



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508

**April 18, 2023
7:00 PM
Zoning Board of Appeals Agenda**

Regular Meeting

1. Review and hold public hearing on application submitted by Susan Battersby, 5 Willow Street, Tax Grid No 30-5954-27-820961-00, T Zoning District, to convert an accessory structure to a single-family dwelling, which requires relief from the following: 1) Section 223-12 to allow for more than one main building on the lot 2) Section 223-17 to allow for a 1 ft side yard setback (10 ft required) 3) Section 223-17 to allow for a 1.8 ft rear yard setback (20 ft required) 4) Section 223-24.1(F) to allow for 3 parking spaces (6 spaces required) (Adjourned to the May 16, 2023 meeting)

City of Beacon Zoning Board of Appeals Agenda
04/18/2023

Title:

Review and hold public hearing on application submitted by Susan Battersby, 5 Willow Street, Tax Grid No 30-5954-27-820961-00, T Zoning District, to convert an accessory structure to a single-family dwelling, which requires relief from the following:

- 1) Section 223-12 to allow for more than one main building on the lot
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- 4) Section 223-24.1(F) to allow for 3 parking spaces (6 spaces required)

(Adjourned to the May 16, 2023 meeting)

ATTACHMENTS

[L230330_Amanda_5 Willow Street.pdf](#)

[Sheet 1_Site Plan_Zoning Board Submission_2_230330.pdf](#)

[Sheet 2_Existing Conditions Demolition Plan_Zoning Board Submission_2_230330.pdf](#)

[Sheet 3_Building Plans_Zoning Board Submission_2_230330.pdf](#)

[5 Willow Public Comment Letter Arnoff.pdf](#)

[5 Willow Public Comment Letter Burger Dietz.pdf](#)

[5 Willow Public Comment Letter Lisa Arnoff.pdf](#)

ARYEH SIEGEL
ARCHITECT

Amanda Caputo
Planning Board Secretary
City of Beacon
One Municipal Plaza
Beacon, NY 12508

Re: 5 Willow Street
Accessory Apartment Application

March 30, 2023

Dear Amanda,

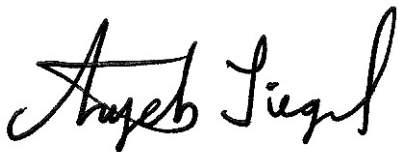
We received a determination from Bruce about what zoning variances are required.

Please find enclosed:

- (5) sets of Sheets 1 through 3

Thank you. Please let me know if you have any questions.

Sincerely,



Aryeh Siegel
Aryeh Siegel, Architect



EXTERIOR WALL SCONCE (L1)

KIRKHAM BRONZE 8 1/2" WIDE DARK SKY LED OUTDOOR WALL LIGHT

- 8 1/2" WIDE X 6" HIGH. EXTENDS 10 1/2" FROM THE WALL
- 10 WATT BUILT-IN LED IS COMPARABLE TO A 45 WATT INCANDESCENT BULB
- 450 LUMENS
- 2700K. 79 CRI
- ASPEN BRONZE FINISH. METAL SHADE. HAMMERED GLASS.
- DARK SKY APPROVED FOR FULL CUT OFF

NOTE THAT THE ACCESSORY APARTMENT WILL COMPLY WITH THE FOLLOWING REQUIREMENTS FROM SECTION 223-24.1 OF THE CITY OF BEACON ZONING CODE AS AMENDED BY LOCAL LAW 08 OF 2022.

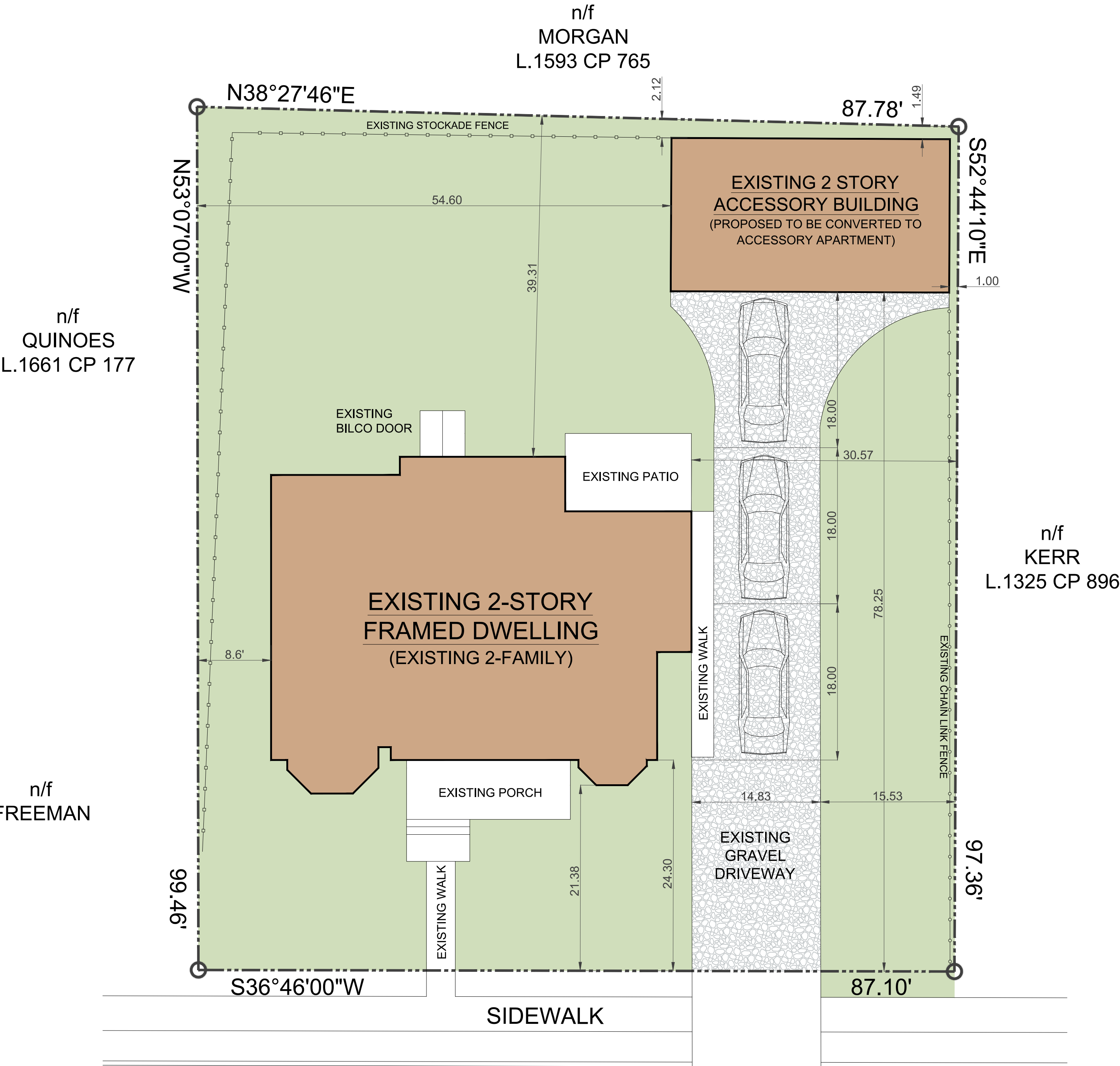
ACCESSORY APARTMENTS

- Owner occupancy required. The owner of the single-family lot upon which an accessory apartment is located shall occupy at least one of the dwelling units on said lot.
- Location on the lot. An accessory apartment may be located either in or attached to a detached single-family dwelling or in an accessory building on such a single-family lot.
- Apartment size. The floor area of an accessory apartment shall not exceed a maximum of 1,000 square feet or be less than a minimum of 200 square feet. Notwithstanding the foregoing, the Planning Board may permit a larger accessory apartment where appropriate in an existing accessory building which was issued a Certificate of Occupancy more than five (5) years before the date of application to construct an accessory apartment
- There shall be no more than one accessory apartment permitted per single-family lot.
- Exterior appearance. If an accessory apartment is located in a detached single-family dwelling, the entry to such unit and its design shall be such that, to the degree reasonably feasible, the exterior appearance of the building will remain that of a single-family residence.
- Off-street parking. A minimum of one off-street parking space shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot. The Planning Board may, in its discretion, waive all parking requirements for an accessory apartment when deemed appropriate.
- The accessory apartment shall not be used for short term rentals as defined in § 223-26.5.
- An existing structure that does not conform to the yard requirements of Chapter 223 may be converted into an accessory apartment without a variance from the Zoning Board of Appeals if the proposed use will not enlarge or increase the dimensional nonconformity.
- The Building Inspector shall have approval authority for accessory apartments entirely contained within an existing single-family dwelling and meeting all the provisions of this section. All other proposed accessory apartments, including any accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings, shall require site plan approval from the Planning Board.



Existing Photos

Zoning Regulations Table																			
Maximum Lot Size Area				Required Setbacks			Existing Setbacks			Maximum Building Height		Existing Building Height							
Area	Per Unit	Width	Depth	Front	Side	Rear	Front	Side	Rear										
Zoning District																			
T (Transitional)	5000	2500	50	100	10'	10'	20'	78.25'	1.0' ** 54.6'	1.8' **	2.5 Stories 35'	2 Stories							
** Variance required																			

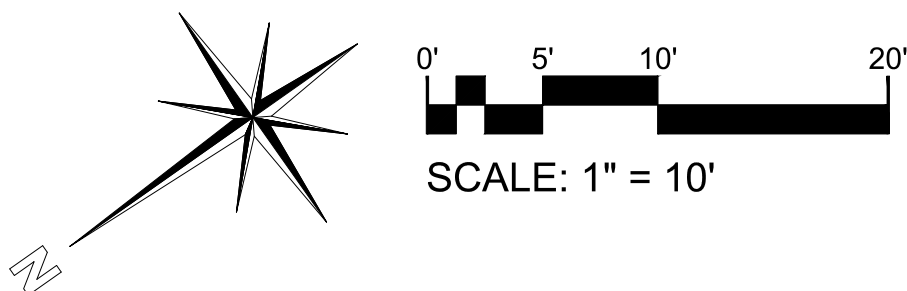


Site Plan

Scale: 1" = 10'

WILLOW STREET

SITE PLAN INFORMATION FROM A SURVEY
BY PETER HUSTIS, L.L.S. DATED JULY 28,
2003



Site Plan Application - Additional Dwelling Unit

Sheet 1 of 3 - Site Plan

5 Willow Street

Beacon, New York
Scale: As Noted
September 1, 2022

Owner:
Susan Battersby
5 Willow Street
Beacon, NY 12508

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



Location Map

1" = 200'

Zoning Summary

Zoning District:	T (Transitional)
Tax Map No.:	5954-27-820961
Lot Area:	8,604 square feet
Existing Building Footprint:	1,569 square feet
Proposed Accessory Apartment Area:	1,040 square feet
Historical Overlay District:	No
Parking Overlay District:	No
Existing Use:	Two Family Residential
Proposed Use:	Two Family Residential & Additional Dwelling for a total of 3 Dwelling Units

Parking & Loading

Use & Parking Requirements	Proposed Area	Parking Requirement
Residential		
2 spaces for each dwelling unit	2 existing dwelling units + 1 new dwelling unit	6 parking spaces
Total Required Parking Spaces		6 Parking Spaces
Total Proposed Parking Spaces		3 Parking Spaces

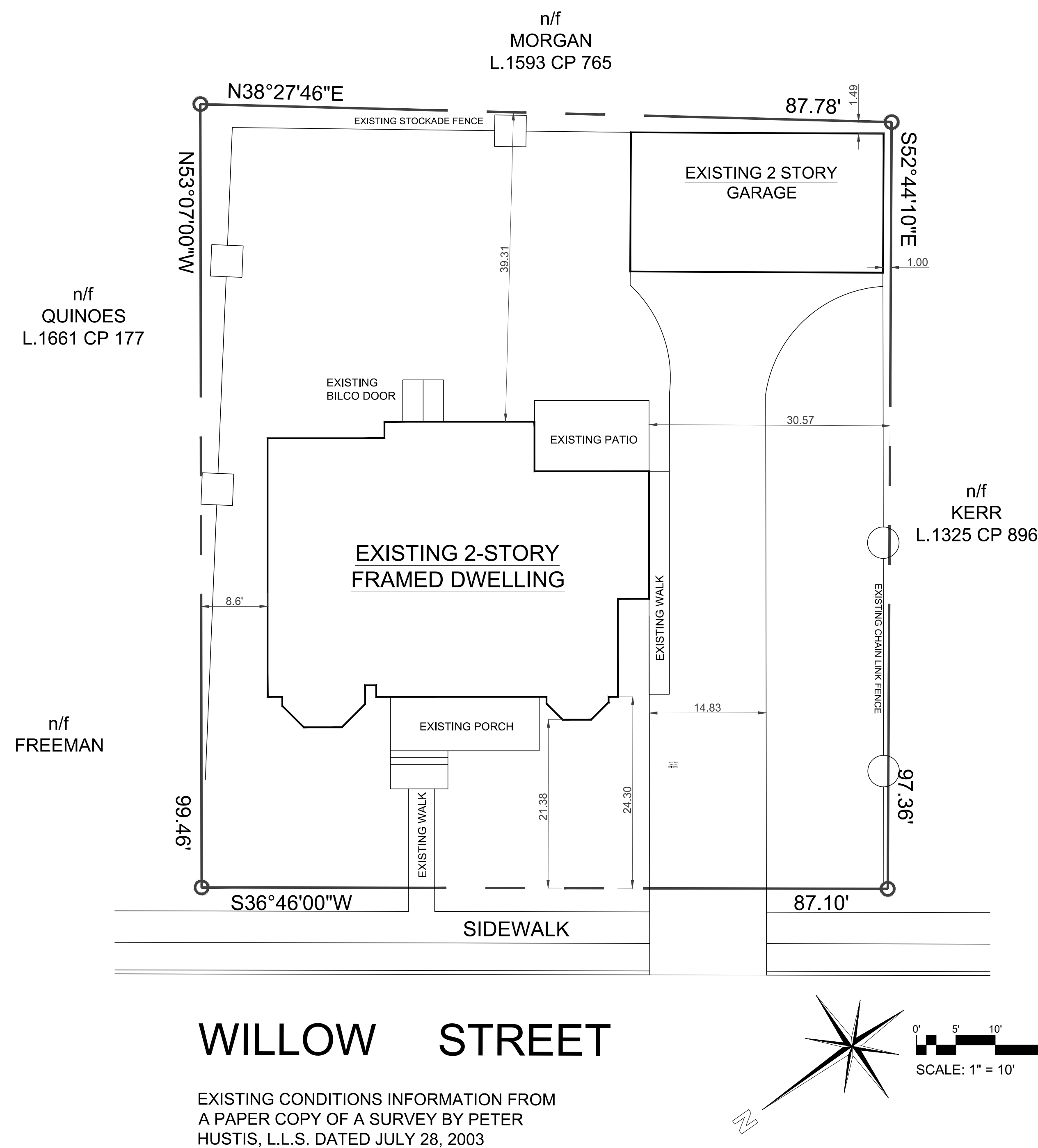
Notes:

- The application is for the conversion of an existing accessory structure (garage) to a single-family dwelling.
- The Applicant requests a Variance for relief from the requirements of Section 223-12.A, to allow more than one main building on the lot
- The Applicant will apply for a Variance for the Side Yard Setback where 10 feet is required and 1 foot exists, per § 223-17D. Schedule of Dimensional Regulations
- The Applicant will apply for a Variance for Rear Yard Setback where 20 feet is required and 1.8 foot exists, per § 223-17D. Schedule of Dimensional Regulations
- The Applicant will apply for a Variance for off-street parking requirements where 6 parking spaces are required and 3 parking spaces are proposed, per Section 223-26 F
- Applicant does not believe 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 this variance.
- The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.
- The applicant does not believe the requested variance is substantial.
- The applicant does not believe the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- The applicant does not believe the difficulty was self-created. However, if the Zoning Board finds that the difficulty was self-created, the consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.
- Note that exterior lighting fixtures for the accessory building shall comply with the requirements of Section 223-14B, specifically:
 - The type, location, and shading of such lighting shall prevent the spillover of light onto any adjacent residential or multifamily property or direct glare onto any public sidewalk or street.
 - Such lighting shall use full cutoff fixtures that do not emit light above the horizontal plane into the night sky, except for lighting for short-term events or holidays, flagpole lighting, decorative light sources under 600 lumens, public parks and other public specialty lighting, as determined by the Building Inspector.
 - Color temperatures should be in the range of 2,400 to 4,000 Kelvin degrees.
 - The color rendering index should be in the range of 80 to 100.
 - Adaptive controls, such as dimmers, timers, and motion sensor shut-off lighting, should be used whenever appropriate.

Index of Drawings

Sheet 1 of 3	Site Plan
Sheet 2 of 3	Survey / Existing Conditions Plan
Sheet 3 of 3	Plans and Elevations

REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	2/28/23	REVISED PER PLANNING BOARD COMMENTS	AJS
2	3/30/23	REVISED PER PLANNING BOARD COMMENTS	AJS

[illegible]

Existing Conditions & Demolition Plan

Scale: 1" = 10'

Site Plan Application - Additional Dwelling Unit

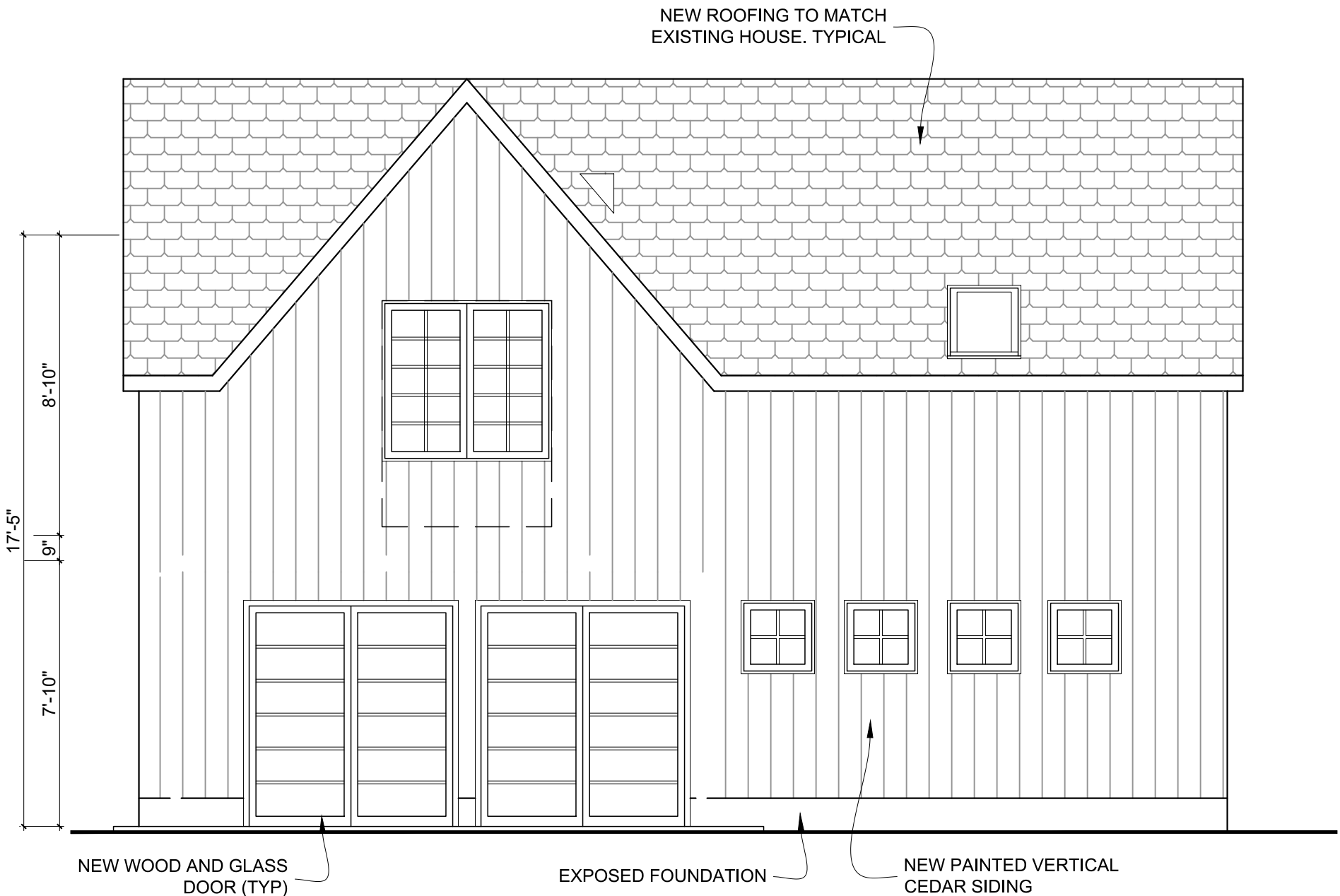
Sheet 2 of 3 - Survey / Existing Conditions Plan

Owner:
Susan Battersby
5 Willow Street
Beacon, NY 12508

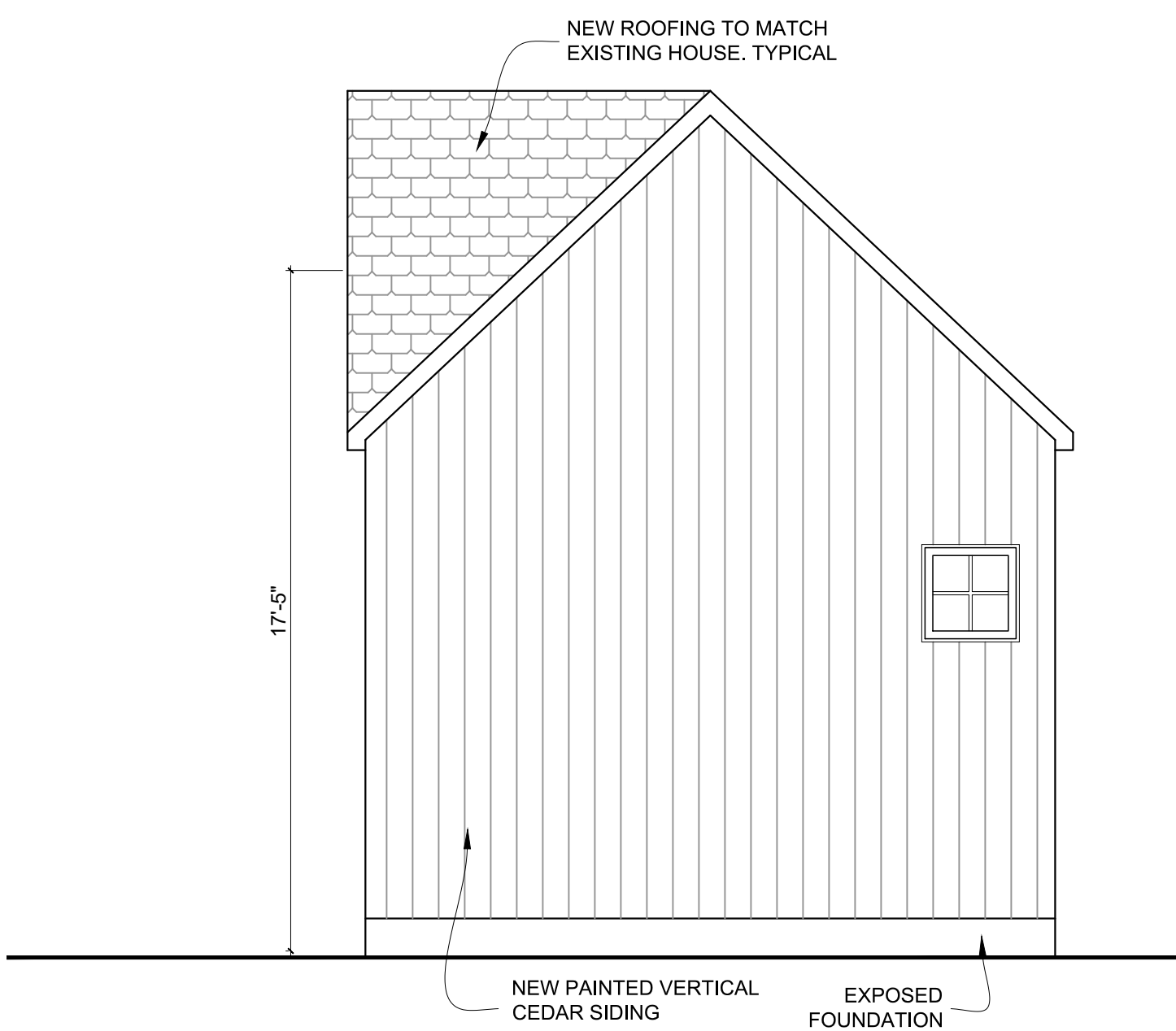
Architect:
Aryeh Siegel, Architect
84 Mason Circle
Beacon, New York 12508

5 Willow Street
Beacon, New York
Scale: As Noted
September 1, 2022

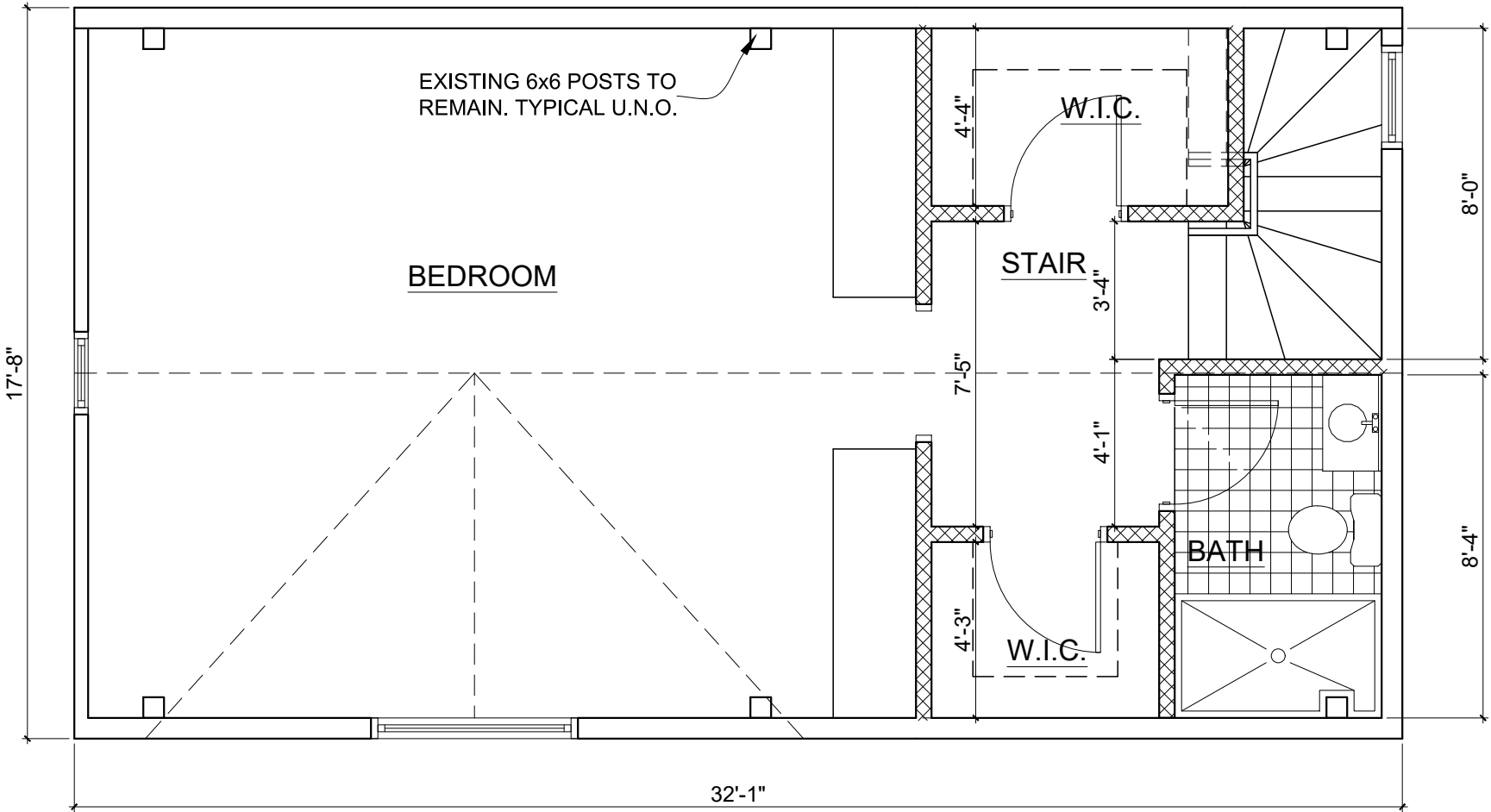
REVISIONS:			
NO.	DATE	DESCRIPTION	BY
1	2/28/23	REVISED PER PLANNING BOARD COMMENTS	AJS
2	3/30/23	NO CHANGE	AJS



Front Elevation

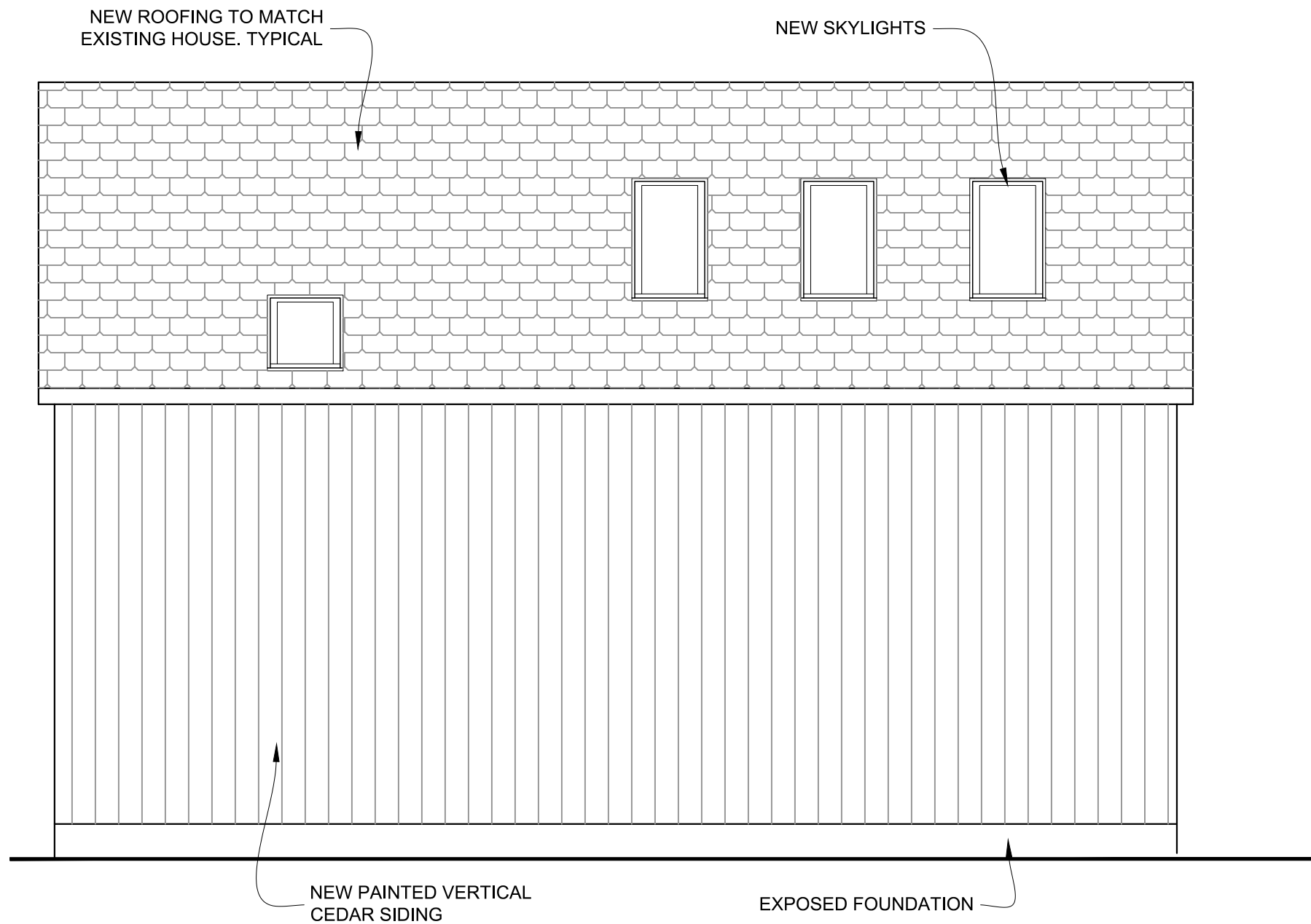


Right Side Elevation

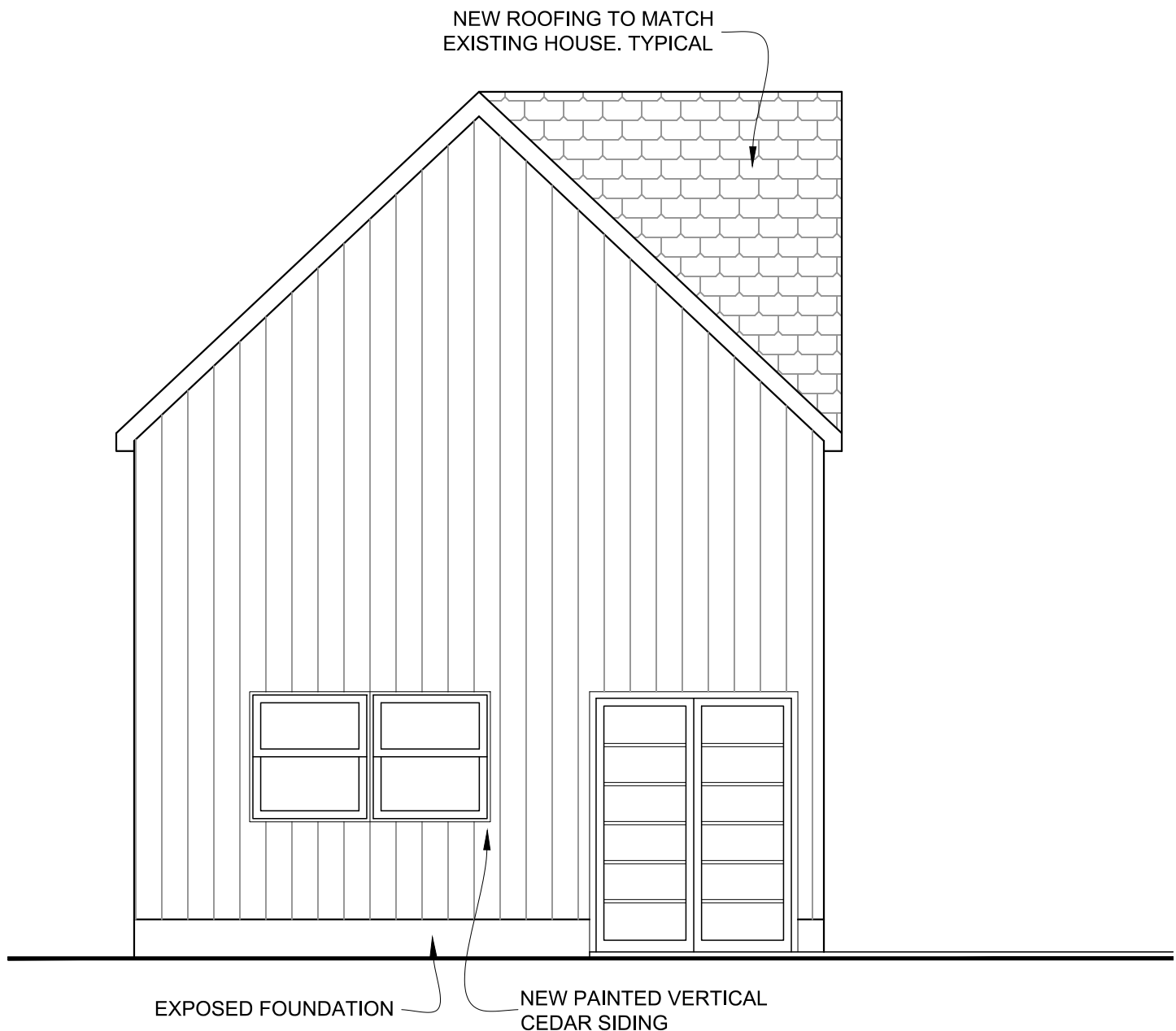


2nd Floor Plan

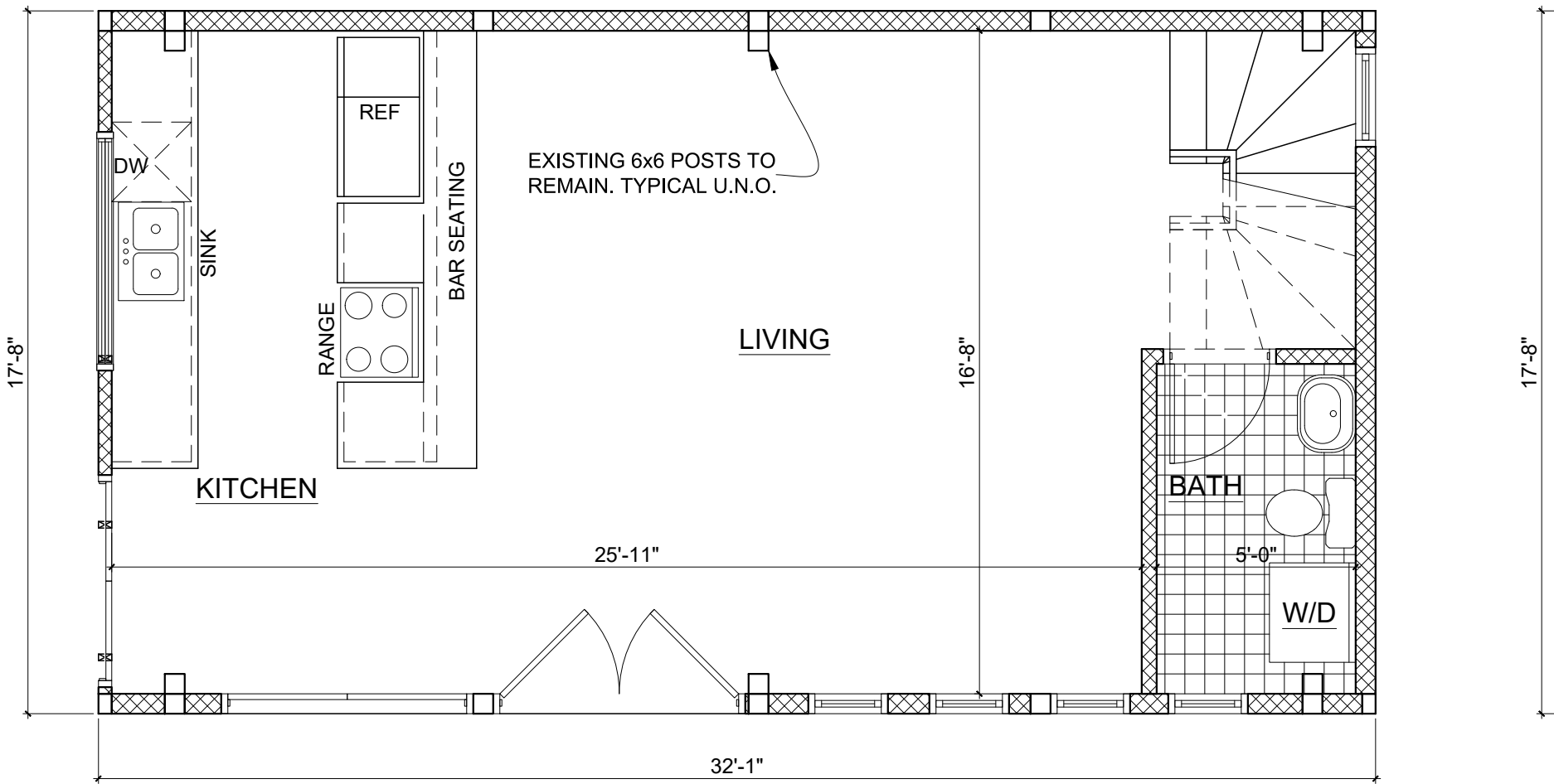
Scale: 1/4" = 1'-0"



Rear Elevation



Left Side Elevation



1st Floor Plan

Scale: 1/4" = 1'-0"

Site Plan Application - Additional Dwelling Unit

Sheet 3 of 3 - Plans & Elevations

Amanda Caputo

From: Brian Arnoff <brian@kitchensinkny.com>
Sent: Monday, March 20, 2023 2:22 PM
To: Amanda Caputo
Cc: Kristin
Subject: 5 willow street

Follow Up Flag: Follow up
Flag Status: Flagged

Amanda

Below is a letter of support for the renovation project at 5 willow street:

Planning Board

My name is Brian Arnoff, I live at 90 Maple street in Beacon and own Meyers Olde Dutch and Kitchen Sink. I am submitting this letter to support the approval of the below requests for variances. Meyers Olde Dutch's property directly abuts the side of 5 willow street and overlooks the barn to be renovated. This improvement to the current structure seems like it will be a big win for everyone including removing a dilapidated building and adding an additional apartment to Beacon's housing supply. I would also note as their neighbor I have gotten to know many of the battersby family and they are awesome local people just trying to do the best for our community, I hope you will approve their requests.

- 1) Section 223-12 to allow for more than one main building on the lot
- 2) Section 223-17 to allow for a 1 ft side yard setback (10 ft required)
- 3) Section 223-17 to allow for a 1.8 ft rear yard setback (20 ft required)
- 4) Section 223-24.1(F) to allow for 3 parking spaces (5 spaces required)

Thanks

Brian Arnoff

--

Brian Arnoff

Chef Owner
Kitchen Sink *Food and Drink*
kitchensinkny.com
c 914.489.2897
@kitchensinkNY
fb.com/kitchensinkbeacon



Amanda Caputo

From: Gabrielle Burger <gabrielle.b.burger@gmail.com>
Sent: Monday, March 20, 2023 9:25 PM
To: Amanda Caputo
Cc: Jeffrey Dietz
Subject: Variance 5 Willow St. Accessory Apartment

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Amanda,

We are Gabrielle Burger and Jeff Dietz, owners of 9 Willow St, adjacent to the carriage house at 5 Willow Street that is up for zoning variances on Tuesday, March 21st.

We are happy to hear the carriage house is going to be rebuilt, as it has surely seen better days, and support our neighbors' efforts to seek a variance of Section 223-12 to allow for more than one main building on the lot.

However, we would like to submit this letter to express our concern over the variance of Section 223-17 to allow for a 1ft sideyard setback. We're concerned about losing privacy, as there would now be a window of an inhabited apartment overlooking our backyard, as well as losing full use of our backyard during construction and any maintenance on the right side wall going forward.

We hope that you understand our position.

Thank you,

Gabrielle Burger and Jeff Dietz
Owners of 9 Willow St.

Amanda Caputo

From: Lisa Arnoff <lisaarnoff@gmail.com>
Sent: Monday, March 20, 2023 2:50 PM
To: Amanda Caputo
Subject: 5 Willow Street Accessory Apartment

184 Main LLC
Lisa & Michael Arnoff
184 Main Street
Beacon, New York 12508

March 20, 2023

To Whom It May Concern:

As property owners on the Main Street corridor, we want to applaud and support the 5 Willow Street accessory apartment rehab/renovations. It seems this project will foster the Beacon residential community which will certainly be a boon to the area.

Thank you!

Lisa Arnoff
914-475-6060