



COURTROOM
1 MUNICIPAL PLAZA
BEACON, NY 12508

June 17, 2025

7:00 PM

Zoning Board of Appeals Agenda

The Zoning Board of Appeals will meet at 7:00 p.m., in the Municipal Center courtroom, located at One Municipal Plaza, Beacon, New York.

Approval of the May 20, 2025, minutes

Regular Meeting

1. Review and public hearing on application submitted by Beekman Arts Center LLC and Bay Ridge Studios LLC, 45 Beekman Street, High Street, and High Street, Tax Grid No. 30-5955-19-706012-00, 30-5954-26-689990-00, and 30-5954-26-781983-00, in the L, R1-7.5, and HDLO Zoning Districts, to allow for a portion of the off-street parking along High Street to be located less than 40 feet from the property line at High Street, which requires relief from the following: Section 223-41.21 Regulations. F. Parking location and quantity. (1) All off-street parking shall be located behind, underneath, or to the side of a building. If on the side, it shall be located at least 40 feet from any property line that fronts on a street and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and that screens parked cars from view from the street.
2. Review and public hearing on application submitted by Savage Wonder Art Center, 139 Main Street, Tax Grid No. 30-5954-27-758957-00, CMS and HDLO Zoning Districts, to allow 100% coverage of each glass area (where a maximum of 30% is permitted), which requires relief from the following: Section 223-15 Signs. E. Signs in nonresidence districts. In nonresidence districts, the following signs are hereby authorized: (5) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion. Additionally, the applicant is seeking relief from Section 223-15 E. to allow for a second sign (where a maximum of one (1) sign is permitted) that exceeds both the square footage (where a maximum aggregate area of each sign of fifty-three (53) square feet is permitted and ninety-six (96) square feet is proposed) and height (where a maximum height of two (2) feet is permitted and twelve (12) feet is proposed) requirements, which requires relief from the following: Section 223-15 Signs. E. Signs in nonresidence districts. In nonresidence districts, the

following signs are hereby authorized: (1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that: (1)(a) The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street. (1)(b) No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.

City of Beacon Zoning Board of Appeals Agenda
06/17/2025

Title:

Review and public hearing on application submitted by Beekman Arts Center LLC and Bay Ridge Studios LLC, 45 Beekman Street, High Street, and High Street, Tax Grid No. 30-5955-19-706012-00, 30-5954-26-689990-00, and 30-5954-26-781983-00, in the L, R1-7.5, and HDLO Zoning Districts, to allow for a portion of the off-street parking along High Street to be located less than 40 feet from the property line at High Street, which requires relief from the following: Section 223-41.21 Regulations. F. Parking location and quantity. (1) All off-street parking shall be located behind, underneath, or to the side of a building. If on the side, it shall be located at least 40 feet from any property line that fronts on a street and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and that screens parked cars from view from the street.

ATTACHMENTS

[45 Beekman ZBA 6.17.25 Submission Cover Ltr.pdf](#)

[45 Beekman ZBA 6.17.25 Exhibit A_ Images of the Premises and Surrounding Area.pdf](#)

[45 Beekman ZBA 6.17.25 Exhibit B - ZBA Application.pdf](#)

[45 Beekman ZBA 6.17.25 Attachment - Site Plans by Colliers rev 4-29-25.pdf](#)

[45 Beekman ZBA 6.17.25 PH public comment Lerman.pdf](#)



300 Westage Business Center, Suite 380
Fishkill, New York 12524
T 845 896 2229
F 845 896 3672
cuddyfeder.com

Taylor M. Palmer, Esq.
tpalmer@cuddyfeder.com

April 29, 2025

**VIA HAND DELIVERY
AND EMAIL**

Chairman Jordan Haug
and Members of the Zoning Board of Appeals
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: Application for Area Variance for Off-Street Parking Setback
Proposed Mixed-Use Development
Premises: 45 Beekman Street, High Street, & High Street Beacon, New York
Tax Parcel IDs: (5955-19-706012, 5954-26-689990 & 5954-26-781983)

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

On behalf of Beekman Arts Center LLC and Bay Ridge Studios LLC (the “Applicants”), the owners of the above-referenced Premises, we respectfully submit this letter and the referenced enclosures in support of the Applicant’s request for area variance relief pertaining to the setback of certain off-street parking spaces contained within the Applicants’ proposal for two (2) new mixed-use buildings on the Premises (the “Project”).

THE PREMISES AND THE MIXED-USE REDEVELOPMENT PROJECT:

The Applicants propose to construct two (2) mixed-use buildings on the Premises, which is generally located at the intersections of North Avenue (NYS Route 9D) and Beekman Street, High Street and Beekman Street, and North Avenue (NYS Route 9D) and Tompkins Avenue. The Premises is comprised of three (3) lots, as follows:

1. 45 Beekman Street is currently improved by a three (3)-story commercial building and paved driveway and parking area;¹
2. High Street (ID: 5955-19-706012) is currently vacant; and
3. High Street (ID: 5954-26-781983) is currently vacant.

See **Exhibit A** – Images of the Premises. 45 Beekman Street is an irregularly shaped lot fronting

¹ **Note:** As noted herein, the existing building will be demolished in connection with this Application. We understand that this building has previously been used in connection with commercial uses including offices, artist studios, a costume store and automotive storage.



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on North Avenue (NYS Route 9D), Tompkins Avenue, and Beekman Street, with an existing curb cut providing access to Tompkins Avenue and a driveway leading through one of the High Street parcels to an existing curb cut onto Beekman Street. This 45 Beekman Street parcel is setback from and generally down below the abutting Beekman Street and North Avenue roadways. The two (2) vacant High Street lots are similarly irregularly shaped, with frontages on Beekman Street and High Street. All three (3) lots are classified in the Linkage (“L”) Zoning District and a small portion of the 45 Beekman Street lot is classified in the R1-7.5 Zoning District where the existing driveway connects to Tompkins Avenue. The northern, *vacant* High Street parcel is also classified within the City’s Historic District and Landmark Overlay (“HDLO”).²

The Premises are located across from the City Hall, and the surrounding area includes commercial, multi-family (including high-density multi-family residential development at The View, West End Lofts and River Ridge Views), and single-family developments, in addition to other retail uses along the City’s Main Street.

As is more fully detailed in the enclosed Site Plans, the Applicants propose to construct two (2) four (4)-story mixed-use buildings in furtherance of the purposes of the Linkage District by providing increased residential density and commercial uses along Beekman Street leading into the City’s waterfront area from Main Street. The new building program includes 64 apartments and approximately 13,670 square feet of commercial retail/office space, which uses are permitted as of right in the L District.

Both subsurface and surface parking areas comprising 91 off-street spaces are proposed to service the Project, with surface parking spaces proposed behind the new buildings and spaces proposed within the garage level beneath the four (4)-story building located on the 45 Beekman Street parcel (the “Beekman Building”). The off-street parking located behind the building located on the High Street parcels (the “High Street Building”) is the subject of the instant area variance request.

The proposed parking spaces and drive aisles throughout the Project are 9’x18’ with a 24’ drive aisle, in order to comply with the City of Beacon Code requirements and for consistency with the Dutchess County Greenway Connections recommendations and New York State Department of Environmental Conservation stormwater objectives to reduce impervious surfaces.

The Applicants previously provided the City of Beacon Planning Board (“Planning Board”) with a Parking Memorandum confirming that the proposed off-street parking facilities conform with the

² **Note:** Based on our review of the historical aerials of the Premises provided on Dutchess County Aerial Access, it appears that this parcel was once improved with a single-family residence, which residence was then demolished during the City’s urban renewal efforts in the 1970s. Since then, this parcel has most recently been used as a contractor’s yard.



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City's recently adopted parking regulation updates.³ As detailed therein, the shared parking analysis prepared for the Project indicated that 88 parking spaces would be the appropriate number of spaces needed to service the Project. Notably, this figure was conservative because it did not account for the potential of internal trips between the residential units and commercial space or the proximity of the Project to the nearby Beacon Metro-North Train Station. In direct response to comments from the City's Traffic Consultant dated November 12, 2024, the Applicants added additional parking spaces to the Project, now totaling 91. As the Applicants explained to the Planning Board at that time, while the additional spaces have been added to satisfy the City's Traffic Consultant, the Applicant's traffic consultant is comfortable that 88 parking spaces was sufficient to accommodate the parking needs of the Project based on the City Code parking requirements and the shared parking analysis prepared for the Project.

PROCEDURAL HISTORY OF THE PROJECT:

The area variance relief requested herein is being pursued in furtherance of the Applicants' pending Applications for Site Plan and Subdivision (Lot Merger) Approval, which Applications are presently before the Planning Board.

The Project constitutes a Type I Action pursuant to the State Environmental Quality Review Act ("SEQR"), and the Planning Board is serving as the Lead Agency for the Coordinated Review of the Project. The City of Beacon Zoning Board of Appeals ("ZBA" or "this Board") indicated it had no objection to the Planning Board serving as Lead Agency on March 19, 2024.

At its May 13, 2025 regular Meeting Agenda, the Planning Board will be considering the adoption of a Negative Declaration in accordance with SEQR. This consideration follows the Applicants' fourteen (14) appearances before the Planning Board on December 12, 2023, February 14, 2024, April 9, 2024, May 14, 2024, June 11, 2024, July 9, 2024, August 13, 2024, September 10, 2024, October 8, 2024, November 13, 2024, December 10, 2024, February 11, 2025, March 11, 2025 and April 8, 2025, and the Applicants' three (3) appearances before the Planning Board's Architectural Review Board Subcommittee (the "ARB") on October 7, 2024, November 8, 2024, and December 6, 2024.⁴

Concurrent with these local Applications, the Project has a pending Application to Purchase

³ See Parking Memorandum, prepared by Colliers Engineering & Design P.C., dated September 23, 2024, available on the City's website.

⁴ Note: Most recently, the Applicants' received an additional "No Impact" letter from the New York State Parks, Recreation and Historic Preservation ("OPRHP" or "SHPO") dated April 29, 2025, confirming, again, that the Project *will not* have any impacts on archaeological or historic resources with the inclusion of certain construction protections that the Applicant will be incorporating into the Project.



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Surplus Right-of-Way Property along Beekman Street before the New York State Department of Transportation (“NYSDOT”). That Application arose directly in response to the directives and comments provided by the Planning Board, the Planning Board Consultants, and the Dutchess County Planning in the early stages of the Planning Board’s review. Through it, the Applicants seek to reclaim certain portions of the extensive Beekman Street right-of-way that were appropriated by the State during urban renewal in furtherance of bringing the Buildings closer to Beekman Street and pedestrian activation of the frontage, all of which is in conformance with City planning objectives. This effort also reduced the variance relief that would be needed for the Project.

AREA VARIANCE RELIEF REQUESTED:

The Applicants respectfully request that this Board grant area variance relief from the following section of the Zoning Code:

223-41.21.F(1): Parking location and quantity. All off-street parking shall be located behind, underneath, or to the side of the building, If on the side, it shall be located at least 40 feet from any property line that fronts on a street and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and that screens parked cars from view of the street.

This Section mandates certain parking setbacks in order to effectuate the Linkage District’s purpose of improving the pedestrian streetscape along Beekman Street between Main Street and the Train Station.⁵ Due to the irregular shape of the Premises, the area variance relief is needed for certain portions of the off-street parking proposed along High Street, not Beekman Street, as was intended by the L District restrictions.⁶

As is more fully shown on the enclosed Dimension Plan, a very small portion of the proposed off-street parking is generally located along High Street *behind* the High Street Building. Given the existing irregular configuration of the Premises, this portion of off-street parking is also located to the *side* of the Beekman Building, thereby subjecting it to the setback restrictions set forth in Section 223-41.21.F(1), above.

This setback restriction is generally applied to “off-street parking”, an undefined term, instead of more precisely referencing defined terms in the Zoning Code such as “parking space” or “parking

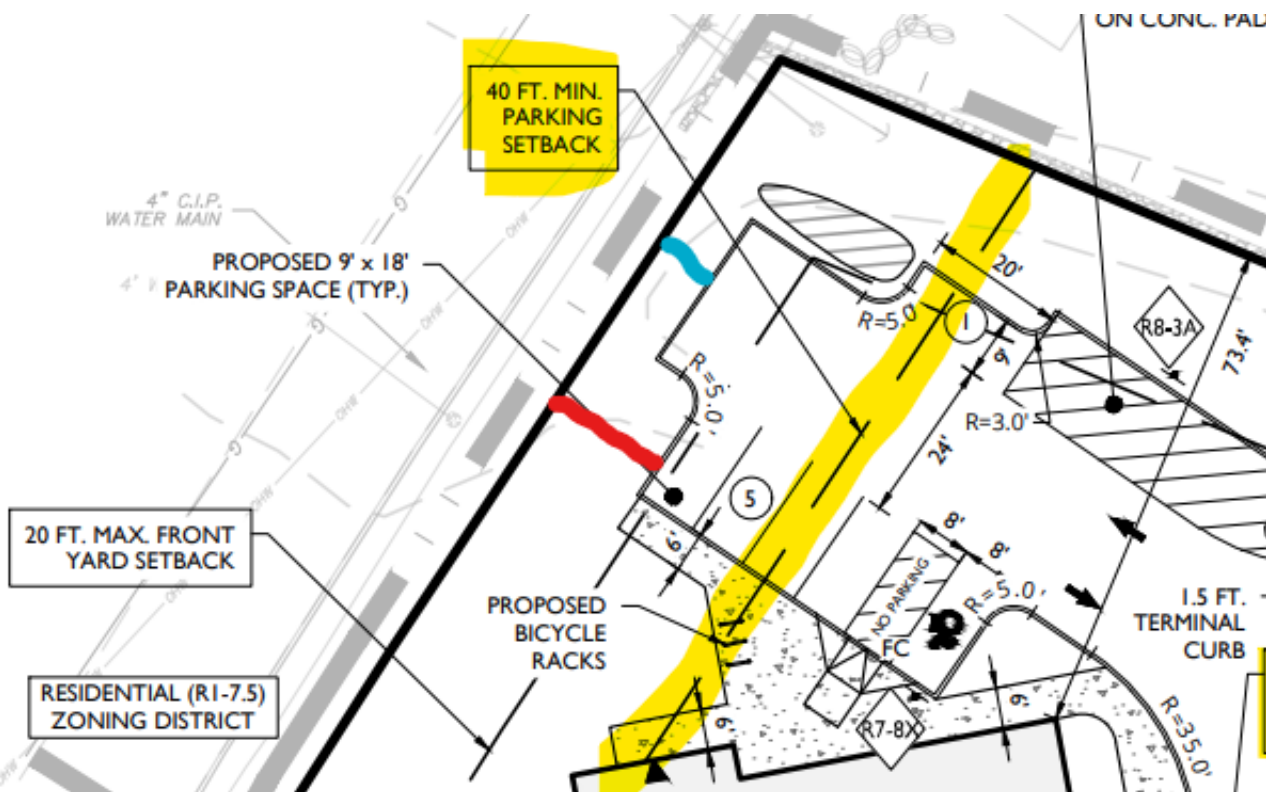
⁵ See CITY OF BEACON ZONING CODE § 223—41.9; CITY OF BEACON COMPREHENSIVE PLAN, AT PAGES 8 & 66.

⁶ *Id.*

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area”, the latter of which includes parking spaces *and* passageways appurtenant thereto.⁷ This distinction is relevant because the distance between the property line along High Street and a paved bump out for maneuvering into parking spaces and the parking spaces differ, as demonstrated on the below image:

Image 1. Annotated Excerpt of Enclosed Dimension Plan:



(blue generally showing the distance from the High Street property line to paved area utilized for vehicle maneuvering; red generally showing the distance to parking spaces).

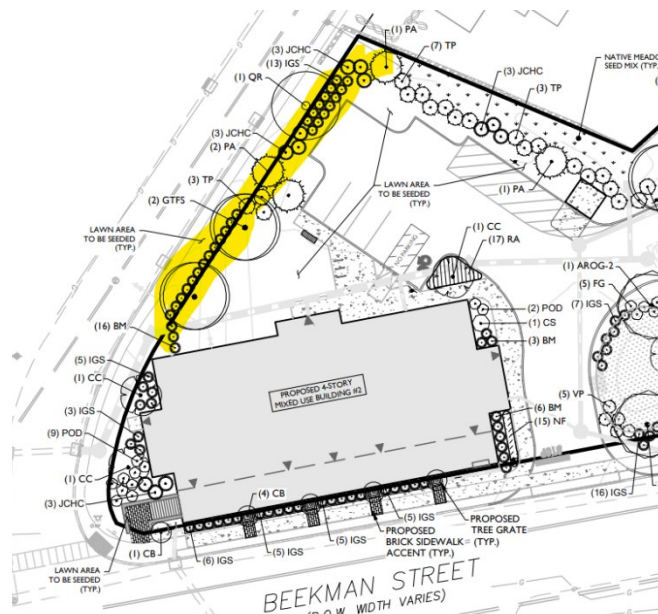
⁷ CITY OF BEACON ZONING CODE § 223-63. It is feasible that the drafters of the Linkage District regulations purposefully did not reference “parking area” in Section 223-41.F(1) to avoid having this setback incorrectly levied against driveways accessing parking spaces located behind, underneath, and to the side of buildings. Yet, by also omitting explicit reference to parking spaces, the drafters allowed for interpretative space between the two (2) terms—here, our conservative read is that the restricted off-street parking includes paved portions of parking areas utilized for vehicular maneuvering out of parking spaces.

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In an abundance of caution, the Applicants are seeking the variance relief that would apply to the paved area nearest to the High Street property line. This area is located closer to approximately 8 feet from the property line, whereas the nearest parking space is located approximately 17 feet. Accordingly, the Applicants respectfully request a variance of 32 feet, where a minimum 40' off-street parking setback is required under Zoning Code Section 223-41.21.F(1) and the Project proposes a minimum 8 feet setback to paved parking areas along the High Street property line.⁸

The Project complies with the latter portion of Zoning Code Section 223-41.21.F(1) mandating landscaping along the High Street property line to screen the off-street parking. The Applicants are proposing ample landscaping along that portion of the property, including a dozen evergreen trees, three (3) canopy trees, and twenty-nine (29) evergreen shrubs, as shown on Image 2, below. The proposed evergreen tree plantings directly adjacent to the parking area will reach mature heights that range from approximately 15 feet (juniper) to approximately 40 feet (spruce and arborvitae), so as to provide more than adequate screening of the off-street parking.

Image 2. Annotated Excerpt of Enclosed Landscape Plan:



⁸ Note: Relief from the parking setback requirement is only sought for the portion of the proposed parking along High Street. The parking located between the Beekman and High Street Buildings is set back more than 40' from the property line sought through the NYSDOT Application. No variance relief is necessary for that portion of off-street parking.



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THE AREA VARIANCE FACTORS BALANCE IN FAVOR OF GRANTING THE REQUESTED VARIANCE RELIEF:

The ZBA is responsible for considering the benefit to the Applicants if the variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant. In executing this balancing test, General City Law Section 81-b(4) and Zoning Code Section 223-55.C(2)(b) directs that the ZBA shall consider whether:

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

The five (5) area variance factors set forth in these provisions and outlined above are a tool for the ZBA to use in determining whether to grant the requested relief. It is important to note that no single factor is determinative in assessing an area variance application.

For the following reasons and based on the evidence in the record, we respectfully submit that upon balancing the variance criteria, the granting of the requested area variance relief is warranted.

- 1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of area variance.***

The proposed parking will not have a negative impact on the character of the neighborhood and will not create a detriment for nearby properties. As noted above, this area of the property was most-recently used as a contractor's storage yard, where construction equipment and vehicles

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were stored. See **Exhibit A**. The visibility of the parking along High Street will also be limited by an extensive landscaping plan pursuant to City Code requirements. Pedestrians walking along High Street will primarily see the new landscaping and the new mixed-use building, with views of the parking being limited by a dozen evergreen trees, three (3) canopy trees, and twenty-nine (29) evergreen shrubs, as shown on Image 2, above, which trees will reach mature heights that range from approximately 15 feet (juniper) to approximately 40 feet (spruce and arborvitae), so as to provide more than adequate screening of the off-street parking. The installation and maintenance of such ample screening will be a benefit to the surrounding area.

2. Whether the benefit sought by the applicant[s] can be achieved by some method, feasible for the applicant[s] to pursue, other than an area variance.

The range of appropriate alternatives is limited by two (2) standards: first, the alternative must still provide the benefit sought by the applicants and, second, it must be feasible for the applicants to pursue. A ZBA may not deny a variance and attempt to relegate the applicants to an alternative design that is a “profound departure” from, or substantially costlier than, the design proposed in the variance.⁹

The proposal provides 91 off-street parking spaces. As noted above, the Applicants’ traffic consultant has provided support for its conclusion that 88 parking spaces are sufficient for the proposed development, but has added an additional three (3) spaces to satisfy the comments of the Planning Board’s Traffic Consultant. These three (3) additional spaces are located within the 40’ parking setback along High Street because they could not be located elsewhere throughout the Premises given the locations of necessary stormwater controls, off-street loading areas, emergency access, and associated vehicular maneuverability around the site. Accordingly, it is not possible to achieve the benefit sought—providing the parking requested by the City’s traffic consultant—by any other feasible means. Any other alternative would be economically infeasible, and would likely require additional area variances.¹⁰ Thus, the Applicants respectfully submit that there is no other alternative that will provide the benefits sought herein without area variance relief.

⁹ Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dep’t 2002). See also, Baker v. Brownlie, 248 A.D.2d 527 (2d Dep’t 1998) and Salkin, New York Zoning Law & Practice § 29:36 Administrative Relief from Zoning Regulations: Variances.

¹⁰ A zoning board of appeals may not deny a variance and attempt to relegate an applicant to an alternative design that is a “profound departure” from, or substantially more costly than, the design proposed in the variance. See Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. Zoning Bd. of Appeals of Town/Village of Harrison, 296 A.D.2d 460 (2d Dep’t 2002).



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3. *Whether the requested area variance is substantial.*

Upon consideration of the facts and circumstances in this situation, the requested area variance is not substantial. The proposed parking is setback approximately 8.8 feet from the property line along High Street, where 40 feet is required. While the Applicants are thus seeking to place the parking closer than permitted, this does not make the requested variance “substantial” in the sense meant by the variance balancing test. The substantiality of a variance is not judged in purely mathematical terms based on percentage of excess size sought but must be evaluated in the context of the actual impact of the proposal on the neighborhood. As noted above, the proposed parking will have a minimal impact on properties surrounding the Premises, as they will be screened along High Street. The parking has also been designed in furtherance of State and County objectives to minimize and reduce impervious surfaces. Since there is no substantial adverse impact to the community caused by the variance, the variance should not be considered substantial in effect and does not warrant denial of the requested variances under the overall balancing test.¹¹

To the extent that this Board may believe otherwise, we respectfully remind the Board that the mere fact that a variance may be deemed “substantial,” or fails to meet one of the other five factors, does not preclude application of the *overall* balancing test.¹²

¹¹ It is well-established that the substantiality of a variance does not, alone, justify the denial of an area variance, and that substantiality is only relevant if the variance *actually* creates a detriment to the community. For example, in Aydelott v. Town of Bedford Zoning Board of Appeals, N.Y.L.J. June 25, 2003, pl. 21, col. 4 (Sup. Ct. Westchester County 2003), the Westchester County Supreme Court reversed a ZBA denial of a variance for lot coverage/required open space, noting that “consideration of this percentage of lot coverage alone, taken in a vacuum, is not an adequate indicator of the substantiality....a large deviation can have little or no impact depending on the circumstances of the variance application.” In Lodge Hotel, Inc. v. Town of Erwin Zoning Board of Appeals, No. 94817, 2007 WL 5649523, at *5 (Sup. Ct. Steuben County, Jan. 24, 2007), the court cited the applicable rule. “Substantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the variance sought is, in actuality, a substantial one. When reviewing the application in the context of the overall impact it would have on the neighborhood, it is clear that the variance request is not substantial...” The Court also noted that “[l]ooking at the variance request in such a vacuum is not an adequate indicator of the substantiality of Petitioner’s application.” This rule on substantiality applies to all area variances, whether they relate to Setbacks (Easy Home Program v. Trotta, 714 N.Y.S. 2d 509, 510 (2d Dep’t 2002) (reversing denial of an area variance. While the court found the variance “arguably substantial,” there was “no evidence that granting the variance would have an undesirable effect on the community or neighborhood.”) or any other type of area variance.

¹² Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dep’t 2002) (determination that a request that was determined “substantial” did not excuse Zoning Board of Appeals from applying the overall balancing test).



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4. *Whether the proposed area variance will have an adverse effect or impact on the physical or environmental considerations in the neighborhood or district.*

The requested variance relief will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or community. As noted above, following a year and a half exhaustive review process, the Applicants understand that the Planning Board is considering a Negative Declaration for the entire Project under SEQR at its May 13, 2025 meeting.¹³

5. *Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

The proposed variance is not self-created. It is the minimum variance required in order to locate the necessary amount of parking, as advised by the City's Traffic Consultant. To the extent that the ZBA may believe otherwise, we respectfully remind the ZBA that this factor is not dispositive.¹⁴

CONCLUSION:

For the reasons set forth above, and as will be further discussed at the public hearing on this matter, the Applicants request that the area variance relief be granted to permit the proposed parking on the Premises. After considering each of the five (5) factors discussed above for the requested variance, the Applicants respectfully submit that there is no harm to the community that weighs against the benefit to the Applicants, and that the proposed variance relief is the minimum variance relief that meets the Applicants' needs and at the same time fully protects the character of the neighborhood and health, safety, and welfare of the community.

LIST OF ENCLOSURES:

In support of this Application, we respectfully submit seven (7) copies of the instant letter and the following documentation:

- Exhibit A:** Images of Premises; and
- Exhibit B:** Completed Zoning Board of Application Form.

¹³ Note: The Applicants extensive reports, studies and analyses submitted to the Planning Board in connection with its environmental review of the Project are publicly available on the City's website.

¹⁴ See Daneri v. Zoning Bd. of Appeals of Town of Southold, 98 A.D.3d 508, 510 (2d Dep't 2012) (recognizing that the self-created nature of difficulty is not preclusive of the ability to obtain an area variance).



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In further support of this Application, we respectfully submit seven (7) copies of the following sheets of the Site Plan Set entitled “Preliminary Site Plan”, prepared by Colliers Engineering and Design, P.C. and Aryeh Siegel, Architect, dated January 30, 2024, last revised April 29, 2025 (unless otherwise noted):

- Sheet 1 of 19 – Cover Sheet.
- Sheet 2 of 19 – Existing Conditions & Site Demolition Plan.
- Sheet 4 of 19 – Dimension Plan.
- Sheet 12 of 19 – Landscape Plan.
- Sheet 13 of 19 – Lighting Plan.

Lastly, enclosed please find one (1) check made payable to the City of Beacon representing the Application fee.

We look forward to appearing at this Board’s next available Meeting Agenda for the public hearing regarding this matter. In the meantime, should this Board or City Staff have any questions or comments with regard to the foregoing, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Taylor M. Palmer', with a long, sweeping horizontal line extending to the right.

Taylor M. Palmer

Enclosures

cc: George Alissandratos, Esq., City Attorney
 Bryan Murphy, City of Beacon Building Inspector
 Aryeh J. Siegel Architect
 Colliers Engineering and Design, P.C.

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Exhibit A: Images of the Premises and Surrounding Area

Dutchess County Parcel Access Viewer Image: 45 Beekman Street, High Street & High Street (the “Premises”):



Exhibit A: Images of the Premises and Surrounding Area (cont.)

Google Aerial Image of the Premises:



Exhibit A: Images of the Premises and Surrounding Area (cont.)

Historical Google Street View Images From High Street of Contactor's Yard at Premises:¹

2018 Street View:



2017 Street View:



2012 Street View:



¹ Image taken from Google Maps.

Exhibit A: Images of the Premises and Surrounding Area (cont.)

Google Street View Image of the Premises: Westerly View off North Avenue (Route 9D):



Google Street View Image of the Premises: Southerly View off Tompkins Avenue:



Exhibit A: Images of the Premises and Surrounding Area (cont.)

Google Street View Image of the Premises: Northwest View of the North Avenue (Route 9D)/Beekman Street Intersection:



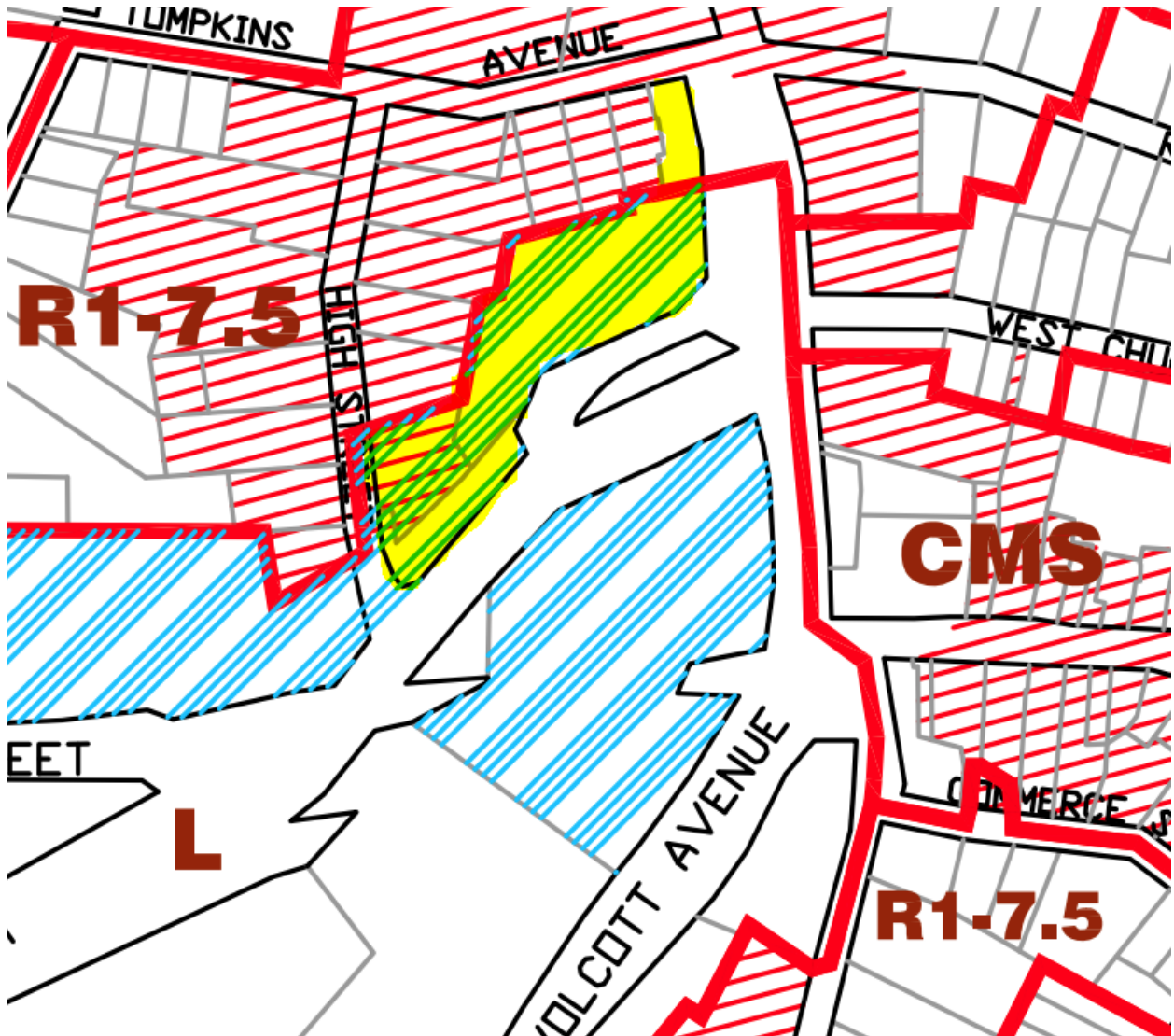
Google Street View Image of the Premises: North View of the Beekman Street/ High Street Intersection:



Historic Dutchess County Parcel Access Viewer Image (2014): Showing High Street Lots Utilized for Contractor Storage (Aerials Show This Dating Back to Approximately 2000):

Exhibit A: Images of the Premises and Surrounding Area (cont.)

City of Beacon Zoning Map Excerpt of the Premises:



Key: Premises highlighted in yellow.

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

Beckman Arts Center LLC and

OWNER: Bay Ridge Studios LLC

ADDRESS: 268 Main Street, Beacon, NY 12508

TELEPHONE: 914-468-8473 or 718-843-9550

E-MAIL: Jesshgkf@gmail.com

APPLICANT (if not owner): N/A

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

Taylor M. Palmer, Esq.

REPRESENTED BY: Cuddy & Feder LLP

ADDRESS: 445 Hamilton Avenue, 14th Floor

White Plains, NY 10601

TELEPHONE: 914-761-1300

E-MAIL: tpalmer@cuddyfeder.com

45 Beekman Street and

PROPERTY LOCATION: High Street

ZONING DISTRICT: L, RMF-1.5, and HDLO

5955

TAX MAP DESIGNATION: SECTION 5954

19

706012

BLOCK 26 LOT 781983 & 689990

Section of Zoning Code appealed from or Interpretation desired:

Section 223-41.21 F(1)

Reason supporting request:

See attached cover letter

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

See attached cover letter

Date: _____

Beckman Arts Center LLC

By: A. Hassen
Saleh Hassen Owner's Signature
Bay Ridge Studios LLC

By: A. Hassen
Saleh Hassen Applicant's Signature
Owner

Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250
ESCROW FEE:	\$1000
I & I INSPECTION:	\$60

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Bay Ridge Studios LLC

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

List all properties in the City of Beacon that you hold a 5% interest in:
High Street & High Street (5954-26-68990 and 5954-26-781983

Applicant Address: 268 Main Street, Beacon, NY 12508

Project Address: 45 Beekman and High Street

Project Tax Grid # 5955-19-706012; 5954-26-68990; 5954-26-781983

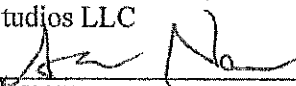
Type of Application Area Variance

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

I, Saleh Hassen, Member of Bay Ridge Studios LLC, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

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

Bay Ridge Studios LLC

By: 
Saleh Hassen
Signature of Owner

Member
Title if owner is corporation

Office Use Only:

Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)

NO	YES	Initial
<u>X</u>	<u>—</u>	MP
<u>—</u>	<u>✓</u>	<u>REM</u>
<u>—</u>	<u>✓</u>	<u>—</u>

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Beekman Arts Center LLC

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

List all properties in the City of Beacon that you hold a 5% interest in:
45 Beekman (5955-19-706012)

Applicant Address: 268 Main Street, Beacon, NY 12508

Project Address: 45 Beekman and High Street

Project Tax Grid # 5955-19-706012; 5954-26-68990; 5954-26-781983

Type of Application Area Variance

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

I, Saleh Hassen, Member of Beekman Arts Center LLC, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

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

Beekman Arts Center LLC
By: [Signature]

Saleh Hassen
Signature of Owner

member
Title if owner is corporation

Office Use Only:	NO	YES	Initial
Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)	<u>X</u>		MP
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)	<u>—</u>	<u>✓</u>	<u>KLM</u>
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)	<u>—</u>	<u>✓</u>	<u>KLM</u>

FOR OFFICE USE ONLY
Application #

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

Telephone (845) 838-5000 • <http://beaconny.gov/>

ENTITY DISCLOSURE FORM

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

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-61.4 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

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

Name of Entity Beekman Arts Center LLC	Address of Entity 268 Main Street Beacon, NY 12508
Place where such business entity was created New York State DOS	Official Registrar's or Clerk's office where the documents and papers creating entity were filed New York State DOS
Date such business entity or partnership was created 4/6/2016	Telephone Contact Information 917-468-8473

IF AFFIANT IS A CORPORATION:

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and Date of incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

--	--

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

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Abdel Hassen	153 - 12 80th St. Howard Beach, NY 11414	510-774-5214	50%
Saleh Hassen	157-44 84th St. Howard Beach, NY 11414	917-468-8473	25%
Sam Hassen	164-40 88th St. Howard Beach, NY 11414	917-560-4026	25%

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Beekman Arts Center LLC	268 Main Street Beacon, NY 12508	917-468-8473	Deed dated 1/18/2017	Recorded 2/8/2017 Dutchess County Clerk

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

☐

YES

☒

NO

Name	Employer	Position

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

☐

YES

☒

NO

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

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

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

☐

YES

☒

NO

Current Name	Other Names

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

Name	Address Deed Doc#02-2017-1113
Beekman Art Center LLC	268 Main Street, Beacon, NY 12508

SECTION H. If the applicant is not a record owner of the subject property, describe the applicant’s interest in the subject property and the relationship the applicant has to the record owner(s) of the subject property.

N/A

SECTION I. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application. Any sensitive or confidential information may be redacted from the contract prior to production.

N/A

SECTION J. N/A

1. Where the record owner or contract vendee is a corporation, the following additional information shall be submitted:

Name of the Corporation	Telephone Contact Information
Principal Business Address	Place and Date of Incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

2. Please provide the following information for every incorporator, officer, director and shareholder of the corporation.

Name	Residence or business address	Telephone number

3. Have any shares of the stock of the corporation or of any stockholder been pledged, mortgaged or encumbered?

☐

YES

☐

NO

If so, please list the name and address of each person having, holding, owning or claiming any such interest.

Name	Address

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

☐

YES

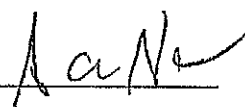
☒

NO

I, Saleh Hassen being first duly sworn, according to law, deposes and says that I am (Title)
Member, an active and qualified member of the Beckman Arts Center LLC, a business duly authorized by law to do
business in the State of New York, and that the statements made herein are true, accurate, and complete.

Beckman Arts Center LLC

(Print) By: Saleh Hassen

(Signature) By: 

FOR OFFICE USE ONLY
Application #

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

Telephone (845) 838-5000 • <http://beaconny.gov/>

ENTITY DISCLOSURE FORM

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

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-61.4 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

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

Name of Entity Bay Ridge Studios LLC	Address of Entity 268 Main Street Beacon, NY 12508
Place where such business entity was created New York State DOS	Official Registrar's or Clerk's office where the documents and papers creating entity were filed New York State DOS
Date such business entity or partnership was created 7/18/2018	Telephone Contact Information 917-468-8473

IF AFFIANT IS A CORPORATION:

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and Date of incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

--	--

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

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Abdel Hassen	153-12 80th St. Howard Beach, NY 11414	510-774-5214	50%
Saleh Hassen	157-84th St. Howard Beach, NY 11414	917-468-8473	25%
Sam Hassen	164-40 88th St Howard Beach, NY 11414	917-560-4026	25%

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

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Bay Ridge Studios LLC	268 Main Street Beacon, NY 12508	917-468-8473	Deed dated 12-31-2001	Recorded 2/3/2022 Dutchess County Clerk

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

☐

YES

☒

NO

Name	Employer	Position

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

☐ YES ☒ NO

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

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

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

☐ YES ☒ NO

Current Name	Other Names

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

Name	Address
Bay Ridge Studios LLC	268 Main Street Beacon, NY 12508
	Deed Doc# 02-2019-1172

SECTION H. If the applicant is not a record owner of the subject property, describe the applicant's interest in the subject property and the relationship the applicant has to the record owner(s) of the subject property.

N/A

SECTION I. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application. Any sensitive or confidential information may be redacted from the contract prior to production.

N/A

SECTION J. N/A

- Where the record owner or contract vendee is a corporation, the following additional information shall be submitted:

Name of the Corporation	Telephone Contact Information
Principal Business Address	Place and Date of Incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

2. Please provide the following information for every incorporator, officer, director and shareholder of the corporation.

Name	Residence or business address	Telephone number

3. Have any shares of the stock of the corporation or of any stockholder been pledged, mortgaged or encumbered?

☐

YES

☐

NO

If so, please list the name and address of each person having, holding, owning or claiming any such interest.

Name	Address

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

☐

YES

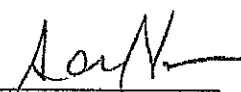
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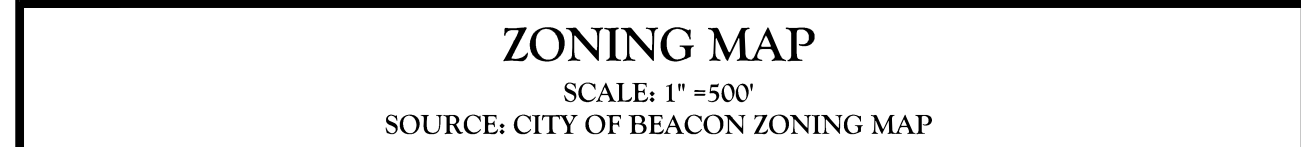
NO

I, Saleh Hassen being first duly sworn, according to law, deposes and says that I am (Title) Member, an active and qualified member of the Bay Ridge Studios LLC, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

Bay Ridge Studios LLC

(Print) By: Saleh Hassen

(Signature) By: 



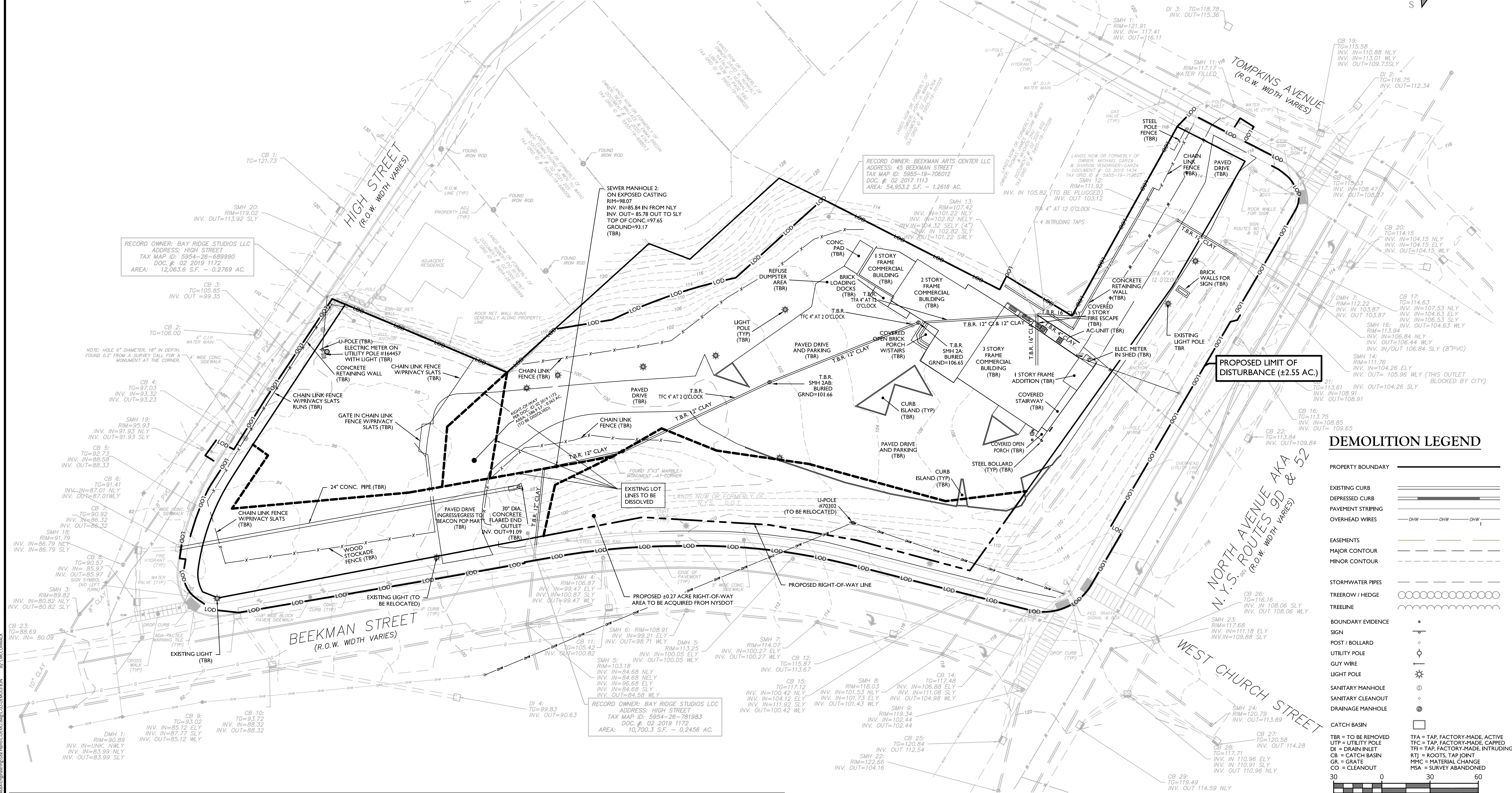
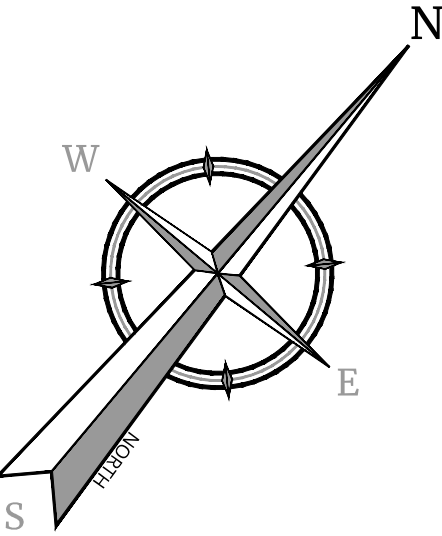
SOURCE: NEW YORK STATE G.I.S. CLEARINGHOUSE

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION. 37

DEMOLITION NOTES:

1. THIS PLAN REFERENCES THE FOLLOWING DOCUMENTS AND INFORMATION:
- A. BOUNDARY AND TOPOGRAPHICAL MAPPING IS TAKEN FROM A SURVEY TITLED "BOUNDARY SURVEY OF THE LANDS OF BEEKMAN ARTS CENTER, LLC & BAYRIDGE STUDIOS, LLC" PREPARED BY JONATHAN N. MILLEN NY, P.L.S. (LICENSE NO. 050746) OF AUTOMATED CONSTRUCTION ENHANCED SOLUTIONS, INC., DATED NOVEMBER 01, 2023.
2. CONTRACTOR SHALL PERFORM ALL WORK IN ACCORDANCE WITH THE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 (29 U.S.C. 651 ET SEQ.) AND THE NEW YORK PROTECTION OF UNDERGROUND FACILITIES ACT, (DIG SAFE LAW, 16 NYCRR PART 753) AS AMENDED.
3. THE DEMOLITION PLAN IS INTENDED TO PROVIDE GENERAL INFORMATION REGARDING ITEMS TO BE DEMOLISHED AND/OR REMOVED. THE CONTRACTOR SHALL ALSO REVIEW THE OTHER SITE PLAN DRAWINGS AND INCLUDE IN DEMOLITION ACTIVITIES ALL INCIDENTAL WORK NECESSARY FOR THE CONSTRUCTION OF THE NEW SITE IMPROVEMENTS.
4. ALL DEMOLITION ACTIVITIES ARE TO BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS AND SPECIFICATIONS AND ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS, ANY QUESTIONS CONCERNING THE ACCURACY OR INTENT OF THESE PLANS OR SPECIFICATIONS, CONCERNS REGARDING THE APPLICABLE SAFETY STANDARDS OR THE SAFETY OF THE CONTRACTOR OR THIRD PARTIES IN PERFORMING THE WORK OF THIS PROJECT SHALL BE RAISED WITH ENGINEER, IN WRITING AND RESPONDED TO BY ENGINEER, PRIOR TO THE INITIATION OF ANY SITE ACTIVITY.
5. PRIOR TO STARTING ANY DEMOLITION, CONTRACTOR IS RESPONSIBLE FOR:
- A. OBTAINING ALL REQUIRED PERMITS AND MAINTAINING THE SAME ON SITE FOR REVIEW BY THE ENGINEER AND OTHER PUBLIC AGENCIES HAVING JURISDICTION.
- B. NOTIFYING, AT A MINIMUM, THE MUNICIPAL ENGINEER, DESIGN ENGINEER, AND LOCAL DEPARTMENT OF PUBLIC WORKS, 72 HOURS PRIOR TO START OF WORK.
- C. INSTALLING THE REQUIRED SOIL EROSION AND SEDIMENT CONTROL MEASURES PRIOR TO SITE DISTURBANCE.
- D. IN ACCORDANCE WITH STATE LAW, THE CONTRACTOR SHALL BE REQUIRED TO CALL THE BOARD OF PUBLIC UTILITIES ONE CALL DAMAGE PROTECTION SYSTEM FOR UTILITY MARK OUT IN ADVANCE OF ANY EXCAVATION.
- E. LOCATING AND PROTECTING ALL UTILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO GAS, WATER, ELECTRIC, SANITARY AND STORM SEWER, TELEPHONE, CABLE, FIBER OPTIC CABLE, ETC. WITHIN AND ADJACENT TO THE LIMITS OF PROJECT ACTIVITIES. THE CONTRACTOR SHALL USE AND COMPLY WITH THE REQUIREMENTS OF THE APPLICABLE UTILITY NOTIFICATION SYSTEM TO LOCATE ALL THE UNDERGROUND UTILITIES.
- F. PROTECTING AND MAINTAINING IN OPERATION, ALL ACTIVE UTILITIES AND SYSTEMS THAT ARE NOT BEING REMOVED DURING ALL DEMOLITION ACTIVITIES.
- G. ARRANGING FOR AND COORDINATING WITH THE APPLICABLE UTILITY SERVICE PROVIDER(S) FOR THE TEMPORARY OR PERMANENT TERMINATION OF SERVICE REQUIRED BY THE PROJECT PLANS AND SPECIFICATIONS. THE CONTRACTOR SHALL PROVIDE THE UTILITY ENGINEER AND OWNER WRITTEN NOTIFICATION THAT THE EXISTING UTILITIES AND SERVICES HAVE BEEN TERMINATED AND ABANDONED IN ACCORDANCE WITH JURISDICTIONAL AND UTILITY COMPANY REQUIREMENTS.
- H. COORDINATION WITH UTILITY COMPANIES REGARDING WORKING "OFF-PEAK" HOURS OR ON WEEKENDS AS MAY BE REQUIRED TO MINIMIZE THE IMPACT ON THE AFFECTED PARTIES. WORK REQUIRED TO BE DONE "OFF-PEAK" SHALL BE DONE AT NO ADDITIONAL COST TO THE OWNER.
- I. IN THE EVENT THE CONTRACTOR DISCOVERS ANY HAZARDOUS MATERIAL, THE REMOVAL OF WHICH IS NOT ADDRESSED IN THE PROJECT PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL IMMEDIATELY CEASE ALL WORK AND NOTIFY THE OWNER AND ENGINEER OF THE DISCOVERY OF SUCH MATERIALS.
6. COLLIER'S ENGINEERING & DESIGN IS NOT RESPONSIBLE FOR JOB SITE SAFETY OR SUPERVISION. CONTRACTOR IS TO PROCEED WITH THE DEMOLITION IN A SYSTEMATIC AND SAFE MANNER, FOLLOWING ALL THE OSHA REQUIREMENTS TO ENSURE PUBLIC AND CONTRACTOR SAFETY.
7. THE CONTRACTOR SHALL PROVIDE ALL THE "MEANS AND METHODS" NECESSARY TO PREVENT MOVEMENT, SETTLEMENT, OR COLLAPSE OF EXISTING STRUCTURES, AND ANY OTHER IMPROVEMENTS THAT ARE REMAINING ON OR OFF SITE. THE CONTRACTOR IS

- RESPONSIBLE FOR ALL REPAIRS OF DAMAGE TO ALL ITEMS THAT ARE TO REMAIN. ALL REPAIRS SHALL USE NEW MATERIAL. THE REPAIRS SHALL RESTORE THE ITEM TO THE PRE-DEMOLITION CONDITION. SUCH REPAIRS SHALL BE PERFORMED AT THE CONTRACTOR'S SOLE EXPENSE.
8. THE CONTRACTOR SHALL NOT PERFORM ANY EARTH MOVEMENT ACTIVITIES, DEMOLITION OR REMOVAL OF FOUNDATION WALLS, FOOTINGS, OR OTHER MATERIALS WITHIN THE LIMITS OF DISTURBANCE UNLESS IT IS IN STRICT ACCORDANCE WITH THE PROJECT PLANS AND SPECIFICATIONS, AND/OR UNDER THE WRITTEN DIRECTION OF THE OWNER'S STRUCTURAL OR GEOTECHNICAL ENGINEER.
9. CONTRACTOR SHALL BACKFILL ALL EXCAVATION RESULTING FROM, OR INCIDENTAL TO, DEMOLITION ACTIVITIES. BACKFILL SHALL BE ACCOMPLISHED WITH APPROVED BACKFILL MATERIALS, AND SHALL BE SUFFICIENTLY COMPACTED TO SUPPORT NEW IMPROVEMENTS AND IN COMPLIANCE WITH THE RECOMMENDATIONS IN THE GEOTECHNICAL REPORT. BACKFILLING SHALL OCCUR IMMEDIATELY AFTER DEMOLITION ACTIVITIES, AND SHALL BE DONE SO AS TO PREVENT WATER ENTERING THE EXCAVATION. FINISHED SURFACES SHALL BE GRADED TO PROMOTE POSITIVE DRAINAGE.
10. EXPLOSIVES SHALL NOT BE USED WITHOUT PRIOR WRITTEN CONSENT OF BOTH THE OWNER AND ALL APPLICABLE GOVERNMENTAL AUTHORITIES. ALL THE REQUIRED PERMITS AND EXPLOSIVE CONTROL MEASURES THAT ARE REQUIRED BY THE FEDERAL, STATE AND LOCAL GOVERNMENTS SHALL BE IN PLACE PRIOR TO STARTING AN EXPLOSIVE PROGRAM. THE CONTRACTOR IS ALSO RESPONSIBLE FOR ALL INSPECTION AND SEISMIC VIBRATION TESTING THAT IS REQUIRED TO MONITOR THE EFFECTS ON ALL LOCAL STRUCTURES.
11. CONTRACTOR SHALL PROVIDE TRAFFIC CONTROL, AND GENERALLY ACCEPTED SAFE PRACTICES IN CONFORMANCE WITH THE CURRENT FHWA "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD), AS WELL AS FEDERAL, STATE AND LOCAL REGULATIONS WHEN DEMOLITION RELATED ACTIVITIES IMPACT ROADWAYS OR ROADWAY RIGHT-OF-WAY.
12. CONTRACTOR SHALL CONDUCT DEMOLITION ACTIVITIES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, SIDEWALKS, WALKWAYS, AND OTHER ADJACENT FACILITIES. STREET CLOSURE PERMITS MUST BE RECEIVED FROM THE APPROPRIATE GOVERNMENTAL AUTHORITY PRIOR TO THE COMMENCEMENT OF ANY ROAD OPENING OR DEMOLITION ACTIVITIES IN OR ADJACENT TO THE RIGHT-OF-WAY.
13. DEMOLITION ACTIVITIES AND EQUIPMENT SHALL NOT USE AREAS OUTSIDE THE DEFINED PROJECT LIMIT LINE AND/OR LIMIT OF DISTURBANCE, WITHOUT WRITTEN PERMISSION OF THE OWNER AND ALL GOVERNMENTAL AGENCIES HAVING JURISDICTION.
14. THE CONTRACTOR SHALL USE DUST CONTROL MEASURES TO LIMIT AIRBORNE DUST AND DIRT RISING AND SCATTERING IN THE AIR IN ACCORDANCE WITH FEDERAL, STATE AND/OR LOCAL STANDARDS. AFTER THE DEMOLITION IS COMPLETE, ADJACENT STRUCTURES AND IMPROVEMENTS SHALL BE CLEANED OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR RETURNING ALL ADJACENT AREAS TO THEIR "PRE-DEMOLITION" CONDITION.
15. CONTRACTOR IS RESPONSIBLE TO SAFEGUARD SITE AS NECESSARY TO PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE ENTRY OF UNAUTHORIZED PERSONS AT ANY TIME.
16. CONTRACTOR IS RESPONSIBLE FOR SITE JOB SAFETY, WHICH SHALL INCLUDE BUT NOT LIMITED TO THE INSTALLATION AND MAINTENANCE OF BARRIERS, FENCING AND OTHER APPROPRIATE SAFETY ITEMS NECESSARY TO PROTECT THE PUBLIC FROM AREAS OF CONSTRUCTION AND CONSTRUCTION ACTIVITY.
17. THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING ITEMS/CONDITIONS WHICH ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION AS TO THE MEANS AND METHODS TO BE USED TO ACCOMPLISH THAT WORK. ALL MEANS AND METHODS UTILIZED ARE TO BE IN STRICT ACCORDANCE WITH ALL STATE, FEDERAL, LOCAL AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLYING WITH ALL OSHA AND OTHER SAFETY PRECAUTIONS NECESSARY TO PROVIDE A SAFE WORK SITE.
18. DEBRIS SHALL NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION WASTES AND DEBRIS (SOLID WASTE) SHALL BE DISPOSED OF IN ACCORDANCE WITH ALL MUNICIPAL, COUNTY, STATE, AND FEDERAL LAWS AND APPLICABLE CODES. THE CONTRACTOR SHALL MAINTAIN RECORDS TO DEMONSTRATE PROPER DISPOSAL ACTIVITIES, TO BE PROVIDED TO THE OWNER UPON REQUEST.
19. CONTRACTOR SHALL MAINTAIN A RECORD SET OF PLANS UPON WHICH IS INDICATED THE LOCATION OF EXISTING UTILITIES THAT ARE CAPPED, ABANDONED IN PLACE, OR RELOCATED DUE TO DEMOLITION ACTIVITIES. THIS RECORD DOCUMENT SHALL BE PREPARED IN A NEAT AND WORKMAN-LIKE MANNER, AND TURNED OVER TO THE OWNER/DEVELOPER UPON COMPLETION OF THE WORK.
20. CONTRACTOR IS RESPONSIBLE FOR TAKING THE APPROPRIATE MEASURES TO ENSURE THE STRUCTURAL STABILITY OF SIDEWALKS, PAVEMENT, DRAINAGE STRUCTURES, ETC. WHICH ARE TO REMAIN. CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING DAMAGE DONE TO THE AFOREMENTIONED ITEMS. THE REPAIR SHALL RESTORE SUCH TO A CONDITION EQUIVALENT TO OR BETTER THAN THE EXISTING CONDITIONS AND IN ACCORDANCE WITH ALL APPLICABLE CODES.
21. TREE CLEARING AND REMOVAL SHALL OCCUR BETWEEN OCTOBER 1ST TO MARCH 31ST, TO MITIGATE POTENTIAL IMPACTS TO THE INDIANA BAT.



DEMOLITION LEGEND

PROPERTY BOUNDARY	---
EXISTING CURB	=====
DEPRESSED CURB	=====
PAVEMENT STRIPING	=====
OVERHEAD WIRES	CHW CHW CHW
EASEMENTS	
MAJOR CONTOUR	-----
MINOR CONTOUR	-----
STORMWATER PIPES	
TREEROW / HEDGE	o o o o o o o o o o
TREELINE	o o o o o o o o o o
BOUNDARY EVIDENCE	•
SIGN	+
POST / BOLLARD	+
UTILITY POLE	+
GUY WIRE	+
LIGHT POLE	+
SANITARY MANHOLE	+
SANITARY CLEANOUT	+
DRAINAGE MANHOLE	+
CATCH BASIN	+
TBR = TO BE REMOVED	
UTP = UTILITY POLE	
DI = DRAIN INLET	
CB = CATCH BASIN	
GR = GRATE	
CO = CLEANOUT	
TFA = TAP, FACTORY-MADE, ACTIVE	
TH = TAP, FACTORY-MADE, INTRUDING	
RTJ = ROOTS, TAP JOINT	
MHC = MATERIAL CHANGE	
MSA = SURVEY ABANDONED	
SCALE: 1" = 30'	
SELECT LINEAR UNIT OF MEASURE	

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9	02/25/25	KAS	REVISED PER PLANNING BOARD COMMENTS
10	12/29/2025	KAS	REVISED PER PLANNING BOARD COMMENTS

REGISTERED LANDSCAPE ARCHITECT

JUSTIN E. DATES

001964

STATE OF NEW YORK

Justin Eric Dates

NEW YORK REGISTERED LANDSCAPE ARCHITECT

LICENSE NUMBER: 001964-01

COLLIERS ENGINEERING & DESIGN CT, P.C.

SITE PLAN

FOR

BEEKMAN ARTS CENTER LLC & BAYRIDGE STUDIOS LLC

TAX LOTS:

5955-19-706012

5954-26-689990

5954-26-781983

CITY OF BEACON

DUTCHESS COUNTY

NEW YORK STATE

Colliers

Engineering & Design

NEWBURGH

555 Hudson Valley Avenue

Suite 101

New Windsor, NY 12553

Phone: 845.564.4495

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SCALE: AS SHOWN DATE: 01/30/2024 DRAWN BY: KAS CHECKED BY: CPM

PROJECT NUMBER: 23010468A DRAWING NAME: C-DEMO

SHEET TITLE: EXISTING CONDITIONS & SITE DEMOLITION PLAN

SHEET NUMBER: 02 of 19

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY OR ENGINEERING MAP BEARING A LICENSED LAND SURVEYOR OR PROFESSIONAL ENGINEER IS A VIOLATION OF SECTION 7209, SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY MAPS WITH THE LAND SURVEYOR OR PROFESSIONAL ENGINEER'S SEAL ARE GENUINE TRUE AND CORRECT COPIES OF THE LAND SURVEYOR OR PROFESSIONAL ENGINEER'S ORIGINAL WORK AND OPINION.

L: (LINKAGE DISTRICT)
USE PERMITTED BY RIGHT: RETAIL
USE PERMITTED BY RIGHT: OFFICE
USE PERMITTED BY RIGHT: MULTIFAMILY DWELLING
-IF THE BUILDING FACES THE NORTH SIDE OF BEEKMAN STREET BETWEEN ROUTE 9D AND WEST
MAIN STREET
-SUBJECT TO A REQUIREMENT THAT ANY DWELLING UNIT SHALL ONLY BE LOCATED ON THE
UPPER STORIES OR AT LEAST 50 FEET BEHIND THE FACADE IN THE REAR PORTION OF THE
GROUND FLOOR

HDLO: (HISTORIC DISTRICT AND LANDMARK OVERLAY ZONE)

[illegible]

RI-7.5; (ONE FAMILY RESIDENTIAL DISTRICT (7,500 SF/DWELLING))
NO USE PROPOSED IN RI-7.5 DISTRICT

RECORD OWNER: BEEKMAN ARTS CENTER LLC
 ADDRESS: 43 BEEKMAN STREET
 TAX MAP ID: 5955-12-700012
 DOC. #: 02 2017 1113
 AREA: 54,953.2 S.F. - 1.2916 AC.

25 FT. MIN. REAR YARD SETBACK

PROPOSED 9' x 18' PARKING SPACE (TYP.)
 $R=324.0'$

PROPOSED 1 LOADING SPACE

PROPOSED LOT
 2.06 ACRES
 89,530. SQ. FT.

1.5 FT. TERMINAL CURB

PROPOSED BICYCLE RACKS

PROPOSED 4 STORY MIXED-USE BUILDING #1
 9,345.50 FT. COMMERCIAL
 (45) APARTMENTS
 (41 GARAGE PARKING SPACES)

ACCESS TO EXTERIOR COVERED ARCADE (TYP.)

STEP (TYP.)

PROP. RAMP

PROP. BENCH (TYP.)

PROPOSED RIGHT-OF-WAY LINE

EXISTING RIGHT-OF-WAY LINE TO BE DISSOLVED

PROPOSED HARVEST HER PAT

MAXIMUM PERMITTED:

RESIDENTIAL:
1 SPACE PER UNIT
64 DWELLING UNITS = 64 SPACES

RETAIL:
3 SPACES PER 1,000 SF OF GFA
13,671 SF OF RETAIL SPACE = 42 SPACES

TOTAL MAXIMUM PARKING PERMITTED = 106 SPACES

PROVIDED

TOTAL PARKING PROVIDED = 91 SPACES
(BASED ON SHARED PARKING ANALYSIS)

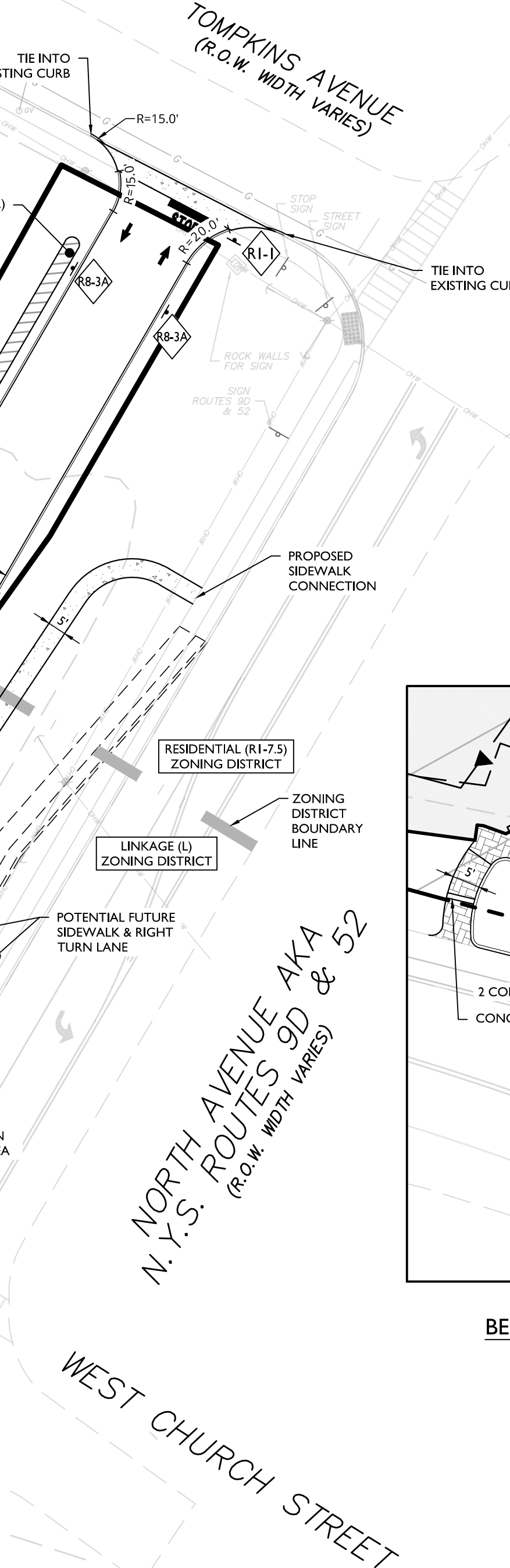
REQUIRED

RETAIL:
1 SPACE FOR THE FIRST 7,500 SF OF GFA AND 1 SPACE FOR EACH ADDITIONAL 10,000 SF OF GFA OR MAJOR PORTION THEREOF, EXCEPT THAT NO BERTHS SHALL BE REQUIRED FOR BUILDINGS OF LESS THAN 5,000 SQUARE FEET OF GFA

BUILDING 1: 10,566 SF OF RETAIL SPACE = 1 LOADING SPACE
BUILDING 2: 4,326 SF OF RETAIL SPACE = 0 LOADING SPACES

PROVIDED

TOTAL LOADING SPACES PROVIDED
EAST BLDG: = 1 LOADING SPACE
WEST BLDG: = 1 LOADING SPACE



BECKMAN ARTS CENTER LLC (TAX ID: 5955-19-706012)
268 MAIN STREET
BEACON, NY 12508

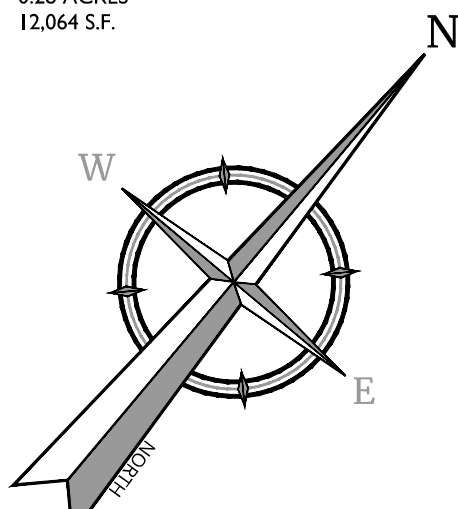
BAYRIDGE STUDIOS LLC (TAX ID: 5954-26-781983 & 5954-26-689990)
268 MAIN STREET
BEACON, NY 12508

TAX LOTS:

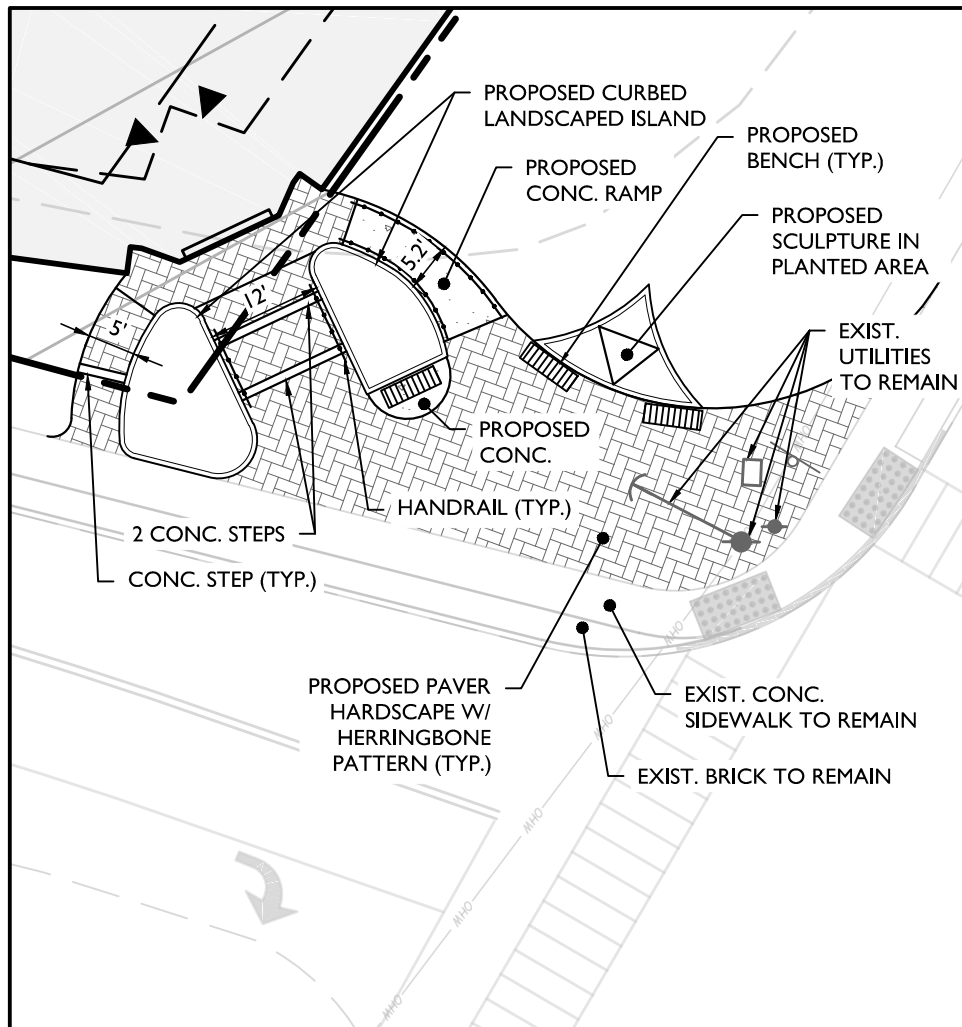
5955-19-706012
AREA = 1.26 ACRES
54,953 S.F.

5954-26-781983
AREA = 0.25 ACRES
10,700 S.F.

5954-26-689990
AREA = 0.28 ACRES
12,064 S.F.

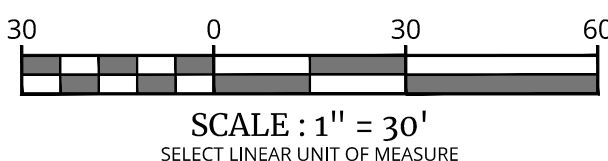


STOP	R1-1
ACCESSIBLE PARKING	R7-8X
NO PARKING	R8-3A
PEDESTRIAN CROSSWALK	R9-8



SIDEWALK ENTRANCE AT
BEEKMAN STREET AND NYS ROUTE 9D

SCALE: 1" = 20'



NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION.

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REV	DATE	DRAWN BY	DESCRIPTION	
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8	02/25/25	KAS	REVISED PER PLANNING BOARD COMMENTS	
9	03/24/25	KAS	REVISED PER PLANNING BOARD COMMENTS	
10	04/29/2025	KAS	REVISED PER PLANNING BOARD COMMENTS	
REGISTERED LANDSCAPE ARCHITECT JUSTIN E. DATES 001964 STATE OF NEW YORK or REGISTERED LANDSCAPE ARCHITECT JUSTIN E. DATES 001964 STATE OF NEW YORK Justin Eric Dates NEW YORK REGISTERED LANDSCAPE ARCHITECT LICENSE NUMBER: 001964-01 COLLIERS ENGINEERING & DESIGN CT, P.C.				
SITE PLAN FOR BEEKMAN ARTS CENTER LLC & BAY RIDGE STUDIOS LLC TAX LOTS: 5955-19-706012 5954-26-689990 5954-26-781983 CITY OF BEACON DUTCHESS COUNTY NEW YORK STATE				
Colliers Engineering & Design or MASER CONSULTING NEWBURGH 555 Hudson Valley Avenue Suite 101 New Windsor, NY 12553 Phone: 845.564.4495 COLLIERS ENGINEERING & DESIGN, ARCHITECTURE, LANDSCAPE ARCHITECTURE, SURVEYING, P.E., CONSTRUCTION ADMINISTRATION, CONSULTING ENGINEERING & LAND SURVEYING				
SCALE: AS SHOWN	DATE: 01/30/2024	DRAWN BY: KAS	CHECKED BY: CPM	
PROJECT NUMBER: 230104684A	DRAWING NAME: C-LAYT			
SHEET TITLE:				
DIMENSION PLAN				
SHEET NUMBER:				
04 of 19				

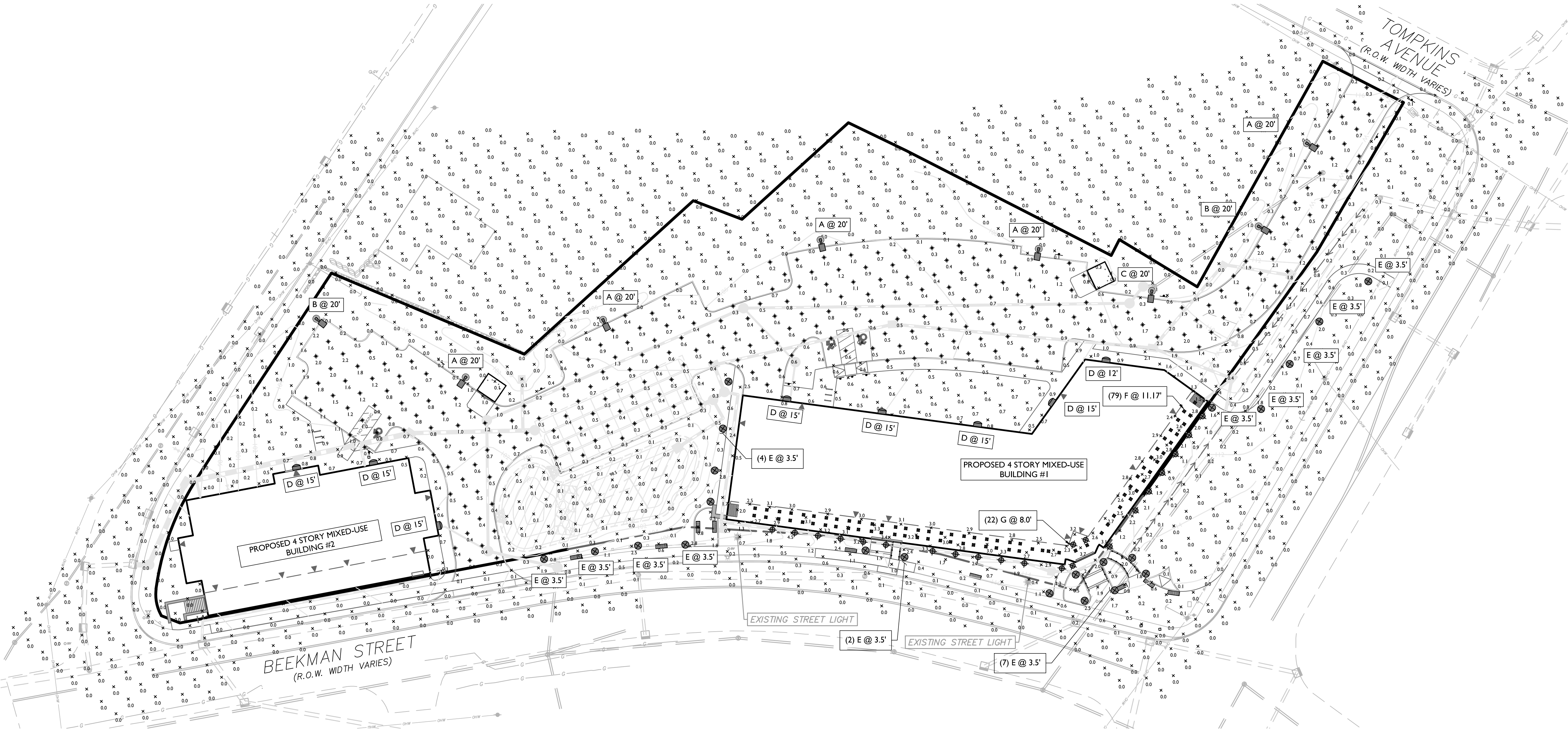
2023/2010468A\Engineering\Site Plans\CLIGHT.dwg C:\3\Lighting

LUMINAIRE SCHEDULE									
KEY	QTY.	DESCRIPTION	ARRANGEMENT	MTG. HT.	LUMENS/LAMP	COLOR TEMPERATURE	CRI	LLF	CATALOG #
A	5	LITHONIA LIGHTING D-SERIES SIZE 0 LED AREA LUMINAIRE	SINGLE	20'	4,044	3000K	80	0.9	DSX0 LED-P2-30K-80CRI-BLC4-MVOLT-SPA-DBLXD-PER5
B	2	LITHONIA LIGHTING D-SERIES SIZE 0 LED AREA LUMINAIRE	SINGLE	20'	3,951	3000K	80	0.9	DSX0 LED-P2-30K-80CRI-LCCO-MVOLT-SPA-DBLXD-PER5
C	1	LITHONIA LIGHTING D-SERIES SIZE 0 LED AREA LUMINAIRE	SINGLE	20'	3,951	3000K	80	0.9	DSX0 LED-P2-30K-80CRI-RCCO-MVOLT-SPA-DBLXD-PER5
D	8	LITHONIA LIGHTING D-SERIES SIZE 1 LED WALL LUMINAIRE	SINGLE (WALL PACK)	12,15'	1,357	3000K	80	0.9	DSXW1 LED-10C-350-30K-T4M-MVOLT-PE-DBLXD
E	22	LITHONIA LIGHTING RADEAN BOLLARD LED SITE LUMINAIRE	SINGLE (BOLLARD)	3.5'	532	3000K	80	0.9	RADB LED-P2-30K-ASY-MVOLT-BTT-BCF-DBLXD
F*	79	TROY RLM - LAGUNA OUTDOOR PENDANT LIGHT	SINGLE-CEILING MOUNT (ARCADE)	11.17'	738	3000K	80	0.9	7721401057325
G*	22	CESAR AMP WALL SCONCE	SINGLE-WALL SCONCE	8'	2357	2700K	90	0.9	CESAR-AMP-L-DWN-IL-927-FM-HFX-BK

* REFER TO FINAL ARCHITECTURAL PLANS FOR FIXTURE DETAILS.

CALCULATION SUMMARY						
DESCRIPTION	CALC. TYPE	UNITS	AVG.	MAX.	MIN.	AVG. / MIN.
PARKING, DRIVE & SIDEWALK (EXCLUDES ARCADE)	ILLUMINANCE	FC	0.9	4.5	0.3	3.0:1

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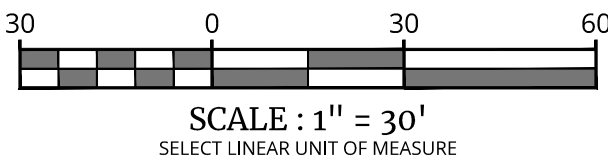


LIGHTING NOTES:

- THIS PLAN IS TO BE USED FOR LIGHTING PURPOSES ONLY.
- POLES AND FIXTURES AS SUPPLIED BY:
FIXTURES - LITHONIA LIGHTING
POLE - HOLOPHANE
BOLLARD FIXTURES - HYDREL
- LAMPS ARE TO BE LED; A LIGHT LOSS FACTOR (LLF) WAS USED AS SHOWN IN THE LUMINARIES SCHEDULE.
- FIXTURES AND POLES ARE TO BE BLACK.
- POLE MOUNTED FIXTURES SHALL BE PLACED A MINIMUM OF TWO (2) FEET BEHIND CURBS, EDGE OF PAVEMENT OR RETAINING WALLS IN CAR PARKING AREAS.
- PROPOSED LIGHT FIXTURE LOCATIONS ARE CRITICAL TO PROVIDE THE LIGHTING LEVELS DEPICTED ON THIS PLAN. THE LIGHTING CONTRACTOR SHALL FIELD VERIFY FIXTURE LOCATIONS PRIOR TO INSTALLATION. IF ADJUSTMENT TO ANY LIGHT FIXTURE LOCATION IS REQUIRED DUE TO FINAL CONSTRUCTION OF UTILITIES AND SITE IMPROVEMENTS, THE LIGHTING CONTRACTOR SHALL NOTIFY THE PROJECT LANDSCAPE ARCHITECT OF ANY DISCREPANCIES PRIOR TO INSTALLATION.
- LIGHTING SHOWN ON PLAN DEPICTS AVERAGE MAINTAINED FOOTCANDLE LEVELS AT GRADE.
- CONTRACTOR TO PROVIDE SHOP DRAWINGS OF LIGHT FIXTURES FOR REVIEW AND APPROVAL BY THE OWNER OR PROJECT LANDSCAPE ARCHITECT.
- ELECTRICAL PLANS FOR WIRING LAYOUT BY OTHERS.
- POLE BASE INSTALLATION SHALL INCLUDE A SUPPLEMENTARY GROUND ROD AND WIRE LEAD TO BASE FOR POWER CONNECTION. DETAILS PER PROJECT ELECTRICAL ENGINEER.
- ALL LIGHTING FIXTURES WILL BE DARK SKY COMPLIANT.

LIGHTING LEGEND:

- SINGLE FIXTURE POLE LIGHT
- WALLPACK
- BOLLARD LIGHT
- WALL SCONCE
- CEILING FIXTURE
- LIGHT LEVEL AT GRADE (IN FOOTCANDLES)



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Justin Eric Dates
NEW YORK REGISTERED LANDSCAPE ARCHITECT
LICENSE NUMBER: 001964-01
COLLIERS ENGINEERING & DESIGN CT, P.C.

SITE PLAN

FOR
BEEKMAN ARTS
CENTER LLC & BAY
RIDGE STUDIOS LLC

TAX LOTS:

5955-19-706012

5954-26-689990

5954-26-781983

CITY OF BEACON
DUTCHESS COUNTY
NEW YORK STATE

NEWBURGH

555 Hudson Valley Avenue
Suite 101
New Windsor, NY 12553
Phone: 845.564.4495
COLLIERS ENGINEERING & DESIGN
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SCALE:	DATE:	DRAWN BY:	CHECKED BY:
AS SHOWN	01/30/2024	XXXXXX	XXXXXX
PROJECT NUMBER:	DRAWING NAME:		
23010468A	CLIGHT		

SHEET TITLE:
LIGHTING PLAN

SHEET NUMBER:
13 of 19

NOTE: DO NOT SCALE DRAWINGS FOR CONSTRUCTION. 41

From: [Scott Lerman](#)
To: [Mercedes Perez](#)
Subject: Proposed Mixed-Use Development Premises: 45 Beekman Street, High Street
Date: Tuesday, June 17, 2025 11:07:26 AM
Attachments: [PastedGraphic-1.tiff](#)

Ms. Perez, please distribute to the ZBA and Planning Board for entry into the public record.

Chairman Jordan Haug and Members of the Zoning Board of Appeals and Beacon Planning Board

Re: Application for Area Variance for Off-Street Parking Setback Proposed Mixed-Use Development Premises: 45 Beekman Street, High Street, & High Street Beacon, New York Tax Parcel IDs: (5955-19-706012, 5954-26-689990 & 5954-26-781983)

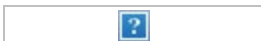
While I imagine that it was not Cuddy + Feders intention, their plan view of the applicant's building and parking lot is a good representation of what the neighborhood on High Street will see. Given the relative heights of the applicant and High Street properties, the screening shown, in my view, is woefully inadequate—as the site will be seen from high above.

If the building and its parking lot were moved much further away from High Street, it might be possible to place workable screening. Or if the developer were to reach an agreement to screen the property ON the High Street properties' slope and land, it would certainly be possible to screen the development.

Without a workable scheme to screen the HDLO from the development's parking lot and building, I ask that the ZBA not approve a variance to allow the parking to intrude even closer to High Street.

Respectfully,
Scott Lerman
40 North Street
Beacon

From the applicant's legal counsel.



City of Beacon Zoning Board of Appeals Agenda
06/17/2025

Title:

Review and public hearing on application submitted by Savage Wonder Art Center, 139 Main Street, Tax Grid No. 30-5954-27-758957-00, CMS and HDLO Zoning Districts, to allow 100% coverage of each glass area (where a maximum of 30% is permitted), which requires relief from the following: Section 223-15 Signs. E. Signs in nonresidence districts. In nonresidence districts, the following signs are hereby authorized: (5) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion. Additionally, the applicant is seeking relief from Section 223-15 E. to allow for a second sign (where a maximum of one (1) sign is permitted) that exceeds both the square footage (where a maximum aggregate area of each sign of fifty-three (53) square feet is permitted and ninety-six (96) square feet is proposed) and height (where a maximum height of two (2) feet is permitted and twelve (12) feet is proposed) requirements, which requires relief from the following: Section 223-15 Signs. E. Signs in nonresidence districts. In nonresidence districts, the following signs are hereby authorized: (1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that: (1)(a) The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street. (1)(b) No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.

ATTACHMENTS

[139 Main ZBA 6.17.25 app.pdf](#)

[139 Main St Denial letter \(with KB edits\).pdf](#)

ZONING BOARD OF APPEALS

City of Beacon, New York

APPLICATION FOR APPEAL

Received:

MAY 27 2025

City of Beacon
Building/Planning/Zoning

44

OWNER: The Lindley LLC

ADDRESS: 4 Cross Street, Beacon NY 12508

TELEPHONE: 617-335-4446

E-MAIL: npage@hudsontodd.com

APPLICANT (if not owner): Savage Wonder Art Center

ADDRESS: 6 Commerce Street, Beacon NY 12508

TELEPHONE: 917-841-8942

E-MAIL: saraho@savagewonder.org

REPRESENTED BY: _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

PROPERTY LOCATION: 139 Main Street, Beacon NY 12508

ZONING DISTRICT: 450 Retail Services/ CMS

TAX MAP DESIGNATION: SECTION SQSY

BLOCK 27 LOT 758957

Section of Zoning Code appealed from or Interpretation desired:

223 - 15 section c.5 re: Sign and size restrictions

Reason supporting request:

See NOTES PAGE 2

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

Signage details, renderings and scale attached

Date: 5/27/2025


Owner's Signature

Fee Schedule

AREA VARIANCE	\$ 250
USE VARIANCE	\$ 500
INTERPRETATION:	\$ 250
ESCROW FEE:	\$1000
I & I INSPECTION:	\$60


Applicant's Signature

Zoning Board of Appeals

NOTES Clarified

Section of Zoning Code appealed from or Interception desired:

223-15 Signs C.5 & E.1

Reason Supporting Request:

We respectfully request a variance interpretation allowing temporary full-window signage displaying brand information at 139 Main Street during the course of ongoing construction. Rather than blacking out the windows, we believe the proposed signage will maintain a more professional and welcoming appearance while also serving a functional purpose.

Our interpretation of the regulation regarding street-facing window coverage is that the 30% limitation applies to the *total* window area, rather than to each individual window panel. We respectfully request that this interpretation be accepted for the duration of the construction period.

The signage at 139 Main Street will also serve to redirect patrons clearly to the active entrance of the Savage Wonder Art Center located next door at 141 Main Street. It will include clear instructions indicating that there is no entry at 139 Main Street and guiding visitors appropriately.

This being said - we would like to request an additional wall sign along the back entrance of 139 Main Street for access to the 141 Main Street space in the rear. This will be above the allotted 10sqft wall signage given the request for a vertical sign on Main Street and will be affixed to the brick wall facing the parking lot in the back of our building.

We appreciate your consideration of this request as we work to ensure clarity, safety, and a positive visual presence during our renovation efforts.

Supporting Documents Submitted Herewith:

Renderings, updated and complete signage application, & scale photographs.

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: The Lindley LLC
(Applicant)

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

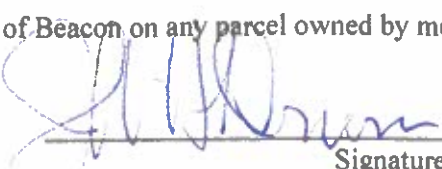
List all properties in the City of Beacon that you hold a 5% interest in.
 Please See Attached

Applicant Address: _____
 Project Address: 139 Main St., Beacon, NY 12508
 Project Tax Grid #: SQSY-27-758957
 Type of Application: Sign Permit

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

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

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



 Signature of Owner
member The Lindley LLC

 Title if owner is corporation

Beacon Property List

Location

Hudson Todd LLC
172 Main St
19 Paye St
10 Cross St
23 Beacon St
6 Commerce St
Beacon Todd LLC
18-20 W Main St
The Lindley LLC
1154 North Ave
13 W Church St
139 Main St / 141 Main St.
7 High St
Main St, The Lindley Todd LLC
134 Main St
142 Main St
144-146 Main St
150 Main St
152 Main St
160 Main St (unimproved)
127 Main St (unimproved)
129 Main St
131-137 Main St
145 Main St
149 Main St
15 W Church (unimproved)
17 W Church (unimproved)
19 W Church (unimproved)
23 W Church (unimproved)
9 Cross St
8 Cross St
12 Cross St
15 Paye Ave

FOR OFFICE USE ONLY
Application #

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

Telephone (845) 838-5000 * <http://beaconny.gov/>

ENTITY DISCLOSURE FORM

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

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-61.4 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

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

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

IF AFFIANT IS A CORPORATION:

Name of Entity The Lindley LLC	Telephone Contact Information 646-284-3118
Principal Place of Business of Entity NY	Place and Date of incorporation NY, NY 1998
Method of Incorporation LLC	Official place where the documents and papers of incorporation were filed NY County

[illegible]

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

Name	Address
Stn of Bethlehem Baptist Church	formerly 134 N.W. St. Benson, N.W. 37 Lamplight St. Benson, N.Y.

SECTION H. If the applicant is not a record owner of the subject property, describe the applicant's interest in the subject property and the relationship the applicant has to the record owner(s) of the subject property.

tenant

SECTION I. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application. Any sensitive or confidential information may be redacted from the contract prior to production.

SECTION J.

1. Where the record owner or contract vendee is a corporation, the following additional information shall be submitted:

Name of the Corporation	Telephone Contact Information
Principal Business Address	Place and Date of Incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

2. Please provide the following information for every incorporator, officer, director and shareholder of the corporation.

Name	Residence or business address	Telephone number

3. Have any shares of the stock of the corporation or of any stockholder been pledged, mortgaged or encumbered?

☐

YES

☒

NO

If so, please list the name and address of each person having, holding, owning or claiming any such interest.

Name	Address

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

☐

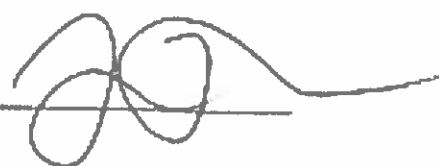
YES

☒

NO

I, Joseph Donovan being first duly sworn, according to law, deposes and says that I am (Title) member, an active and qualified member of the The Livery LLC, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) Joseph Donovan

(Signature) 

Descriptions and information of signage:

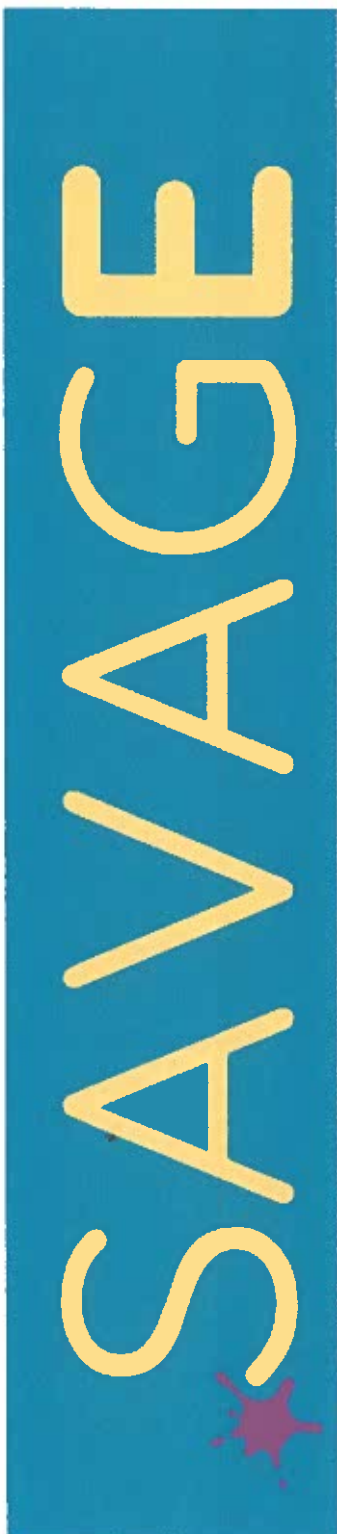
EXHIBIT A



EXHIBIT A.1
Right front of bank window



104" X 22 ½"

EXHIBIT A.2**Left front of bank window**

104" X 22 ½"

EXHIBIT A.3

Door window #1

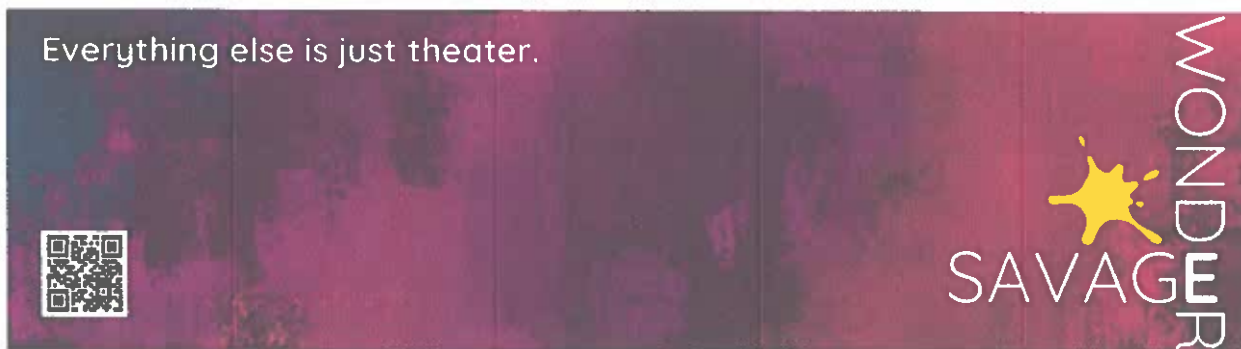
Door window #2



19" X 22"

19" X 22"

Window above door



64" X 17 1/2"

EXHIBIT B.1

Perpendicular Sign (on the bracket): .75" thick solid exterior grade PVC with full-color digitally printed vinyl graphics applied. Could also be .75" thick marine grade plywood primed and painted with acrylic polyurethane paint. Mounted with through-bolted stainless steel sign clips and quick links. The quick links have threaded barrels for a solid connection.



Please see the colors used on our vertical banner sign:

Red Berry #8B0000 •
Sherpa Blue #014D4E
Pigment Indego #4B0082

EXHIBIT B.2

Savage Wonder Hanging Sign



1x - Double Sided - 48"W x 48"H
Full Color Digitally Printed Vinyl Graphics with
Satin UV Protective Overlamine Applied to 3/4" White PVC Panel

Sign Installed with Through-Bolted Stainless Steel Sign Clips
and Quick Links onto Existing Hanging Bar



Project Manager: Tyson McCasland 845-331-8710 x1011

Drawn By: Reuben Cimitid 845-331-8710 x1012



Electrical to use U.L. Listed components
and shall meet all NEC Standards

Project: Hanging Sign

File Title: SW-HangingSign-FS.d

Date: May 23, 2025

Client Approval: _____

Date: _____

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*Please note that the colors represented on this proof are not exact representations of the finished product. All computer screens, cell phone screens and printers display colors in different manners. If exact colors are necessary for this project, the client may request a physical color sample for an additional fee.

EXHIBIT B.3

Savage Wonder Hanging Sign



Project Manager: Tyson McCasland 845-331-8710 x1011
Drawn By: Reuben Cimitiski 845-331-8710 x1012
 Underwriters Laboratories Inc. Electrical to use U.L. Listed components and shall meet all N.E.C. Standards

Project: Hanging Sign
File Title: SW-HangingSign-FS.ai
Date: May 23, 2025

Client Approval: _____
Date: _____

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EXHIBIT C

EXHIBIT C

Back of building: vinyl banner material with full-color digitally printed content, welded hems and grommets around the perimeter. Mounted with mechanical fasteners directly to the building.

Lettering Marquee mounted with mechanical fasteners directly to the building.





**City of Beacon
Building Department
One Municipal Plaza, Suite 4
Beacon, NY 12508
Phone: 845-838-5020 Fax: 845-838-5026**

*Bryan Murphy, Building Inspector
Email: bmurphy@beaconny.gov*

June 3, 2025

Savage Wonder Art Center
6 Commerce Street
Beacon, NY 12508

Re: 139 Main Street (SBL #5954-27-758957)

To Whom It May Concern:

Reference is made to your submission for a sign permit for 139 Main Street, Beacon, NY 12508. The property is located in the Central Main Street Zoning District (CMS) as well as the Historic District and Landmark Overlay Zone. (HDLO)

Please be advised that at this time, I must deny your application for the following reasons:

SIGN A:

1. Per §223-15 E. (5) Interior signs displayed through windows shall not require a permit under this section, and said signs shall not count toward maximum number of signs affixed to a building per establishment. However, interior window signs affixed to or placed so as to be visible through a window shall be limited to the windows of the structure within which the permitted use is situated, facing the principal street giving access to such structure. The total amount of signage shall not exceed 30% of the total glass area. All signs shall be maintained in a legible, neat and orderly fashion.

Although a sign permit is not required, the maximum amount of signage is 30% of the total glass area, your request is for 100% of each glass area. This would require a variance of 70% for each area.

SIGN B:

1. This proposed sign is compliant.



**City of Beacon
Building Department
One Municipal Plaza, Suite 4
Beacon, NY 12508**

Phone: 845-838-5020 Fax: 845-838-5026

*Bryan Murphy, Building Inspector
Email: bmurphy@beaconny.gov*

SIGN C

1. Per §223-15 E. (1) Not more than one sign affixed to the outer wall of the structure within which the permitted use is situated, which outer wall faces the principal street giving access to such structure, provided that:

The proposed sign would be your 2nd sign for the permitted use when one sign is allowed. The 2nd sign would require a variance. The proposed location would also require a variance for not facing the principal street.

2. Per §223-15 E. (1)(a) The aggregate area of each such sign shall not exceed one square foot for each linear foot of building facing the street.

The linear frontage is 53 feet, the proposed signage is 96 square feet, requiring a variance of 43 square feet. Please provide a clearer rendering of the 8'X 6' detail, I cannot determine if this is a sign or not.

3. Per §223-15 E. (1)(b) No such sign shall exceed two feet in height, except that a vertical projecting wall sign shall not exceed eight feet in height. A vertical projecting wall sign is defined as any sign which is attached to the building wall or structure which is perpendicular to the face of such wall or structure.

The proposed sign is 12 feet in height; the maximum allowed is 2 feet. This would require a 10-foot variance.

You have the right to appeal this decision to the Zoning Board of Appeals. Forms and instructions for filing an appeal are available on the City of Beacon website or in the Building Department.

Bryan Murphy
Bryan Murphy
Building Inspector/Zoning Administrator
NYS Certification #0312-0024