Uniform Fire Prevention and Building Code for the construction of buildings, additions or alterations, the installation of equipment or systems, or for removal or demolition, as herein described. The applicant/owner agrees to comply with all applicable laws, ordinances and regulations. Owner/applicant agrees not to occupy or use in whole or part any building or item covered under this application until a Certificate of Occupancy or Certificate of Compliance has been issued.


(Signature of owner)

Applicant Name PIE Development Company, Inc. Phone 845-838-1775

Address 53 Eliza Street

Location of Construction or Use 53 Eliza Street

Tax Grid Number 6054-29-031870

Owner Name PIE Development Company, Inc. Phone 845-838-1775

Address 53 Eliza Street

NATURE OF PROPOSED WORK:

☒ **RESIDENTIAL**

☐ **COMMERCIAL**

☐ *Structure is located in a Flood Plain*

☒ *Structure is not located in a Flood Plain*

☒ Construction of New Building	<u>19,654</u> sq. ft.	☐ Addition to Existing Building	_____ sq. ft.
☐ Repair to Existing Building	_____ sq. ft.	☒ Alteration	<u>3,831</u> sq. ft.
☐ Conversion – Change in Use	_____ sq. ft.	☐ Demolition	_____ sq. ft.
☐ Garage, Attached	_____ sq. ft.	☐ Garage, Detached	_____ sq. ft.
☐ Deck/Porch (enclosed, covered)	_____ sq. ft.	☐ Deck/Porch (open)	_____ sq. ft.
☐ Above Ground Pool	_____ sq. ft.	☐ In-Ground Pool	_____ sq. ft.
☐ Electrical Installation	_____ sq. ft.	☐ Other	_____ sq. ft.

ESTIMATED COST OF CONSTRUCTION: \$2,000,000

Description of Work Renovation of existing building for 2 units. New Construction of 2 buildings for 7 units.
Sheetrock, plumbing, mechanical, electrical, sprinkler, kitchens, fireplace, lighting.

Size of Structure (dimensions): varies Square Footage: 23,485 total
Height: 35' max Number of Stories: 2 1/2 Number of Dwelling Units: 9
No. of Bedrooms: 18 No. of Bathrooms: 18 full + 7 half

Contractor Information

Contractor Name: McAlpine Construction Phone: _____

Address: _____

Licensed Plumber: Delpo Plumbing Heating & Cooling Phone: _____

Address: 75 Oak St., Norwood, NJ 07648

Licensed Electrician: P&D Electric Phone: _____

Address: 53 Eliza St. Beacon, NY 12508

Heating Contractor: Customized Climate Inc. Phone: _____

Address: Stanfordville, NY 12581

Building Department use only:

Application Fee:		=	<u>\$50.00</u>
Certificate of Occupancy:	\$50.00 if applicable	=	_____
Fee: Building Permit Schedule		=	_____
<u>TOTAL FEE</u>		=	<u>_____</u>