



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

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

**April 28, 2025
7:00 PM
City Council Agenda**

Roll Call

Workshop Agenda Items

1. [Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses](#)
2. [Overview of Real Property Tax Assessment Process](#)
3. [Extension Agreement with Royal Carting Service Co. for Waste Collection Services](#)
4. [Overview of Current City Communications and Discussion of Council's Communication Plan](#)

City of Beacon City Council Agenda
04/28/2025

Title:

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

ATTACHMENTS

KARC Planning Consultants, Inc. Memorandum Concerning the Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses

City of Beacon Zoning Map

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

City of Beacon Schedule of Use Regulations

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

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

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Full EAF Parts 2-3

Proposed Local Law Concerning Use Regulations for Drive-Through Facilities and Self-Storage Businesses: Full EAF Part 3, Negative Declaration

Fishkill Avenue Concepts Committee Memorandum Regarding Initial Zoning Recommendations

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

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

MEMORANDUM

TO: Lee Kyriacou, Mayor
Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants, Inc. 

DATE: April 25, 2025

RE: Local Law amending regulations concerning self-storage and drive-through facilities

At the April 14, 2025 City Council workshop, Council members continued their discussion on the proposed local law concerning restrictions on self-storage facilities and the accessory use of drive-through facilities within the City of Beacon. No modifications were requested regarding the proposed regulations for drive-through facilities. However, several key updates were discussed and incorporated into the regulations related to self-storage facilities:

- ❖ **Special Permit Requirement:** Self-storage facilities are now proposed to be a *Special Permit Use* subject to review by the Planning Board in the zoning districts where they are currently a permitted use. These districts include General Business (GB), Light Industrial (LI), and Heavy Industrial (HI).
- ❖ **Use Category Consolidation:** Due to similarities in definition and character, *self-storage facilities* and *warehouse storage* have been combined into a single use category and will be regulated in the same manner.
- ❖ **New Regulatory Section:** Section §223-24.5 has been created to establish specific standards and regulations for self-storage and warehouse storage facilities. The stated intent of this section is to “promote active and engaging street-level environments that support pedestrian activity and economic vitality by restricting the location of self-storage facilities and warehouse storage along street frontages.”
- ❖ **Locational Restrictions:**
 - *Prohibited Frontage:* “Self-storage facilities and warehouse storage shall not be located along the frontage line of any lot with frontage on a public right-of-way.”
 - Parcels within the GB, LI, and HI zoning districts with such frontage include properties on Fishkill Avenue, Tioronda Avenue, East Main Street, Front Street, Beekman Street, Dennings Avenue, South Avenue, River Street, Herbert Street, and Judson Street.
 - As currently written, the proposed local law prohibits frontage of these uses on all public streets. However, the Council may choose to revise this provision to specify or limit the affected streets.
 - *Location Requirements:* “Self-storage facilities and warehouse storage shall be located behind active ground-floor permitted uses, below grade, or in a separate secondary



PLANNING CONSULTANTS, INC.

structure that is setback a minimum of 10 ft from the primary structure with frontage on a public right-of-way.”

The changes above have been incorporated into the attached draft Local Law and draft Schedule of Use Regulations table. I look forward to further discussing this matter with the Council at The April 28, 2025 workshop meeting.

PROPOSED LOCAL LAW NO. X OF 2025

**CITY COUNCIL
CITY OF BEACON**

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

A LOCAL LAW to amend Chapter 223, Article III, Section 223-17.C of the City of Beacon Code to amend the Schedule of Use Regulations concerning drive-through facilities and self-storage business.

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

Section 1. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection C, Attachment 2 entitled “Schedule of Use Regulations”, is hereby amended as provided on the attached Schedule of Use Regulations.

Section 2. Chapter 223 of the City Code of the City of Beacon, Article III, General Regulations, Section 223-24.5, entitled “(Reserved)” is hereby amended as follows:

§ 223-24.5 Self storage facility and warehouse storage.

A. Purpose and intent: The intent of this section is to promote active and engaging street-level environments that support pedestrian activity and economic vitality by restricting the location of self-storage facilities and warehouse storage along street frontages.

B. Location. The siting of self-storage facilities and warehouse storage shall be subject to the following restrictions:

(1) Self-storage facilities and warehouse storage shall not be located along the frontage line of any lot with frontage on a public right-of-way.

(2) Self-storage facilities and warehouse storage shall be located behind active ground-floor permitted uses, below grade, or in a separate secondary structure that is setback a minimum of 10 ft from the primary structure with frontage on a public right-of-way.

Section 32. Ratification, Readoption and Confirmation.

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

Section 43. Numbering for Codification.

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

Section 54. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this chapter or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this chapter, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 65. Effective date.

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

ZONING

223 Attachment 2

City of Beacon

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

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

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

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale ~~business, or warehouse storage or self-storage business~~		X	X	X	P	X	X	X	X	X	P	P
~~Self-storage facility and warehouse storage~~	Subject to § 223-24.5	X	X	X	SP	X	X	X	X	X	SP	SP
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	P	P	P	X	X	X	X	X	X	X	X
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Drive-through facilities, standalone or accessory		X	X	X	X	X	X	X	X	X	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see -->					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

Beacon – FEAF Part 1 Narrative

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

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

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

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

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

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

B. Government Approvals

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

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

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

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

D. Project Details

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

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

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

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No	
If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify:	

iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No	
If yes, describe. _____	

v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
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? _____	
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? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
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? _____	
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? _____	
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) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

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

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

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

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

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

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

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

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

Tips for completing Part 2:

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

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

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

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

I. Other impacts: _____ _____		☐	☐
----------------------------------	--	--------------------------	--------------------------

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

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

g. Other impacts: _____ _____		☐	☐
----------------------------------	--	--------------------------	--------------------------

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRINT FULL FORM

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

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

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

Reasons Supporting This Determination:

To complete this section:

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

SEE ATTACHED

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

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

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

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

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

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

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

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

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

Name of Responsible Officer in Lead Agency: Lee Kyriacou

Title of Responsible Officer: Mayor

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

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

For Further Information:

Contact Person: Ben Swanson; Secretary to the Mayor

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: (845) 838-5000

E-mail: cityofbeacon@beaconny.gov

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

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

Other involved agencies (if any)

Applicant (if any)

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

PRINT FULL FORM

Beacon – FEAF Part 3 Attachment **Negative Declaration of Environmental Significance**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Cc: J.C. Calderón, Committee Chair



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

John Gunn, Chair

March 17, 2025

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

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

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

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

Sincerely,

John Gunn
 Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

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

Applicant: **City of Beacon**

Address of Property:

Exempt Actions:*
239 Review is NOT Required

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

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

Entered By: **Swanson, Benjamin**

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

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

City of Beacon City Council Agenda
04/28/2025

Title:

Overview of Real Property Tax Assessment Process

ATTACHMENTS

[Overview of Real Property Tax Assessment Process - Slide Deck](#)

Purpose of Assessments

- Assessment of Real Property is the Method Employed to *Allocate* Taxes Levied By County, City, School District and Library Among All Property Owners – Taxpayers within The City of Beacon.
- In short, it is the means by which the “pie is divided”.
- Property taxes are the principal means of revenue for public and school district services.

Assessments Are Not Taxes

- Each year, the County, City, School District and Library set their respective budgets and determine the aggregate amount of revenue necessary to fund their respective services.
- This amount is then apportioned and collected based upon the assessment of individual properties.
- As a result, a change in assessment does not necessarily result in, or correlate to, an increase in taxes.
- An expanding assessment base “grows the pie” and diminishes the allocation of levied taxes upon individual tax parcels.

City Assessments at 100%

- The City adheres To An Annual Reassessment Program, Whereby *All* Assessments are Re-Adjusted Year-to-Year.
- This Is The Method of Assessment Sought By New York State.
- Reassessing Year-to-Year Promotes Assessment Equity.

Reassessment Considerations

- Sales Trend; Calculated By New York State Based Upon Analysis of Sales Data
- Inventory Review; Including Property Improvements, Changes
- Valuation – Residential (Sales Based) Commercial (Income Based).
- Adjusted Base Proportions.

Assessment Time Line

- March 1st Taxable Status Date
- May 1st Tentative Assessment Roll
- Fourth Wednesday In May, Grievance Day
- July 1st Final Assessment Roll
- 30 days from Final Assessment Roll to Challenge Assessment

Exemptions

- STAR
- Senior Citizen Limited Income
- Disabled Persons Limited Income
- Veterans

Resources

- City Assessor Kathleen Martin
(845) 838-5025
- <https://www.tax.ny.gov/pit/property/learn/asmts.htm>
- <https://www.tax.ny.gov/pit/property/learn/reassess.htm>
- <https://www.tax.ny.gov/pit/property/learn/asmtvtaxes.htm>

City of Beacon City Council Agenda
04/28/2025

Title:

Extension Agreement with Royal Carting Service Co. for Waste Collection Services

ATTACHMENTS

[Draft Extension Agreement with Royal Carting Service Co. for Waste Collection Services](#)

2026 MODIFICATION & EXTENSION AGREEMENT

This 2026 Extension Agreement (the “Agreement”), entered into this ____ day of _____, 2025 but effective January 1, 2026 between the CITY OF BEACON (the “CITY”), a municipal corporation of the State of New York with offices at 1 Municipal Plaza, Beacon, NY 12508, and PANICHI HOLDING CORP. d/b/a ROYAL CARTING SERVICE CO. (hereinafter referred to as the “CONTRACTOR”), a domestic corporation with its principal place of business at 409 Route 82, P.O. Box 1209, Hopewell Junction, New York (collectively the “Parties” and each a “Party”).

WITNESSETH:

WHEREAS, the CITY and CONTRACTOR previously entered into a Waste Collection Agreement (the “Agreement”), whereby the Contractor provides certain rubbish and recyclable pick up, disposal and other services (the “Contracted Services”) for the City and the Agreement provides the option for the City to extend the Agreement, as more particularly detailed therein; and

WHEREAS, pursuant to Resolution Nos. 176 of 2019, 183 of 2020, 154 of 2021, 91 of 2022, No. 76 of 2023, and No. 31 of 2024, the CITY extended the Agreement for the CONTRACTOR to perform the Contracted Services for the City in one (1) year Terms, respectively, ending on December 31, 2025; and

WHEREAS, on June 11, 2024, the Parties entered into a Modification Agreement, COB Contact No. 2024-020, Amendment No. 1, (the “2024 Modification Agreement”), which deleted and replaced Article II, Paragraph B of the Agreement to amend the Charges in Disposal Costs and Tonnage: Recyclable, and to provide, beginning in 2025 that there will four (4) quarterly surveys of single stream collected recyclables monthly tonnage and payment to CONTRACTOR for such disposal shall be reduced or increased by calculation using the results of the annual quarterly surveys; and

WHEREAS, the Parties desire to further extend and modify the Agreement.

NOW, THEREFORE, in consideration of the promises and of the covenants, agreements, representations and warranties hereinafter set forth, the Parties do hereby agree as follows:

1. That the Agreement is hereby extended through and including December 31, 2026, hereinafter referred to as the “2026 Renewal Term.”
2. That the CITY shall pay the CONTRACTOR for the Contracted Services at the rates set forth below, for such services, disposal and other services provided in and computed in accordance with the Agreement as modified by the 2024 Modification Agreement.

- (a) **Burnable Waste.** For the period January 1, 2026 through December 31, 2026.

Monthly Base Rate: \$60,176.61

Recyclable Waste Haulage and Collection.

Monthly Rate: \$19,369.35

- (b) Notwithstanding anything herein to the contrary:

- a. The 2026 Renewal Term Monthly Burnable Waste Base Rate shall be subject to adjustment *for disposal cost only* as otherwise provided in Section II A.2 of the Agreement.
- b. The 2026 Renewal Term Monthly Recyclable *disposal cost only* shall be subject to adjustment as provided for in the 2024 Modification Agreement.

3. Except as provided for herein, all other terms and conditions of the Agreement, as modified by the 2024 Modification Agreement, for all Contracted Services presently performed and provided by the Contractor, shall apply and continue in full force and effect during the 2026 Renewal Term.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

PANICHI HOLDING CORP
d/b/a ROYAL CARTING SERVICE CO

CITY OF BEACON

By: _____
Michael Fiorillo

By: _____
Christopher White, City Administrator

City of Beacon City Council Agenda
04/28/2025

Title:

Overview of Current City Communications and Discussion of Council's Communication Plan

ATTACHMENTS

[Overview of Current City Communications - Slide Deck](#)



CITY OF BEACON

REVIEW OF COMMUNICATIONS APRIL 28, 2025



Beacon Council Meeting 4-21-25



0:20 / 42:24



EMERGENCY COMMUNICATIONS

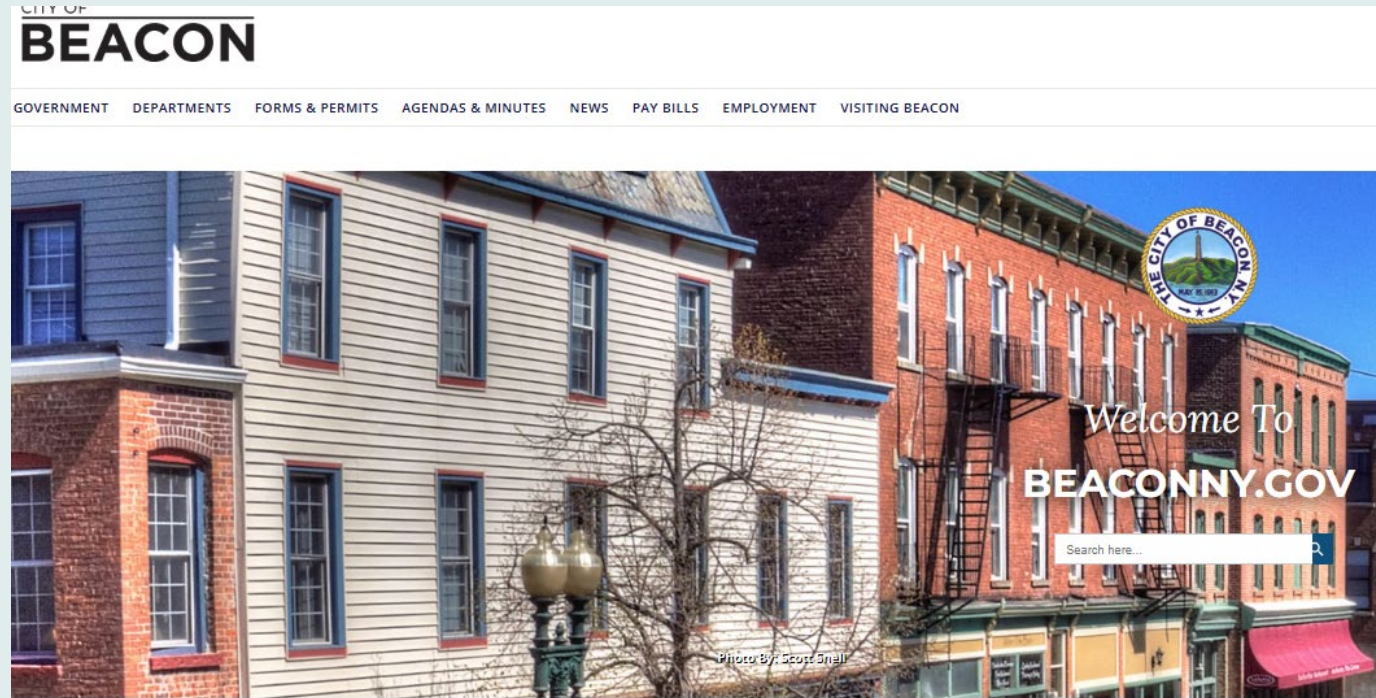
Rave Mobile Safety

[Sign Up - Smart911](#)

- ❖ Water Shut-Downs/ Water Main Breaks
- ❖ Significant Traffic Closures
- ❖ Emergency Designations (Drought, Fire, etc.)
- ❖ Public Health Announcements (COVID)
- ❖ Weather Alerts/ Snow Parking Rules
- ❖ Major Event Notifications (Spirit of Beacon Day)
- ❖ Notifications by phone, text, and/or email



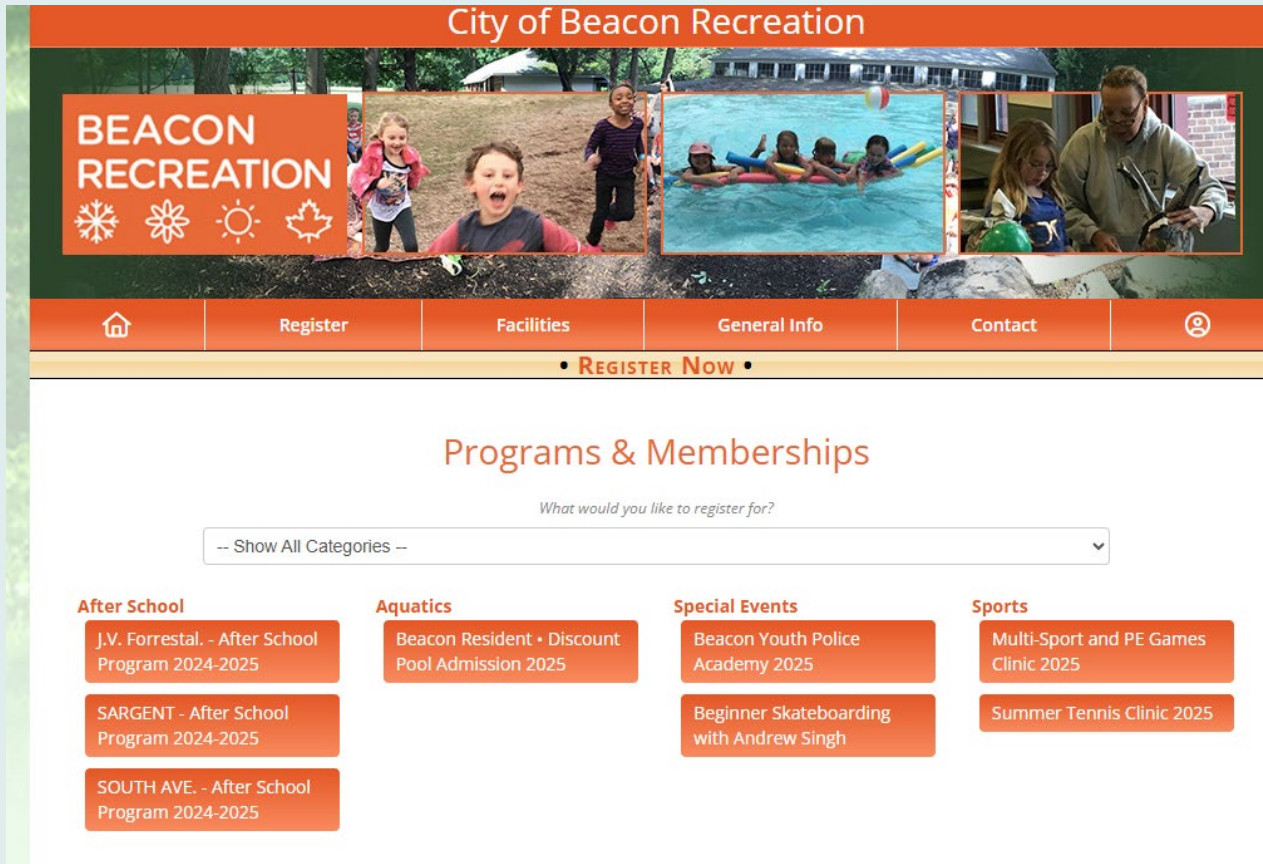
WEBSITE: WWW.BEACONNY.GOV



- ❖ Provides contact information for all Depts, Mayor, Councilmembers, Boards, and Committees
- ❖ Highlights News Announcements and Community Calendar
- ❖ Provide forms, fee schedules, public documents, meeting agendas, resolutions, and video links

- ❖ Provides portal for Emergency Notification sign-ups, FOIL request, and reporting of issues
- ❖ Features auto-translation
- ❖ Has some information and resources for residents; needs to be further developed (e.g., Housing Resources)

MYREC WEBSITE: CITY OF BEACON RECREATION: PROGRAMS & MEMBERSHIPS



- ❖ Register for After School Programs, Special Events, Sports
- ❖ Sign up for Settlement Camp Pool Use and Summer Camp
- ❖ Purchase Backyard Trees/ Compost Units
- ❖ Augmented by a digital newsletter produced by the Recreation Department (mailchimp)
- ❖ To register for news updates: [City of Beacon](#)

VIDEO CHANNELS



[City of Beacon – YouTube](#)

- City Council Meetings
- Planning Board and Zoning Board of Appeals Meetings
- Special Meetings- Fishkill Avenue Corridor Committee- Community Feedback Session
- Subtitles and auto translation available



[City of Beacon Videos on Vimeo](#)

- City Council Meetings
- Planning Board and Zoning Board of Appeals Meetings
- Special Meetings- Fishkill Avenue Corridor Committee- Community Feedback Session
- Provides a transcript of the meeting

SOCIAL MEDIA

- ❖ City of Beacon Facebook Page (3,900 Followers)

<https://www.facebook.com/beaconny>

- ❖ City of Beacon Recreation Dept Facebook Page (1,800 Followers)

<https://www.facebook.com/beaconrec>

- ❖ City of Beacon Recreation Dept Instagram Page (1,300 Followers)

[\(@cityofbeaconrecreation\)](#) • [Instagram photos and videos](#)

- ❖ City of Beacon Police Dept Page (3,300 Followers):

<https://www.facebook.com/profile.php?id=100068368143365>



CHANNEL 22- PUBLIC ACCESS

Channel 22 Schedule

Council Meetings	Sun, Mon, Wed, Fri	9am & 7pm
Council Workshops	Tue, Thurs, Sat	9am & 7pm
Planning Board	Sun, Mon, Wed, Fri	11:30am & 11:30pm
Zoning Board of Appeals	Tue, Thurs, Sat	3pm & 10pm

- ❖ Other programming and special events are scheduled around meetings.
- ❖ Channel runs 24/7 and when there is no meeting or event playing the Channel automatically plays our announcement loop.

OTHER COMMUNICATIONS

- ❖ Periodic press releases to local news outlets with posting on website and social media
- ❖ Print/ mail notifications required for regulatory compliance (annual water quality reports, etc.)
- ❖ Door-to-door flyer distributions to residences and businesses impacted directly by utility service disruptions and street closures
- ❖ Cross posting of City social media posts on other community Facebook sites/ response to complaints and questions generated
- ❖ Use of variable message signs for road closures
- ❖ Interdepartmental communications and weekly Dept Head meetings to keep employees apprised of major initiatives

