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

December 1, 2025
7:00 PM
City Council Agenda

Call to Order

Pledge of Allegiance

Roll Call

Community Segment

Fishkill Creek Watershed Alliance Presentation

Public Comment

Public Hearings

Public Hearing for a Proposed Local Law Concerning the Transit Station District

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 110 - Adopting Local Law No. 13 of 2025 Concerning the Transit Station District

Approval of Minutes

1. November 17, 2025 Minutes

Public Comment - Second Opportunity

Announcement of Next Workshop: December 8, 2025 at 7:00 p.m.

Adjournment

City of Beacon City Council Agenda
12/01/2025

Title:

Fishkill Creek Watershed Alliance Presentation

ATTACHMENTS

Fishkill Creek Watershed Alliance - Presentation Slide Deck

Fishkill Creek Watershed Alliance - Monitoring Report

Fishkill Creek
Watershed Alliance
FISHKILL CREEK
WATERSHED
PROTECT | PRESERVE | RESTORE

Lenape-Munsee

Algonquin

Tioronda

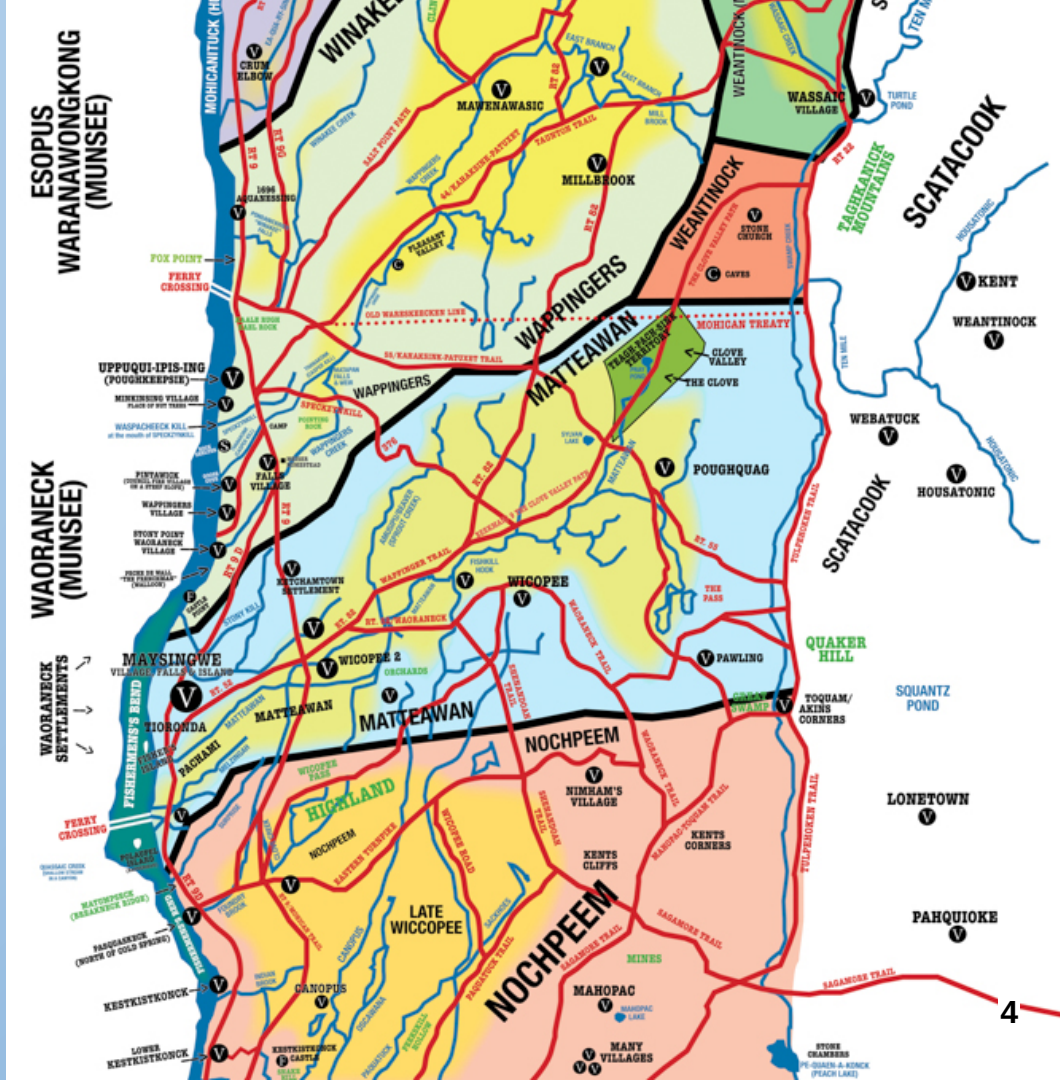
8000 YEARS OF HISTORY

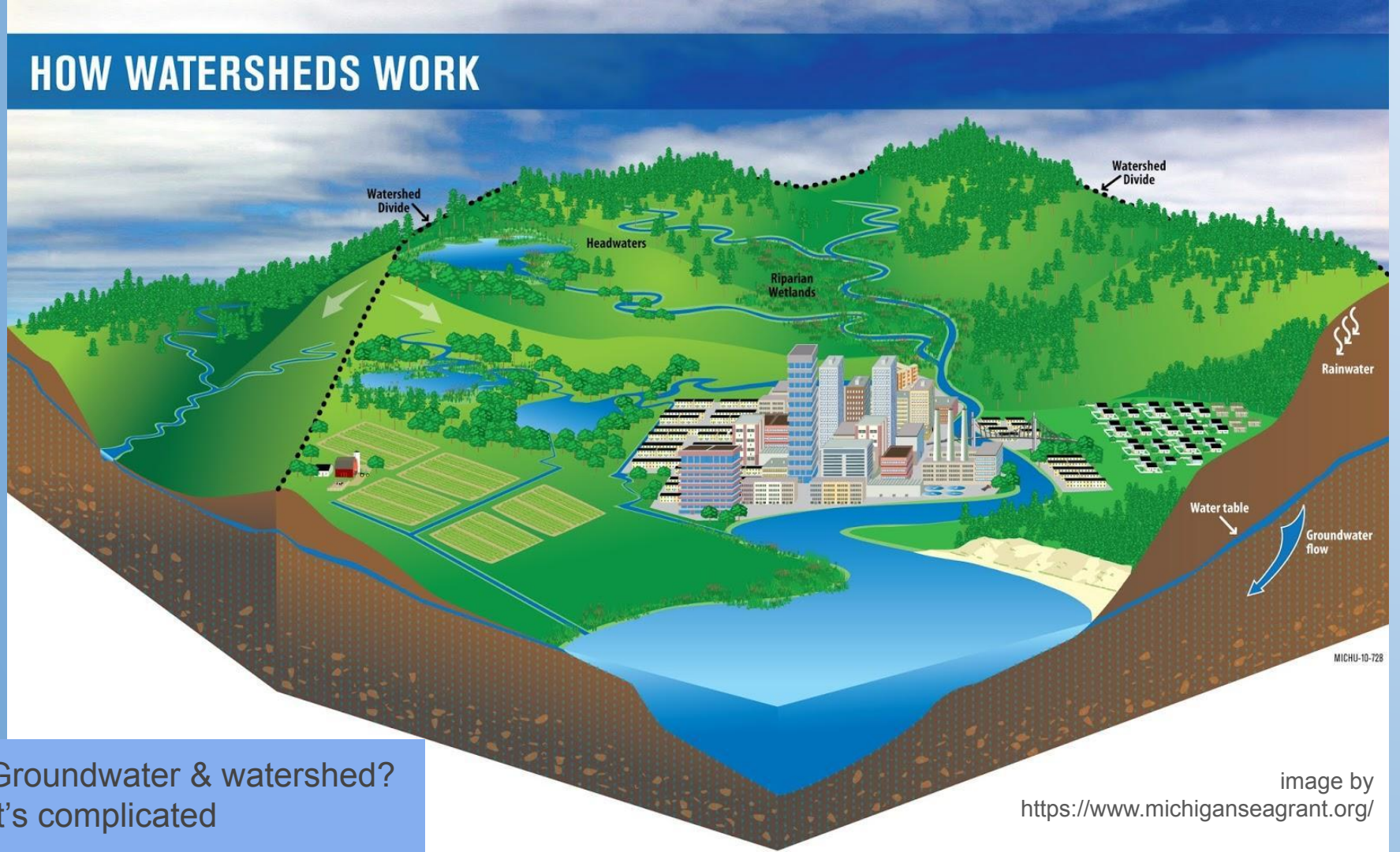
Daniel Nimham

The Wappinger

The Mohican Trail

Mettawan



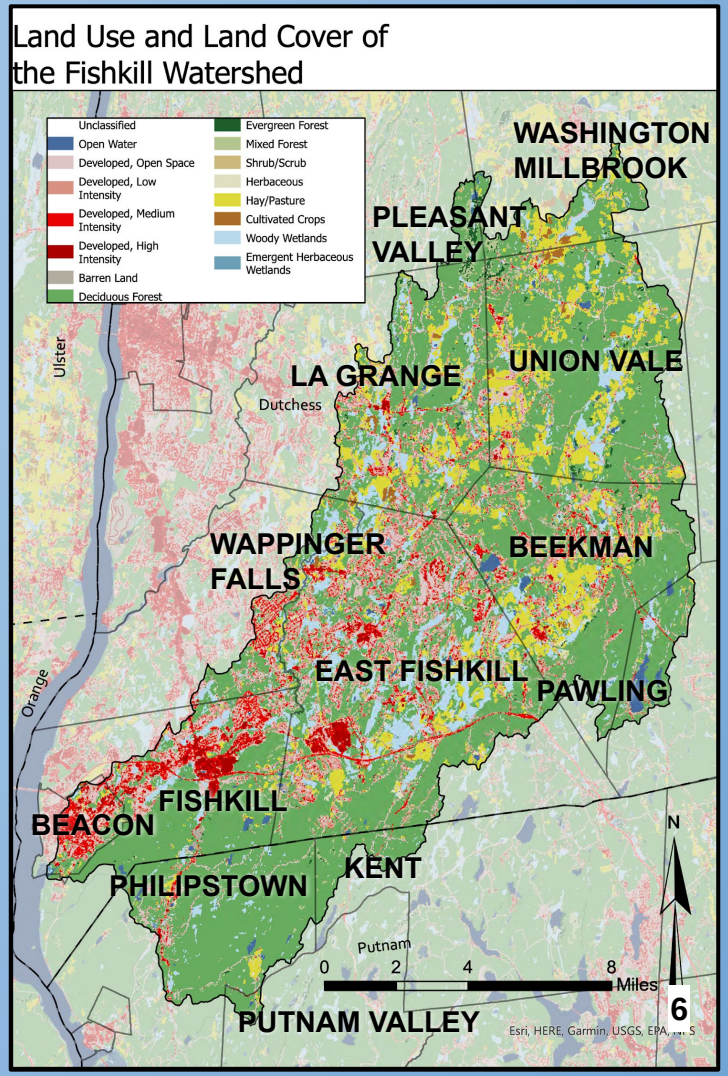


Groundwater & watershed?
It's complicated

image by
https://www.michiganseagrant.org/

FISHKILL CREEK WATERSHED: FACTS

- 193 square miles
- 338 miles of tributaries within the watershed
- The mainstem of Fishkill Creek - 33.5 miles
- Longest tributary is Sprout Creek - 18.5 miles
- 1,575 acres of ponds or lakes, with wetlands - about 9.8% of the total watershed area
- Forests cover - 50%



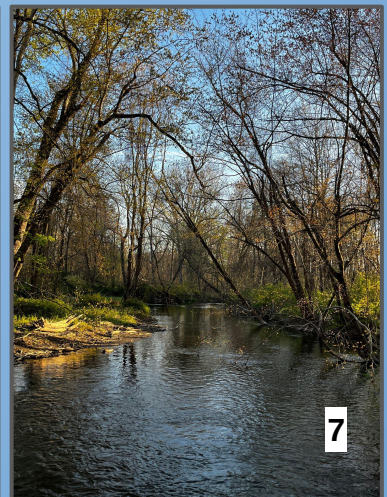
TIORONDA - METTAWAN - VIS KYL - *FISHKILL CREEK*

Mettawan - “trout stream”

Matteawan - "humble little stream"

Tioronda - “little water that flows into big water”

Vis Kyl - Fish Creek



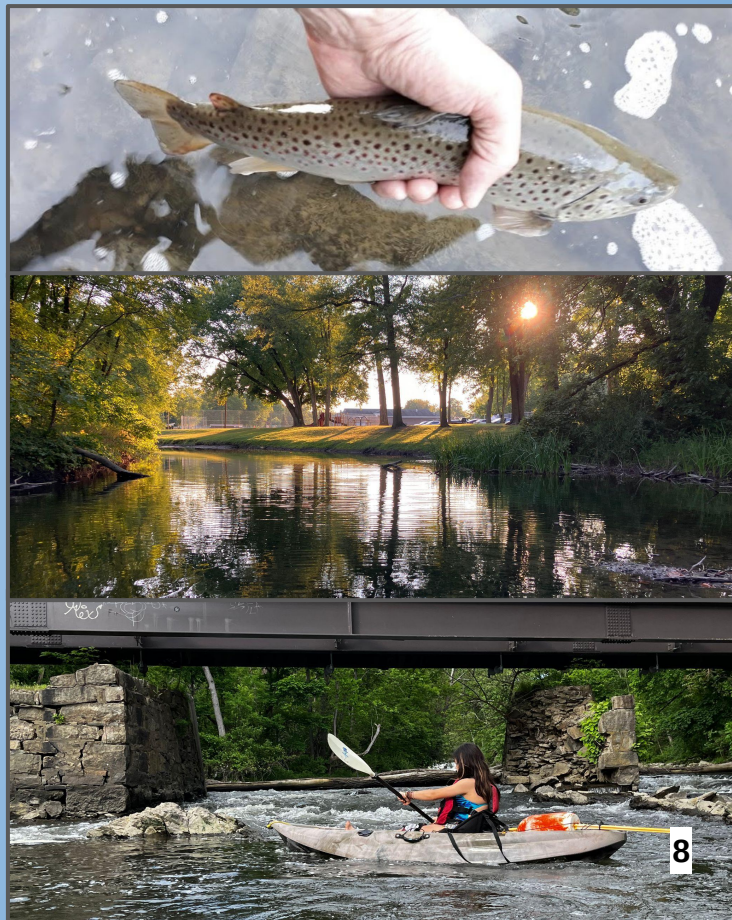
FISHKILL CREEK: SHARED RESOURCE

Fishing: *Smallmouth Bass, Rock Bass, Sunfish of All Kinds, Yellow Perch, Brown Trout, Carp*

Parks: *Madam Brett Park, Rocky Glen Park, Forest Beach at Hopewell Rec, Jean Van Pelt Park, Sarah Taylor Park, Tymor Park*

Kayaking: *Fishkill Creek estuary to Sucker Falls, Brinckerhoff to Van Pelt Park, Hopewell Rec to Brinckerhoff*

Trails, birding, cycling, etc.



FISHKILL CREEK: MAJOR STRESSORS

- NPS (Nonpoint Source) Pollution - that does not originate from a single discrete source
- Dams
- Development encroachment on riparian buffers and wetlands
- Legacy and current industrial pollution
- Loss of native vegetation and spread of invasive species
- Improper stormwater management
- Erosion and flooding
- Garbage
- Emerging pollutants: PFAS, microplastics, etc

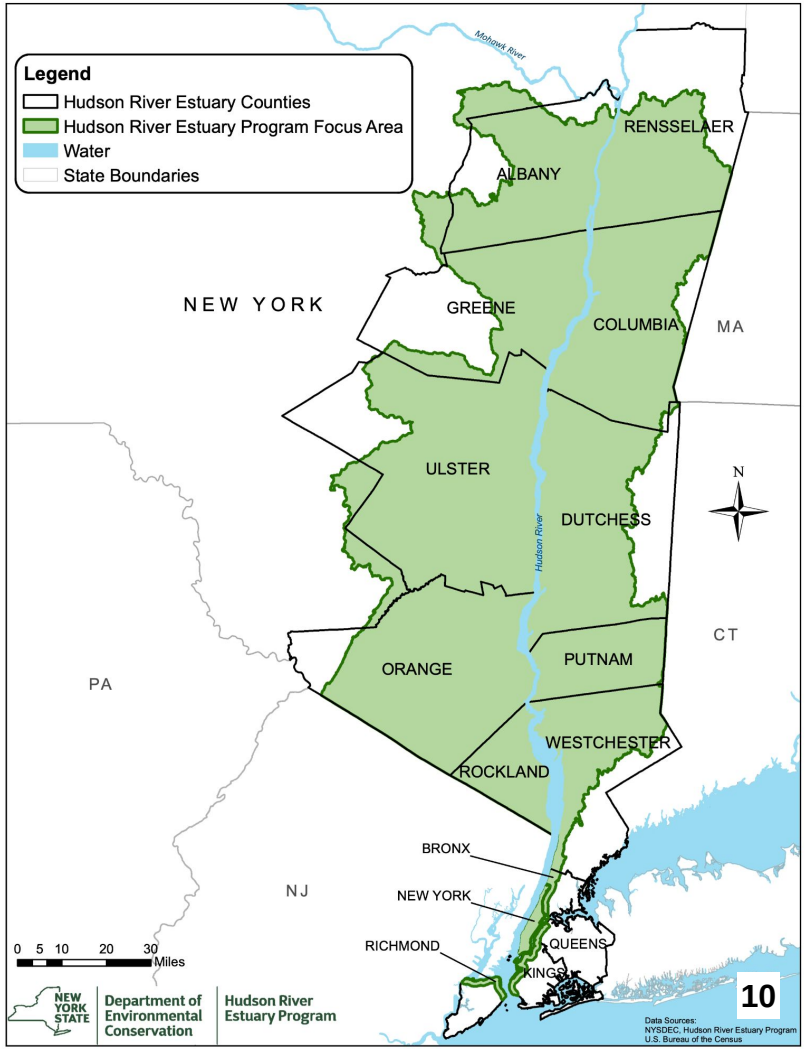
HUDSON RIVER ESTUARY

DEC Hudson River Estuary Program, 1987 Act

Tidal Hudson and its surrounding watershed from the federal Lock and Dam in Troy to the Verrazano Narrows

2021-2025 Hudson River Estuary Action Agenda

- A Vital River Ecosystem
- A Thriving and Resilient Watershed
  – *Healthy and Resilient Tributaries*
- People Living Well with Nature:
  Recreation, Education, and Inspiration



HUDSON RIVER ESTUARY: WHY WATERSHED GROUPS

DEC Estuary Action Agenda:

“The presence of active watershed groups has been associated with improved water quality in many places, and supporting them is an opportunity for improved stewardship.”

DEC supports groups by:

Grant Programs: Hudson River Estuary Grants, Watershed Research Grants

Technical Support: development of watershed characterization, capacity building, networking and resource sharing

Restoration: trees for tribs, dam removal

- Community Led Groups - Wallkill, Quassaick
- Intermunicipal Councils - Hudson 7, Wappinger
- Coalition Groups - Mohawk River, Fall Kill
- Ulster County Planning Dept - Lower Esopus
- Municipality led - Peekskill Hollow Brook

- Counties’ Planning Departments role

- Fishkill Creek Watershed Association

FISHKILL CREEK WATERSHED ALLIANCE: INTRO

Fishkill Creek Watershed Alliance - started in 2021 as collaboration between chairs of East Fishkill and Beacon Conservation Advisory Committees.

Convened around 40 people from across the watershed for a 3 day Land Use training for watersheds in 2023 with DEC HREP grant

Formed a volunteer group in summer 2023

Wave Maker Award Sergei Krasikov recognized in 2024 for the watershed organizing work

Incorporated as a 501c3 in spring 2025

Brent Feldweg and Sergei Krasikov
Sloop Club in Beacon

FISHKILL CREEK WATERSHED ALLIANCE: WORK SCOPE

study the watershed | form partnerships | engage community | build the organization

Watershed Characterization project and Culvert Assessment. Supported by DEC HREP and private grants. Beacon Institute, Siena College, HRWA, DEC, Water Resource Institute

Water quality sampling. Enrolled Fishkill Creek in a competitive DEC regulatory 2 year monitoring. Launched community water sampling with Bard Community Sciences Lab and Vassar Dept of Environmental Studies, Vassar CEL program

Institutional cooperation: Beacon Institute, Riverkeeper, Sloop Club, Riverpool, Cary Institute, HHLT, Scenic Hudson, DEC Estuary Program, Trout Unlimited, ADK, Hudson River Watershed Alliance, Vassar, Siena and Bard Colleges, other watershed groups

Inland Waterway Designation of Fishkill Creek. Successfully petitioned Senator Rollison and Assemblyperson Beephan to sponsor an amendment, passed State Senate and Assembly in 2025

Community outreach and education: tabling, education walks, newsletters, sampling, presentations, trees for tribs, clean ups, restoration planting, development and preservation

Alliance: Incorporated as a 501c3 in spring 2025. Selected for strategic work plan development and capacity building tech assistance program. Selected by Pro Bono Partnership for 5 years pro bono legal assistance. Applied for HREP grant to add a part time paid Watershed Coordinator position

FISHKILL CREEK WATERSHED ALLIANCE: LOOKING BACK

FISHKILL CREEK WATERSHED ALLIANCE: WATER QUALITY

Community samling program

- Seven sites from Union Vale to Madam Brett
- Several dozen volunteers including high school students
- Processing: Bard - FIB & nutrients, Vassar - heavy metals

Key Findings

- FIB - strong correlation with rain, primarily surface
- Metals - mostly within drinking water standards
- HAB - not observed

DEC Monitoring Unassessed Stream Segments

- 2 year monitoring of Upper and Middle Section, finished
- DEC Environmental Resource Mapper
- Possible reclassification

Beacon Institute Study Microplastics in Fishkill Creek

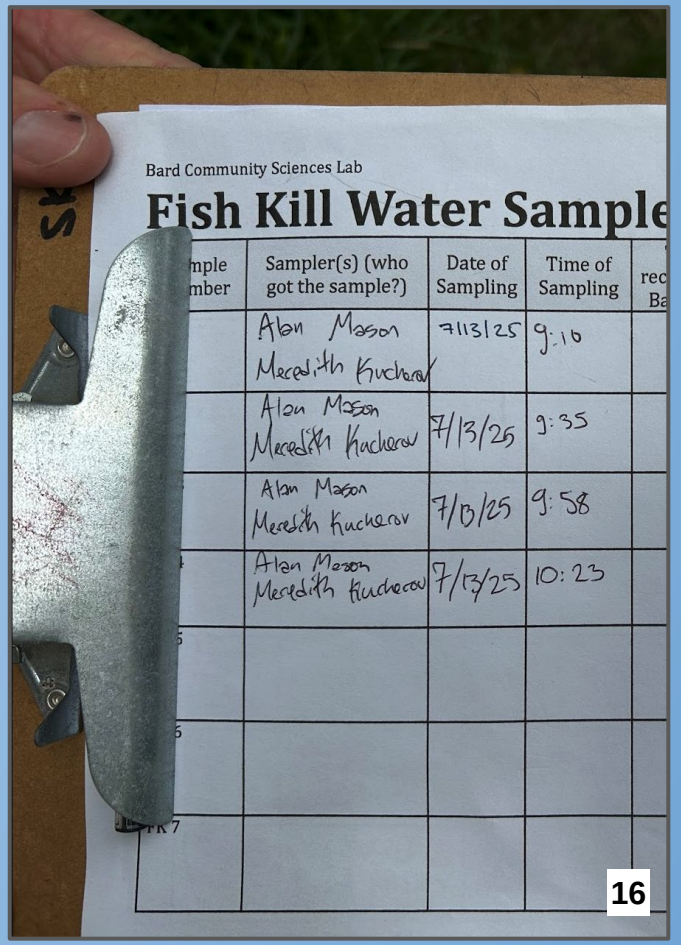
- K-12 students helped sample at three locations
- Physical and chemical properties characterized
- Pressing need for mitigation strategies

FISHKILL CREEK WATERSHED ALLIANCE: WATER QUALITY

Understanding Our Bacterial Indicators

We test both **E. coli** and **enterococci** because they serve as complementary indicators of fecal contamination, each with unique advantages for protecting public health.

E. coli is specific to **fecal material from humans** and other warm-blooded animals. **Enterococci** showing greater **resistance to environmental stresses** and **wastewater treatment practices** than E. coli, making them a useful complementary indicator.



EXAMPLE

FIB Report

JULY 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

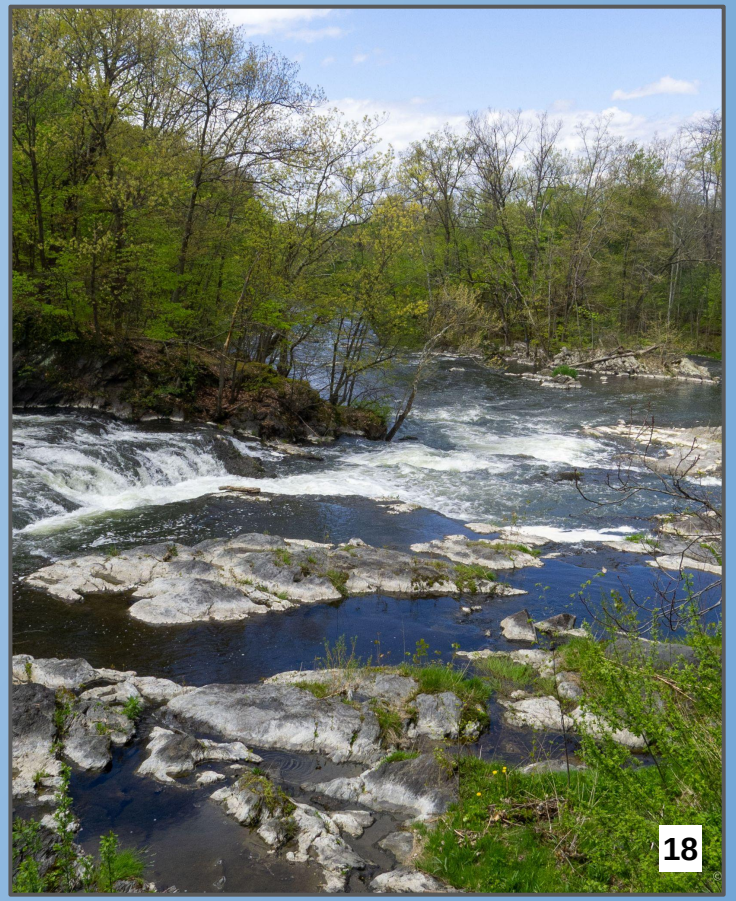
Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	20	Under	Under	43	Under	Under
FK 2	41	Under	Under	22	Under	Under
FK 3	52	Under	Under	218	3.6x over	1.7x over
FK 4	85	Under	Under	39	Under	Under
FK 5	109	Under	Under	59	Under	Under
FK 6	238	1.0x over	Under	93	1.5x over	Under
FK 7	591	2.5x over	1.4x over	58	Under	Under

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
July 7	0	0	0
July 8	0.01	0.02	0.97
July 9	0.08	0	0.05
July 10	0.01	0.03	0.49
July 11	0	0	0.01
July 12	0	0	0
July 13	0	0	0
TOTAL	**0.85**	**1.69**	**0.93**

FISHKILL CREEK WATERSHED ALLIANCE: 2026

- FIB and nutrient sampling, FIB source tracking - collaboration with Riverkeeper
- Water Quality Reports
- Replicate MUSS sampling on lower Fishkill Creek with Riverkeeper & Beacon Institute (if we win HREP grant)
- Partnership with Mid Hudson ADK chapter to restart clearing the creek for paddling
- Joint fundraising event with HRWA
- Joint public presentation with Quassaick Creek Watershed Alliance at a local event
- Continue Watershed Characterization project
- Continue organizational capacity building

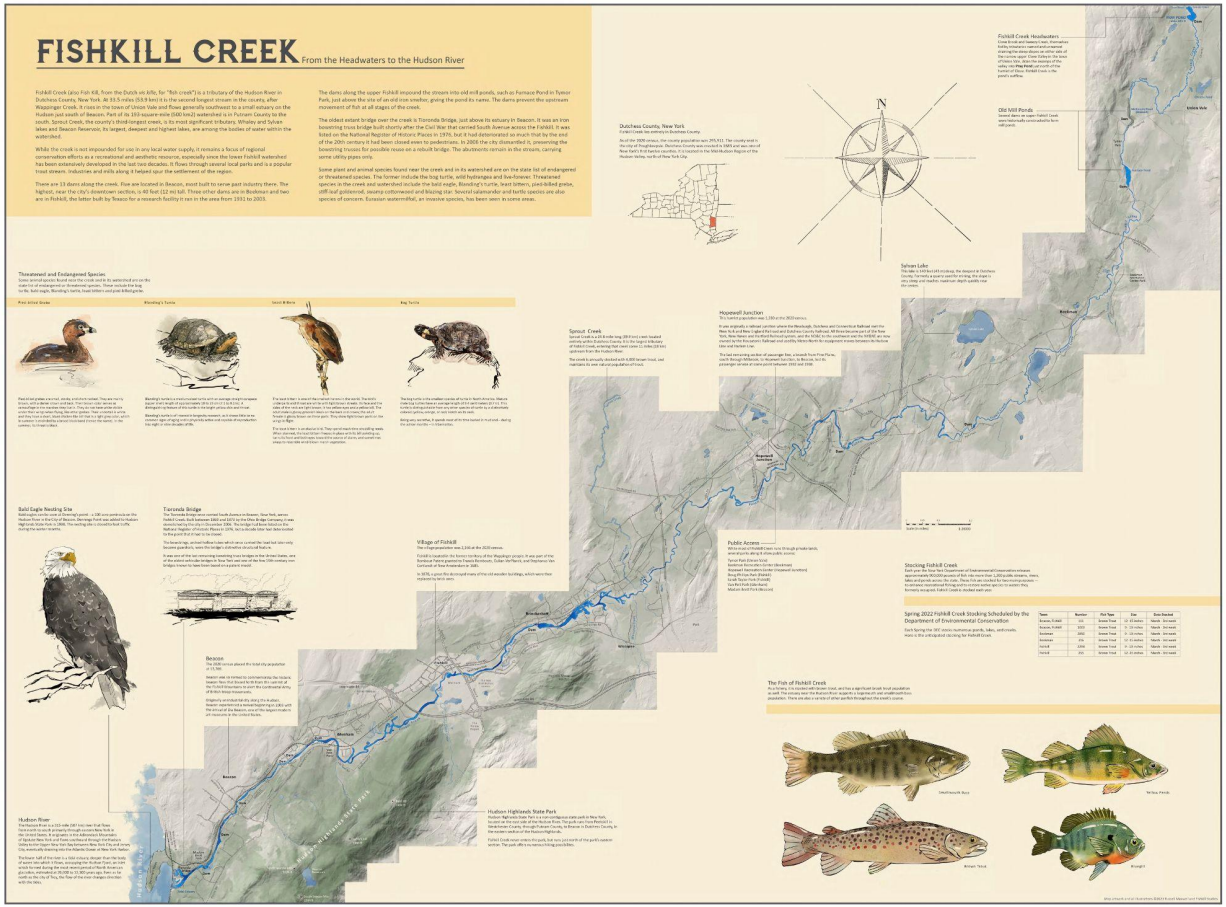


THANK YOU

Volunteers Always Needed

More info:

www.fishkillwatershed.org



Map by Russ Maxwell

Fishkill Creek Water Quality Monitoring - 2025

Swimming Water Quality Standards for Monthly Sampling

Monthly Monitoring Program: Since we conduct monthly sampling, we use NY DOH single sample maximum standards for compliance assessment, with EPA acute risk thresholds (STV - Statistical Threshold Value) for additional health context.

NY DOH Compliance Standards	**EPA Acute Risk Reference**
- E. coli: 235 CFU/100mL (single sample maximum)	**- E. coli:** 410 CFU/100mL (STV - acute illness risk threshold)
- Enterococcus: 61 CFU/100mL (single sample maximum)	**- Enterococcus:** 130 CFU/100mL (STV - acute illness risk threshold)
NY State Sanitary Code Subpart 6-2 - Primary standards for monthly monitoring	*Additional context for immediate health risk assessment*

These are our sampling sites. Google map of all sites here.

FK1. Madam Brett Park, Beacon

FK2. Upstream of Groveville Dam, The Whites/ Rocky Glen, Beacon

FK3. Jean Van Pelt Park, Old Glenham

FK4. Sarah Taylor Park, Town of Fishkill

5. Hopewell Beach, Hopewell Junction

6. "Trout spot" on Phillips Rd, Stormville

7. Tymor Park, Union Vale

To learn more: https://www.fishkillwatershed.org/creek-testing

Understanding Our Bacterial Indicators

Why We Test Both E. coli and Enterococcus

We test both E. coli and enterococcus because they serve as complementary indicators of fecal contamination, each with unique advantages for protecting public health. Although generally not harmful themselves, they indicate the possible presence of pathogenic (disease-causing) bacteria, viruses, and protozoans that also live in human and animal digestive systems.

E. coli is specific to fecal material from humans and other warm-blooded animals. Enterococci showes greater resistance to environmental stresses, salt and wastewater treatment practices than E. coli, making them a useful complementary indicator.

Data Disclaimer

The fecal indicator bacteria (E. coli and enterococci) data collected by the Fishkill Creek Watershed Alliance is generated through volunteer monitoring efforts for research and informational purposes only. This data should not be used to make decisions about water safety or recreational use. Our monitoring efforts are intended to support watershed characterization, identify pollution trends, and inform further investigation by regulatory agencies.

MAY 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	355	1.5x over	Under	361	5.9x over	2.8x over
FK 2	231	Under	Under	260	4.3x over	2.0x over
FK 3	226	Under	Under	361	5.9x over	2.8x over
FK 4	341	1.5x over	Under	317	5.2x over	2.4x over

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
May 5	0.84	1.25	0.89
May 6	1.52	0.7	0.53
May 7	0.19	0.13	0.1
May 8	0	0	0.01
May 9	0.74	0.65	0.51
May 10	1.48	1.35	1.62
May 11	0	0	0
TOTAL	**4.77**	**4.08**	**3.66**

JUNE 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	663	2.8x over	1.6x over	2420	>40x over	>19x over
FK 2	2402	10.2x over	5.9x over	1733	28.4x over	13.3x over
FK 3	9804	41.7x over	23.9x over	2420	>40x over	>19x over
FK 4	2933	12.5x over	7.2x over	2420	39.7x over	18.6x over
FK 5	1910	8.1x over	4.7x over	1046	17.1x over	8.0x over
FK 6	1580	6.7x over	3.9x over	1046	17.1x over	8.0x over
FK 7	4366	18.6x over	10.7x over	2420	39.7x over	18.6x over

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
June 2	0.03	0.02	0.04
June 3	0	0	0
June 4	0	0	0
June 5	0	0	0
June 6	0	0	0
June 7	0.34	0.34	0.47
June 8	0.48	1.33	0.42
TOTAL	**0.85**	**1.69**	**0.93**

JULY 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	20	Under	Under	43	Under	Under
FK 2	41	Under	Under	22	Under	Under
FK 3	52	Under	Under	218	3.6x over	1.7x over
FK 4	85	Under	Under	39	Under	Under
FK 5	109	Under	Under	59	Under	Under
FK 6	238	1.0x over	Under	93	1.5x over	Under
FK 7	591	2.5x over	1.4x over	58	Under	Under

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
July 7	0	0	0
July 8	0.01	0.02	0.97
July 9	0.08	0	0.05
July 10	0.01	0.03	0.49
July 11	0	0	0.01
July 12	0	0	0
July 13	0	0	0
TOTAL	**0.85**	**1.69**	**0.93**

AUGUST 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	462	2x over	1.1x over	63	1x over	Under
FK 2	97	Under	Under	38	Under	Under
FK 3	148	Under	Under	86	1.4x over	Under
FK 4	199	Under	Under	67	1.1x over	Under
FK 5	158	Under	Under	80	1.3x over	Under
FK 6	175	Under	Under	130	2.1x over	1.0x over
FK 7	624	2.7x over	1.5x over	238	3.9x over	1.8x over

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
July 28	0.03	0	0
July 29	0	0	0
July 30	0	0	0.1
July 31	1.23	0	2.69
Aug 1	0	2.45	0.06
Aug 2	0	0	0
Aug 3	0	0	0
TOTAL	1.49	2.45	3.25

SEPTEMBER 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	31.0	Under	Under	771.0	12.6x over	5.9x over
FK 2	110.0	Under	Under	487.0	8x over	3.7x over
FK 3	86.0	Under	Under	374.0	6x over	2.9x over
FK 4	31.0	Under	Under	631.0	10.3x over	4.9x over
FK 5	181.0	Under	Under	987.0	16x over	7.6x over
FK 6	364.0	1.5x over	Under	1850.0	30.3x over	14.2x over
FK 7	86.0	Under	Under	495.0	8x over	3.8x over

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
Sept 9	0	0	0
Sept 9	0.9	0	0.4
Sept 10	0	0	0.03
Sept 11	0	0	0
Sept 12	0	0	0
Sept 13	0	0	0
Sept 14	0	0	0
TOTAL	1.49	0	0.43

OCTOBER 2025 SAMPLING

Bacteria results vs Swimming Standarts (Monthly Sampling Program)

Site	E. coli (CFU/100mL)	NY DOH Standard (235/100mL)	EPA STV (410/100ml)	Enterococcus (CFU/100mL)	NY DOH Standard (61/100ml)	EPA STV (130/100ml)
FK 1	31.0	Under	Under	355.0	5.8x over	2.7x over
FK 2	52.0	Under	Under	2978.0	49x over	22.9x over
FK 3	107.0	Under	Under	1287.0	21x over	9.9x over
FK 4	31.0	Under	Under	724.0	11.9x over	5.6x over
FK 5	98.0	Under	Under	808.0	13x over	6.2x over
FK 6	670.0	1.5x over	Under	6488.0	106x over	49.9x over
FK 7	216.0	2.8x over	Under	1594.0	26x over	12x over

Rainfall Week Before Sampling

Date	Beacon	Hopewell Jct	Millbrook
Sept 9	0	0	0
Sept 9	0	0	0
Sept 10	0	0	0
Sept 11	0	0	0
Sept 12	0	0	0
Sept 13	0	0	0
Sept 14	0	0	0
TOTAL	0	0	0

Algae Summary (May–October 2025)

Overview
Chlorophyll-a and phycocyanin readings tracked from May through October show a bimodal seasonal pattern, with peak biomass in June and again in October. The headwater sites (FK7–FK6) consistently recorded the highest pigment values, suggesting that upper-creek impoundments and slow-moving reaches serve as primary bloom zones.

Findings

- June bloom: Chlorophyll-a 1.8–3.6 RFU; phycocyanin up to 0.11 RFU. Conditions > 24 °C and post-spring runoff favored algal growth.

- July–August: Decline to < 0.5 RFU as flushing and canopy shading increased.

- October: Secondary bloom (chl-a > 1.5 RFU, phycocyanin ~ 0.09 RFU) likely driven by leaf-litter decomposition, mild temperatures, and nutrient release.

- Spatial trend: Pigment intensity decreases downstream toward the estuary (FK1–FK2), where flow and mixing dilute biomass.

Metals & Chemical Summary (June–August 2025)

Overview

Surface-water samples analyzed by FCWA and partner labs (Vassar College, June & July 2025) show no metals or chemical concentrations of concern for primary-contact recreation. All toxic metals remain well below EPA and NY DOH benchmarks.

Findings

Parameter	Peak Value	Benchmark	% of Limit	Comment
Arsenic	0.7 µg/L (Vassa	10 µg/L MCL	7 %	Very low
Lead	< 0.1 µg/L	15 µg/L MCL	< 1 %	Non-detect
Manganes	137 µg/L	300 µg/L HA	46 %	Natural iron source
Iron	177 µg/L	300 µg/L SMCI	59 %	Aesthetic only
Zinc	35 µg/L	5000 µg/L SMC	< 1 %	Trace
Copper	0.7 µg/L	1300 µg/L AL	< 1 %	Trace

City of Beacon City Council Agenda
12/01/2025

Title:

Public Hearing for a Proposed Local Law Concerning the Transit Station District

ATTACHMENTS

Draft Local Law Concerning the Transit Station District

Schedule of Use Regulations

Schedule of Dimensional Regulations

Draft Local Law Concerning the Transit Station District - Full EAF Parts 2-3

Draft Local Law Concerning the Transit Station District - Full EAF Part 3, Attachment

City of Beacon Planning Board Memorandum Regarding Proposed Local Law Concerning the Transit Station District

Dutchess County Planning Memorandum Regarding Proposed Local Law Concerning the Transit Station District

City of Beacon Zoning Map

PROPOSED LOCAL LAW NO. ___ OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE CONCERNING THE TRANSIT~~IN~~ STATION (TS) DISTRICT

A LOCAL LAW to amend Chapter 223 of the Beacon City Code concerning the change of the Waterfront Development (WD) Zoning District into the Transit~~in~~ Station (TS) District .

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

Section 1. Chapter 223 of the Beacon City Code, Article II – Establishment of Districts; Map; Boundaries, Section 223-2 entitled "Establishment of Districts," Subsection E is hereby amended as follows:

§ 223-2 **Establishment of districts.**

...

E. ~~WD Waterfront Development~~TS Tra~~i~~nsit Station District ~~Zone~~.

...

Section 2. Chapter 223 of the Beacon City Code, Article II – Establishment of Districts; Map; Boundaries, Section 223-3 entitled "Zoning Map" is hereby amended to change the name of the "Waterfront Development" and "WD" zoning district labels shown on the Zoning Map of the City of Beacon to the "Tra~~i~~nsit Station District" and "TS" zoning district, respectively, and in each instance.

Section 3. Article IVA of Chapter 223 of the Beacon City Code entitled "Waterfront Zones" is hereby renamed as follows:

Article IVA **Waterfront ~~Zones~~ and Tra~~i~~nsit Station Area**

Section 4. Chapter 223 of the Beacon City Code, Article IVA – Waterfront and Tra~~i~~nsit Station Area, Section 223-41.4 entitled "Waterfront Development (WD) Zone is hereby renamed to the "Tra~~i~~nsit Station (TS) District" and amended as follows:

§ 223-41.4 ~~Waterfront Development (WD) Zone~~Trainsit Station (TS) District .

This article establishes a comprehensive review for land uses in the Trainsit Station (TS) District. Development within the TS shall be governed by this article, except to the extent that this article specifically incorporates by reference other sections of this chapter. In the event that any other provision of this chapter is inconsistent with the provisions of this article, then the provisions of this article shall control.

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A. Purpose. The purposes of this section shall be as follows:

(1) To encourage compact, mixed-use, pedestrian-oriented development near transit facilities that supports increased mobility, housing choice, and economic vitality while balancing automobile dependence~~stimulate the revitalization of the City and its waterfront by establishing a well-designed central focus for the City's waterfront area~~.

(2) To provide for land uses consistent with the Beacon Local Waterfront Revitalization Plan and Comprehensive Plan, including residential and ~~waterfront~~ commercial uses, to serve as a catalyst for the economic and physical revitalization of the entire waterfront area.

(3) To encourage a mix of uses ~~on the waterfront~~ with a consistent set of design standards to assure a unified and comprehensively planned development that will function effectively and achieve a high standard of site planning and architectural design.

(4) To eliminate deteriorated structures and incompatible, visually unattractive or otherwise deleterious land uses.

(5) To increase pedestrian public access to, and the potential for the enjoyment of, the waterfront and public park(s) and to integrate that access with existing and anticipated pedestrian public access opportunities on adjacent public lands.

B. Permitted principal uses. Permitted principal uses shall be those uses listed in the Schedule of Uses ~~as follows, subject to a requirement that a minimum of 25% of the total development's floor area within 400 feet of the train station shall be permitted nonresidential uses, not including artist live/work spaces~~. Additionally, the City Council may permit by resolution other uses which are similar to those uses permitted in the Schedule of Uses within the TS District. The initial application for any proposed development shall also include a discussion of the consideration of commercial uses on the ground floor. While a commercial use is not required, the City encourages appropriately sized supportive uses in this District, when feasible.~~, which must be built out before or concurrently with any residential development of the site:~~

~~**(1)** Any principal use permitted in the WP Zone.~~

~~(2) Residential multifamily dwelling unit.~~

~~(3) Convenience retail and personal service shop designed to serve the needs of area residents and commuters.~~

~~(4) Restaurant, bar, or brew pub.~~

~~(5) Inn, hotel, fitness center, spa, or day-care centers.~~

~~(6) Art, craft, or fine arts gallery.~~

~~(7) Office. The Planning Board may limit the extent of office uses on the first floor, depending on the building location within the overall development.~~

~~(8) Professional, small business and service facilities in the lower floors of multistory residential buildings.~~

~~(9) Artist live/work spaces.~~

~~(10) Public square, plaza, promenade, or pocket park.~~

~~(11) Public or semipublic use; live theater, concert hall, museum, or meeting room suitable for social, civic, cultural or education activity.~~

~~(12) Conference space or conference center.~~

~~(13) Microbrewery or microdistillery.~~

~~(14) Other use similar to the above uses as determined by resolution of the City Council.~~

~~(15)~~(1) ~~Wireless telecommunication services facilities, subject to § 223-26.4.~~

~~C. Special permit uses. The following uses may require a special permit:~~

~~(1) (Reserved)~~

~~D.~~C. Permitted accessory uses. Permitted accessory uses shall be as ~~follows:~~set forth in the Schedule of Uses.

~~(1) Public festivals, street fairs, craft and art fairs and concerts. (Requires prior approval from City Council under § 23-7 of the City Code.)~~

~~(2) Uses customarily incidental to permitted uses, and support facilities necessary to serve permitted uses.~~

~~(3) Public garages and off-street parking.~~

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~~(4) Enclosed storage.~~

~~(5) Rooftop gardens, greenhouses and solar collectors.~~

~~(6) Public or semipublic accessory uses, such as bandshells, kiosks and gazebos.~~

~~(7) Short-term rentals in any dwelling unit, or room(s) therein, located in a one-family home, two-family home, accessory apartment, or multifamily dwelling, as provided in § 223-26.5.~~

~~E. Procedure for review of waterfront development proposals.~~

~~(1) Each waterfront development project shall require:~~

~~(a) Special permit approval by the Planning Board; and~~

~~(b) Site plan approval by the Planning Board.~~

~~(2) The Planning Board's review of a special permit application for a waterfront development project or projects shall also include review of a waterfront development concept plan, which contains a proposed designation of the appropriate land uses, or a range of land uses, for the overall development of the site. The purpose of this review is to assure that the site will be developed in accordance with an overall comprehensive plan, even though the total waterfront development may consist of several separate waterfront development projects, which might be constructed at different times.~~

~~F. Application fees. Applications to the Planning Board as provided herein shall be accompanied by the appropriate fees which may be set from time to time by the City Council for such applications. If such fees are not sufficient to defray the costs of review, the applicant shall also be required to pay such additional fees as may be necessary for the reasonable expenses of technical assistance to the City in reviewing the technical aspects of the application.~~

~~G. Procedure for special permit and waterfront development concept plan review.~~

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~~(1) Application. The application for a waterfront development special permit for one or more waterfront development projects shall be submitted to the Planning Board. The application shall consist of narrative text, drawings and/or illustrations describing the proposed waterfront development project and concept plan. Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing, or a final site plan. The application shall include the following:~~

~~(a) A written description of the waterfront development project(s) and concept plan and a description of the manner in which such proposal~~

~~meets the purposes of the Waterfront Development Zone; how it is consistent with the City of Beacon Local Waterfront Revitalization Plan; and describing the manner in which the public interest would be served by the proposed waterfront development, including the description of the benefits to the City as a whole and the waterfront neighborhood.~~

~~**(b)** A land use plan showing the various proposed land uses and their spatial arrangement, including the proposed general location of buildings, parking areas, public, community and/or recreation facilities, utility and maintenance facilities and open space.~~

~~**(c)** An indication of the approximate square footage of buildings and the approximate number of dwelling units of each housing type and size.~~

~~**(d)** An indication of the appropriate number of parking and loading spaces in relationship to their intended use, accompanied by a description of any alternative means of parking to be utilized.~~

~~**(e)** A general indication of any phasing of construction.~~

~~**(f)** The general configuration of the interior road system and connection/access to the adjoining road system.~~

~~**(g)** Waterfront development concept plan showing the relation of the proposed uses to existing and proposed uses adjacent to the site.~~

~~**(h)** The general configuration of the pedestrian circulation system, including the general location of any public access to or along the riverfront, and the connection of such pedestrian passageways to adjoining properties.~~

~~**(i)** The proposed architectural treatment of views and viewing points from the site to the Hudson River; to the site from the Hudson River and from Riverfront Park and Dennings Point; and over the site from any viewsheds identified in the LWRP.~~

~~**(j)** Descriptions, sketches and elevations showing the general architectural treatment and design scheme contemplated for the entire development and specifically for any public spaces or major elements of the site plan.~~

~~**(k)** Such additional information as the Planning Board may deem necessary in order to properly evaluate the application.~~

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~~(2) Planning Board review of special permit and waterfront development concept plan application.~~

~~(a) Environmental compliance.~~

~~[1] The approval of a waterfront development project is an action under the State Environmental Quality Review Act, and all proceedings to review such project shall comply with applicable requirements of SEQR.~~

~~[2] Upon receipt of an application for a special permit and waterfront development concept plan, the Planning Board shall commence a coordinated review under SEQR and institute lead agency procedures after identifying all involved and interested agencies, as provided by law.~~

~~[3] Because any waterfront development will constitute an important element in the implementation of the City's Local Waterfront Revitalization Plan, the preparation of a Draft Environmental Impact Statement shall be required by the lead agency. Such DEIS shall comply with all requirements of law. To the extent possible in accordance with law, the DEIS submitted in connection with the special permit and waterfront development concept plan approval shall be sufficiently specific so as to eliminate the need for additional and/or supplemental DEIS's during the site plan stage of the approval process.~~

~~[4] To the extent possible in accordance with law, the preparation of the DEIS shall be integrated into the existing agency review processes and should occur at the same time as the other agency reviews, including the special permit and waterfront development concept plan review. When a SEQR hearing is to be held, it should be conducted jointly with other public hearings on the proposed action, whenever practicable.~~

~~[5] Notwithstanding Subsection G(2)(a)[1] through [4] immediately above, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the Waterfront Park District, and where a lead agency has been established and has scoped a DEIS for the overall waterfront development project, said phase (or phases) may be segmented for the purposes of environmental review in accordance with the provisions of SEQR. In such case, the lead agency shall require the preparation of a full~~

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environmental assessment form (EAF) for its use in rendering a determination of significance regarding said phase(s). Further, the lead agency shall notify all involved and interested agencies that the phase(s) will be segmented and shall send a copy of the EAF with said notification.

(b) Special permit approval. The Planning Board may authorize the issuance of a special permit for a waterfront development project, provided that it shall find that the following conditions and standards have been met.

[1] The proposed waterfront development project will fulfill the purposes of the waterfront development zone.

[2] The proposed waterfront development project meets the Waterfront Development Design Standards set forth in § 223-41.4J, to the extent applicable at the special permit stage.

[3] The proposed waterfront development project will be in harmony with the appropriate and orderly development of the City's waterfront area.

[4] The proposed waterfront development project will not hinder or discourage the appropriate development and use of adjacent lands.

[5] The proposed land uses will be in accordance with the approved waterfront development concept plan.

[6] The proposed waterfront development uses meet the standards of § 223-41.4B.

[7] The proposed project is otherwise in the public interest.

(c) Conditions. In approving any waterfront development concept plan and special permit, the Planning Board may attach such conditions, safeguards and mitigation measures as it deems necessary or appropriate to assure continual conformance to all applicable standards and requirements and to fulfill the intent and purposes of this chapter.

(3) (Reserved)

(4) Time periods for development pursuant to special permit. At the time of approving a special permit, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in

~~its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.~~

~~**(5)** Revisions to waterfront development special permit. After approval of a waterfront park special permit, any proposed revisions in the approved special permit shall be submitted to the Planning Board or its designee. The Planning Board, in its discretion, shall determine the appropriate procedures for consideration of the proposed revisions, and whether such revision is material enough to require further environmental analysis, further project review and/or a further hearing, as it may deem appropriate.~~

~~**(6)** Processing of phases comprised of Waterfront Park District uses. Notwithstanding other provisions of the waterfront development review and approval process, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the Waterfront Park District, the Planning Board may process and grant special permit approval to said phase(s) in advance of the complete processing of the overall project so long as the SEQR process has been complied with in accordance with the provisions of § 223-41.4G herein; said phase is an integral part of an appropriate waterfront development concept plan, as determined by the Planning Board; and the overall review and approval process for waterfront development special permits as outlined herein, including all referrals and hearings, has been complied with for said phase(s). After the granting of special permit approval, said phase(s) may proceed to site development plan review and approval for said phase(s) in accordance with Subsection H immediately below.~~

~~H.~~**D.** Site ~~development~~ plan review. ~~After approval of the waterfront development special permit the~~Each project shall require site plan approval by the Planning Board pursuant to § 223-25A. The Planning Board may grant site plan approval ~~to a waterfront development project~~as follows:~~.~~

(1) Application for site plan approval. The application for site ~~development~~ plan approval shall contain all the material set forth in § **223-25B** of this Zoning Ordinance. In addition, the applicant shall submit the following:

(a) A written description and illustrative graphics of the proposed project explaining how the proposal~~Information to establish that the proposed site plan~~ meets the ~~waterfront development~~ purpose of the TS District; how it is consistent with the City of Beacon Local Waterfront Redevelopment Program (LWRP); and establishes that

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the proposed site plan meets the standards set forth in Subsection EJ.

~~(b) Information to establish that the proposed site plan is in substantial conformance with the approved waterfront development concept plan.~~

(b) Preliminary elevations showing the general architectural and design treatment of all buildings, public and open spaces and other site plan elements.

(c) Three-dimensional renderings or visualizations that incorporate topography and the surrounding built and natural context of the site to show how the proposed architectural treatment and massing impacts views and viewing points from the site to the Hudson River; to the site from the Hudson River and from Riverfront Park and Dennings Point; and over the site from any viewsheds identified in the LWRP.

~~(d) Information to establish the relationship of the proposed project to later elements of the development of the site, including any other adjacent and nearby lands that are not part of the applicant's planned waterfront development projects.~~

~~(e)~~(d) Such other information as the Planning Board may reasonably require in order to evaluate the site plan application.

~~(f)~~(e) Application fees ~~as may be required pursuant to Subsection F~~.

(2) Planning Board review of site plan.

(a) The Planning Board shall conduct a detailed review of the adequacy, location, arrangement, design and appearance of each aspect of the proposed development. ~~While the scope of the Planning Board's review of the site plan will generally relate to the waterfront project at issue,~~ The Planning Board shall have the authority to assure that aspects of the overall development of the site (e.g., stormwater management, domestic water and fire protection, sanitary sewer, all utilities, streets, etc.) shall be adequate to suit the purposes and needs of the ~~entire waterfront~~ area, as it is finally developed.

(b) In acting on any site ~~development~~ plan application, the Planning Board shall take into consideration ~~any approved special permits and waterfront development concept plans,~~ the proposed design and layout of the entire ~~waterfront area~~district, including the proposed

location, height and buffer of buildings, traffic circulation within and without the site, provision of off-street parking, exterior lighting, display of signs, landscaping, buffer areas and open spaces and architecture and design, so that any development will have a harmonious relationship with the existing or permitted development of contiguous land and of adjacent neighborhoods, and so that pedestrian, bike, and vehicular traffic will be handled adequately and safely within the site and in relation to the adjoining street system. Particularly, the Planning Board shall assure that the proposed site plan meets the ~~waterfront development~~ standards set forth in Subsection **EJ**~~I~~.

~~**(c)** The proposed site development plan shall be in general conformance with the waterfront development concept plan. While the waterfront development concept plan approval will approve a general layout on the site, the individual site plans for particular waterfront development projects will provide detailed building envelopes, elevations and site design details regarding proposals for various projects within the site. The Planning Board may exercise its discretion in allowing minor variations from the waterfront development concept plan so long as the site plan is, in the Planning Board's judgment, generally in keeping with the waterfront development concept plan. In no case, however, shall the Planning Board have the authority to approve a total number of dwelling units or total density in the waterfront development which exceeds the number approved as part of the special permit and waterfront development concept plan. Nor shall the Planning Board have the authority to approve the total square footage of nonresidential space above that approved in the special permit.~~

(3) Time period for construction. At the time of approving the site plan, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.

~~**(4)** Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of~~

~~technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in his discretion, refer any such proposed change to the Planning Board for review. The Planning Board may determine to treat the modification as a minor site plan adjustment under this section or to treat it as a site plan amendment under Subsection **G(5)**. If treated as a minor site plan adjustment, the Planning Board may authorize the Engineer or Building Inspector to approve the requested change.~~

~~**(5)** Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection **G(5)** and shall have discretion to determine the extent of further environmental analysis and project review that is required. After appropriate review, the Planning Board shall approve the site plan amendment by resolution.~~

~~**I.** Subdivision within a waterfront development. The Planning Board may review any proposed subdivision applications within a waterfront development at any time. Any requests for subdivision approval shall follow the procedures set forth in the City of Beacon's Subdivision Regulations. The bulk standards, setbacks and other dimensional requirements of the WD Zone shall apply to the gross land area of the total waterfront development, whether or not the gross land area is or will remain in one ownership, and shall not apply to individual or subdivided lots.~~

~~J.~~**E.** Development standards ~~for Waterfront Development District~~. It is essential that development in this district meet the following ~~development~~ standards.

(1) Comprehensive design. The ~~WD~~ TS Zone allows for ~~flexibility of design to encourage innovative~~ site planning and ~~creative~~ use of the two specified areas ~~specified~~: north area and south area. While the TS ~~WD~~ north area is expected to contain primarily residential development, the southern portion of the district is expected to contain various elements of mixed-use development (e.g., residential, commercial, retail, cultural, etc.). Each area must be planned with a comprehensive plan for ingress, egress, circulation and utility service. The architectural styles of various buildings must be compatible within each ~~portion~~ area of the TS ~~WD~~ district and must attain high standards of design.

(2) Relationship to river and ~~MNRR~~ train station. All elements of a project within the TS ~~WD~~ Zone shall ~~also be sensitive to~~consider the site's relationship to the river and the ~~MNRR~~ train station, and shall be designed accordingly.

(3) Provision of view corridors. The sites shall be developed in such a way as to preserve important public views from upland locations as specified but not limited to view corridors identified in the Local Waterfront Revitalization Program (LWRP). For the TS ~~WD~~ north area, building rooflines should step down, from north to south, to follow contour and elevation of the topography directly to the east of the development site. For the TS ~~WD~~ south area, building roofline should step down, from east to west, to protect views from Beekman and River Streets to maximum extent practicable. No building in the TS south area shall ~~be taller than~~exceed 32 feet in height as measured from the ~~above~~ average grade at the curb line of Beekman Street, consistent with the bulk regulations of §223-41.7 and as illustrated in Attachment 4.

(4) Architectural design standards.

(a) The various elements of any project shall be integrated by cohesive architectural treatment and compatible design.

(b) Buildings shall be designed in consideration of appearance from all vantage points.

(c) Architectural elements shall be used to provide visual interest, reduce apparent scale of the development and promote integration of the various design elements in the project.

(d) Groups of related buildings shall be designed to present a compatible appearance in terms of architectural style. Compatible appearance should seek to achieve non-excessive difference rather than identical similarity.

(e) Building lines shall be varied to the extent practicable in order to provide an interesting interplay of buildings and open spaces.

(f) Appurtenances on buildings and auxiliary structures, such as mechanical equipment or water towers, parking facilities, or storage buildings, shall receive architectural treatment and screening consistent with that of principal buildings.

(g) Parking decks should be screened from public view to maximum extent practicable~~, preferably with "green screen" techniques~~. Screening should prioritize "green screen" or similar landscaped treatments (such as climbing vines, living walls, or planter systems) to soften the appearance of the structure. Where green screening is not feasible due to site constraints or maintenance considerations, alternative architectural treatments – including decorative façade panels, louvers, patterned masonry, or other high-quality materials –

may be used, provided they achieve an equivalent level of visual mitigation and complement the design of adjacent buildings and streetscape."

(h) Buildings should have a top-floor cornice feature and first-floor architectural articulation, such as a storefront with a secondary cornice or an architecturally emphasized entrance doorway, to accent the central body of the building.

(i) Wherever practicable, buildings should employ texture or additional detailing to accentuate the base of buildings and provide human scale.

(j) Architectural features and windows should be continued on all sides of the building that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 35 feet.

(k) Primary individual window proportions shall be greater in height than in width. Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening, appear functional, and be attached to the window frame. For the purposes of this section, "all-glass walls" shall mean any façade in which glazing exceeds 75% of the wall surface area (measured per story), to ensure that minimal non-glass elements cannot be used to circumvent this requirement.

(l) Building elements that provide additional architectural interest, such as bay windows, and cornices, but not including balconies or porches, may encroach up to two feet beyond the front line if the bottom of the encroaching building elements is at least 12 feet above grade.

(m) Metal, glass or canvas-type awnings and canopies or projecting signs are encouraged and may encroach up to six feet for awnings and three feet for signs into the front setback and over the sidewalk above seven feet. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district, as determined by said Board.

(n) Buildings, excluding entrances to parking structures or areas of a building solely for parking, shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.

(o) Commercial buildings, excluding parking structures or areas of a building solely for parking, shall have at least 70% glass on the first-floor facades, located between two feet and 10 feet above the sidewalk. Residential buildings shall have at least 30% glass on the first-floor facades.

(p) Finish building materials should be wood, brick, traditional cement-based stucco, stone, architectural and prefabricated metal panels, or fiber-cement siding or other material deemed acceptable by the Planning Board. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic stone or brick, or synthetic stucco, exterior insulation and finishing system (EIFS), or direct-applied finish system (DAFS), and chain link fencing shall not be permitted.

(5) Energy efficiency. The plan for development of any project shall be designed and arranged in such a way as to promote energy efficiency to the maximum extent practicable for all buildings. All buildings should meet or exceed LEED Silver rating or equivalency.

(6) Landscaping, screening and buffering.

(a) All sidewalks, open spaces, parking areas and service areas shall be landscaped and/or paved in a manner that will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., will be attractive, durable, easily maintained and compatible with the exterior materials of adjacent buildings.

(b) The Planning Board may require buffer landscaping, fencing or screening to separate land uses, and to screen utility buildings, refuse collection areas, cooling systems and other similar installations and features.

(c) All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board. Landscape materials selected shall be appropriate to the growing conditions of the shoreline environment and this climatic zone.

(7) Lighting. Streets, drives, walks, exterior building facades and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be dark-sky-compliant, fully shielded, and directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance compatible with the overall project design and waterfront character. Lighting intensity, fixture type (including lumen output), number, and locations shall be subject to Planning Board review and approval as part of the site plan review. Layered lighting approaches (e.g., pedestrian-scale lighting supplemented with low-lumen accent or building lighting) are encouraged where appropriate to enhance safety and aesthetics without over-lighting.

(a) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high.

(b) All exterior lighting shall comply with the standards in § **223-14B**, and any additional shielding or performance standards required to achieve dark-sky compliance.

(8) Signage.

(a) All signs shall be planned and designed in accordance with an overall comprehensive signage plan, which shall be subject to Planning Board review and approval as part of site plan review.

(b) All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose.

(9) Vehicular circulation system and traffic access. The rights-of-way and pavement widths for all internal streets, drives, parking structures, walks or other access ways for vehicles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, which shall accommodate projected demand but minimize impervious surface to the maximum extent possible. Site plan submissions shall include analysis of ingress and egress conditions, internal vehicular circulation (including parking areas), and pedestrian and bicycle circulation, particularly in relation to existing Metro-North parking and access constraints. Such analyses shall be of sufficient detail to demonstrate safe, efficient, and coordinated multimodal circulation throughout the site.

(10) Public access. While development in ~~WD~~ the TS north area is expected to be primarily residential, development in ~~WD~~ the TS south area is expected to accommodate public access to the ~~MNRR~~ train station and Beacon waterfront. Creation of public access ~~This~~ will require balancing the provision of public access with certain private elements for the security and benefit of any

residential development's ~~its~~ residents and property owners. A clear boundary should be maintained between publicly accessible and private space. Public access must be provided to allow for pedestrians and bicycles to travel along the north-south axis of the property to allow for future connection to a trail system extending from the Town of Fishkill border to the train station. The public access on the northern parcel should be on the western side of the property to allow for river views and be parallel to the train tracks. In designing the public access, the applicant and the Planning Board shall consider the design concepts (but not the location concepts) of the City's trail planning documents to ensure that public access ~~Development that provides access to the MNRR train station (i.e. the WD TS south area) public pedestrian access should be~~ is created in a manner which:

(a) Enhances existing public access opportunities to the riverfront, in furtherance of the City's Comprehensive Plan, ~~and~~ Local Waterfront Revitalization Program (LWRP), and the state's coastal policies.

(b) Coordinates such public access with existing or anticipated opportunities for public access to the ~~MNRR~~ train station and Beacon waterfront west of the railroad tracks.

(c) Provides a public promenade along length of development facing the river.

~~(c)~~**(d)** Be a single trail, not duplicating existing or proposed public access.

(11) Off-street parking and loading shall be provided in accordance with § **223-26**.

(a) General parking requirements.

[1] Off-street parking and loading areas shall be designed with careful regard to their relationship to the uses served and to the objectives for other open spaces. They shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.

[2] Parking and loading facilities not enclosed in structures shall be suitably landscaped and/or screened as determined appropriate by the Planning Board.

(12) On-site utilities and services:

(a) Underground lines. All on-site television, power and communication lines, as well as on-site water, sewer and storm drainage lines, shall be installed underground in the manner prescribed by the regulations

of the government agency or utility company having jurisdiction. Any utility equipment which will be necessarily located above ground will be adequately screened from view in an attractive manner.

(b) Approval of appropriate jurisdiction. All buildings within the waterfront development and transit station zones ~~projects~~ shall be served by water supply, sanitary sewage and stormwater drainage systems as approved by the appropriate government agency or agencies having jurisdiction thereof. Stormwater drainage shall minimize siltation and nonpoint source discharge of salted areas and any other pollutants. Best management practices shall be required.

~~(c) Television hookups. Television hookups shall either be by cable television or a central antenna system designed to minimize adverse aesthetic impact.~~

~~(d)~~(c) Refuse collection. The waterfront development shall provide an adequate means of separation, and storing refuse between collections, which shall comply with all applicable City requirements, including recycling requirements. Such storage systems shall be designed to minimize adverse aesthetic impact.

~~(e)~~(d) Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic and noise impacts.

(e) Placement of utilities. Where possible, all utilities shall be placed within the right-of-way, and all possible steps shall be taken to avoid placement of utilities under the pavement, in order to assure ease of future maintenance.

(f) Rooftop structures and equipment. A separate plan shall be submitted detailing all rooftop structures and equipment, including, but not limited to, utility equipment. Provision shall be made for screening and aesthetic considerations related to both visual and noise impacts to public views from higher elevations and river locations as specified but not limited to view corridors identified in the Local Waterfront Revitalization Program (LWRP).

(13) Floodplain. The ~~waterfront~~ TS development plan shall comply with the applicable provisions of ~~the Beacon Local Law for Flood Damage Prevention~~Chapter 123 of this Code.

Section 5. Chapter 223 of the Beacon City Code, Article IVA – Waterfront and Transit Station Area, Section 223-41.7 entitled "Bulk regulations applicable to Waterfront Development Zone," is hereby amended as follows:

§ 223-41.7 **Bulk regulations applicable to ~~Waterfront Development Zone~~Trai~~n~~sit Station District.**

A. Minimum site size: 3~~5~~ acres.

B. Maximum height.

(1) Area north of West Main Street (see illustration[1]): Average of four stories of residential/mixed use over parking. Height may not exceed average of 75 feet from average ~~ground level~~grade of the existing Metro-North parking.

(2) Area south of Light Industry (LI) zone (see illustration[2]): Average of three stories of residential/mixed use over parking. Height may not exceed average of 32 feet at Beekman Street, nor more than average of 70 feet above the average ~~ground level~~grade of the existing Metro-North parking.

(3) The illustrations of height attached in this subsection shall not be exceeded so that the public views to the east are adequately protected.

C. Minimum open space: 15% of the site area, 10% of which must be publicly accessible.

Section 6. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled "Schedule of Dimensional Regulations" is hereby amended as follows:

SEE ATTACHED SCHEDULE

Section 7. 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 follows:

SEE ATTACHED SCHEDULE

Section 8. The zoning map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel extending west of the train tracks, owned by MTA, from the Waterfront Development (WD) Zone to the Waterfront Park (WP) District as follows:

City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion extending west of the train tracks shall be rezoned from the WD District to the WP District.

Section 9. The zoning map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel that is north of the existing WD Zoning District and east of the train tracks, owned by MTA, from the Waterfront Park (WP) District to the Trai~~n~~sit Station (TS) District as follows:

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City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion of said parcel that is east of the train tracks, north of Parcel No. 5954-25-549980, and for a distance of ~~465~~ 730 feet north therefrom and east of the train tracks, adjacent to Parcel No. 5954-25-549980, and for a distance of 775 feet north therefrom ~~-~~shall be rezoned from the WP District to the TS District.

Section 10. The Zoning Map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel that is south of Red Flynn Drive and east of the train tracks, owned by MTA, from the Waterfront Park (WP) District to the Tra~~i~~nsit Station (TS) District as follows:

City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion of said parcel that is east of the train tracks and south of Red Flynn Drive and for a distance of 335 feet therefrom shall be rezoned from the WP District to the TS District.

Section 11. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-25, entitled "Site development plan approval" is hereby amended to add Subsection K as follows:

§ 223-25 Site development plan approval.

...

K. Adjustment or amendment to site plan.

(1) Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in their sole discretion, refer any such proposed change to the Planning Board for review. If the proposed change is referred to the Planning Board, the Planning Board shall process the proposed change in accordance to Subsection K(2) below.

(2) Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection and shall have discretion to determine the extent of further environmental analysis and project review that is required. After appropriate review, the Planning Board

shall approve the site plan amendment by resolution or authorize the Engineer or Building Inspector to approve the requested change.

Section 12. Consistency Revisions to the Beacon City Code, Comprehensive Plan, and Local Waterfront Revitalization Plan (LWRP), and other City of Beacon Planning and Zoning Documents.

The City Council authorizes the publisher of the City Code to change any remaining reference in the City Code to the WD and/or Waterfront Development zoning district so that it shall be revised to reference the TS and/or Tra~~i~~nsit Station District. Additionally, it is the intent of the City Council that reference in planning and zoning documents created by the City of Beacon, including, but not limited to, the Comprehensive Plan and the Local Waterfront Revitalization Plan (LWRP) be read so that any reference to the WD and/or Waterfront Development zoning district shall be deemed to be a reference the TS and/or Tra~~i~~nsit Station District.

Section 13. Ratification, Readoption and Confirmation.

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

Section 14. 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 15. 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 16. 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.

DRAFT

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; 5-5-2025 by L.L. No. 4-2025; 6-2-2025 by L.L. No. 5-2025; 7-7-2025 by L.L. No. 8-2025; 11-17-2025 by L.L. No. 12-2025]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	~~WD~~TS	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	P[2]	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		P[2]	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	P[2]	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~~P	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.

[2] These uses, excluding townhouses, are only permitted on a parcel within the R1-5 Zoning District and not any other R1 Zoning District. Additionally, these uses are only permitted on a parcel in the R1-5 Zoning District if such parcel is located north of either side of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue. For a parcel on the southern side of Rombout Avenue, such use is not permitted on a corner lot unless the driveway and the front of the house is located on Rombout Avenue.

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	~~WD~~TS	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		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	P/SP	X	X	X	X	X	P/SP	P/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	P	P	P	P	P	P	P	P
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~~P	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		

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020;[1] amended 9-19-2022 by L.L. No. 8-2022; 9-3-2024 by L.L. No. 8-2024; 11-17-2025 by L.L. 12-2025]

Zoning District	Minimum Lot Size Area[h] (see also § 223-121)				Minimum Yards[a]			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear[d,e] (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	2,500	50	100	10	10	20	—	2.5 / 35	N.A.	40%	2	—	R1-5	
RD-7.5[d,e]	2 acres	7,500	200	200	20 to 35	25	50	30	3 / 35	15%	20%	12	—	RD-7.5[d,e]	
RD-6[d,e]	2 acres	6,000	200	200	50	25	50	30	2.5 / 35	15%	20%	16	—	RD-6[d,e]	
RD-5[d,e]	5,000	5,000	50	100	30	10	25	30	3 / 35	20%	30%	16	—	RD-5[d,e]	
RD-4[d,e]	5,000	4,000	200	200	40	20	40	30	2.5 / 35	20%	25%	20	—	RD-4[d,e]	
RD-3[d,e]	5,000	3,000	50	100	30	20	25	30	3.5 / 45	20%	40%	24	—	RD-3[d,e]	
RD-1.8[d,e]	5,000	1,800	50	100	30	20	25	30	10[b] / 100	25%	40%	__[c]	—	RD-1.8[d,e]	
RD-1.7[d,e]	5,000	1,700	50	100	30	20	25	30	4.5[f] / 55[f]	25%	40%	36[g]	—	RD-1.7[d,e]	
T[e]	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T[e]	
GB	—	1,500	—	100	15	20	25	—	— / 35	—	—	—	—	GB	
CMS	—	—	—	75	0 to 10	0	20	—	3 /| 38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4 / 48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3 / 40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5 / 35	20%		—	—	WP	Art. IVA
~~WD~~TS	~~3~~5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	~~WD~~TS	Art. IVA
LI	—	1,500	60	100	20	20	25	—	— / 35	70%		—	20%	LI	
HI	—	—	60	100	30	20	25	—	— / 40	70%		—	20%	HI	

NOTES:

[a] A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.

[b] But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.

[c] But not more than 24 dwelling units in any building 3 1/2 stories or less in height.

[d] For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

[e] In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setbacks for end unit dwellings shall not be reduced further than ½ the minimum side yard setback of the least restrictive adjoining residential district.

[f] A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.

[g] And each building shall not exceed 150 feet in length.

[h] For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.

[i] One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

[1] Editor's Note: This local law also repealed former 223 Attachment 1, § 223-17C, Schedule of Regulations for Residential Districts, as amended.

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

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) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	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

If "Yes", answer questions a - c. If "No", move on to Section 3.

	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

If "Yes", answer questions a - l. If "No", move on to Section 4.

	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	□	□

l. 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)

☐ NO ☑ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	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)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	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)
If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES
If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

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

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	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, Elb	□	□
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.	El 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.)

☐ NO ☑ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	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 ½ -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.)

☑ NO ☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

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

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☐ NO ☑ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	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)
If "Yes", answer questions a - e. If "No", go to Section 15.

	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.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	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.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	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. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	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, Elb	☐	☐
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. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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 Full Environment Assessment Form Part 1 and Narrative, the City of Beacon Schedule of Uses, the Beacon Schedule of Dimensional Requirements, the City of Beacon Zoning Map, Dutchess County Department of Planning and Development GML 239-m referral response letter, dated October 28, 2025, and City of Beacon Planning Board referral response letter dated, November 17, 2025.

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: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Transit Station District.

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

Name of Responsible Officer in Lead Agency: Christopher White (Delegated to the City Administrator per City Council Resolution)

Title of Responsible Officer: City Administrator

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 the Transit Station (TS) District

On September 29, 2025, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the "Zoning Code") to rename the Waterfront Development Zone to Transit Station (TS) District[1] and amend the City's zoning regulations thereof, Chapter 223 of the Beacon City Code (the "Zoning Code"). The proposed Local Law is a hybrid zoning text and zoning map amendment. The proposed Local Law was referred to the Dutchess County Department of Planning and Development, which by letter dated October 28, 2025, opined that proposed Local Law is a matter of local concern without comment. The proposed Local Law was referred to the City of Beacon Planning Board, which was discussed its meetings on October 15, 2025, and November 12, 2025. The Beacon Planning Board issued its comment letter, dated November 17, 2025, with comments, and was generally in favor of the proposed Local Law. The Beacon Planning Board's comments and recommendations have been incorporated into the proposed Local Law.

The proposed Local Law will reorientate the goals of the TS Zoning District to encourage compact, mixed-use, pedestrian-oriented development near transit facilities that supports increased mobility, housing choice, and economic vitality while balancing automobile dependence development near Metro-North's train station in Beacon. In summary, the proposed Local Law will make the following changes:

- Change the name of the Waterfront Development (WD) District to the Transit Station (TS) District, which automatically rezones all parcels in the WD to the TS.

- Eliminate redundancies in Article IVA of the Zoning Code by referring to the City of Beacon Schedule of Uses and Schedule of Dimensional Regulations in lieu of restating same.

- Eliminate redundant site plan requirements provisions found under Article IVA and simply refer to the existing Zoning Code § 223-25. This provides the Planning Board with clear procedural direction when reviewing site plan applications.

- Codify the procedure for modifications of all site plans regardless of Zoning District.

- Revise development standards to conform with the purpose of the TS District.

- Clarify screening requirements of parking structures and decks.

[1] The proposed Local Law was originally introduced renaming the Waterfront Development (WD) Zone to the "Train Station (TS) District." Per Beacon Planning Board recommendation, the proposed name of the subject Zoning District was changed to "Transit Station (TS) District."

- Add screening and aesthetic requirements for rooftop structures and equipment.

- Decreases the minimum lot size from 5 acres to 3 acres. No other changes to the dimensional regulations of the Zoning Code are proposed (e.g., density, setbacks, building height, building coverage, open space requirement, etc.)

- Rezone all Waterfront Park (WP) parcels, or portions thereof, which are east of the Metro-North train tracks to the TS District, which is appropriate given the separation from the waterfront.

- Rezone a small portion of a parcel west of the train tracks from the WD District to the WP District, which is appropriate given the closer proximity to the waterfront.

- Only two (2) new uses are proposed within the TS District, *artist studio, art gallery/exhibit space*s and *home occupation or artist studio*. All other uses currently permitted in the WD District will similarly be permitted in the TS District. No uses are proposed to be eliminated.

The Local Law will only affect the area near the Beacon Metro-North train station and no amendments to zoning regulations, uses, or district boundaries outside of this area will be affected, excluding the codification of site plan modification procedures applicable to all site plan approvals. The determination of environmental significance made herein pursuant to the State Environmental Quality Review Act ("SEQRA") is only applicable to the proposed hybrid zoning text and zoning map Local Law and is not a review of environmental significance of any proposed development. For clarity, any and all subsequent development within the TS District shall be subject to project specific environmental review pursuant to SEQRA and the Beacon City Code.

The proposed Local Law will not have a significant adverse impact on the environment for the following reasons.

The proposed Local Law is not inconsistent with the City's Zoning Code or Comprehensive Plan. There are only two (2) new proposed uses within the TS District, *artist studio, art gallery/exhibit space*s and *home occupation or artist studio*. These are low impact uses which do not have substantial impacts on neighbors, the environment, or public services. Moreover, the proposed Local Law is intended to further the City's land use goals by encouraging development which will link the Metro-North Train Station and the City's downtown and residences. The subject area is currently fully developed with industrial uses, governmental uses, commercial uses, and transit-oriented uses. However, by reducing the minimum lot size to 3 acres when 5 acres is currently required, the ability to develop residential uses (as is currently allowed) will be encouraged. Rezoning parcels east of the Metro-North train tracks, which are currently in the Waterfront Park (WP) District, to the TS District is consistent with existing land use patterns because of the physical separation caused by the train tracks. Similarly, rezoning parcels west of the Metro-North train tracks, which are currently in the

WD District, to the WP District is consistent with existing land use patterns due to the physical separation caused by the train tracks.

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, each application for land use approvals in the TS District 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. Full build out of the TS District or WF Zone is also unlikely due to geographical limitations caused by the Metro-North train station, dedicated public roadways, steep slopes, and the Hudson River.

The proposed Local Law will not result in a substantial adverse change or impact to existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage. The changes to the text of the Zoning Code are minor and primarily to clean-up and update existing regulations. For example, no changes are proposed to the applicable parking requirements, erosion control requirements, density requirements, building heights, setback requirements, stormwater pollution prevention requirements, nor will new uses be permitted which are inconsistent with existing regulations. To the extent that this environmental review precedes future development, such development shall be subject to all City zoning and land use requirements, which is no less protective of the environment than the requirements of SEQRA.

The areas affected by the proposed Local Law are currently developed, and have been developed for decades, including industrial and commercial uses, as well as the Beacon Metro-North train station. Given the developed nature of the area, 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 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 the changes to the City's schedule of uses and dimensional requirements are minor (i.e., only the

minimum lot size is being reduced from 5 acres to 3 acres, and two (2) new low impact uses permitted).

The proposed Local Law will further the goals of SEQRA because it adds new application and review standards for the Planning Board to consider. For example, applicants will be required to submit 3-D renderings and visualizations to assist the Planning Board with assessing architecture and viewshed impacts. Minor changes to permitted building materials will also be required which further the City's design goals near the Hudson River to ensure that high quality materials are utilized. The proposed Local Law will prohibit certain design standards which are typically considered to be sub-optimal for this area of the City (e.g., glass walls). The proposed Local Law adds new lighting standards for review by the Planning Board. Applicants will also be required to submit plans which fully details ingress and egress conditions for not only vehicles, but also pedestrians and cyclists. This is especially beneficial due to the commuter usage of the Metro-North train station. The TS District will also require applicants to adhere to the principals and concepts of the Beacon Hudson River Trail and Local Waterfront Revitalization Program (LWRP), even when such plans do not express address this Zone or the specific parcel. There are also amendments to rooftop equipment requirements to ensure that such equipment is properly screened from higher elevations. New standards for parking screening will also be encouraged to prioritize "green screen" or similar landscaping treatments. As such, the proposed Local Law will benefit the environment and enhance the character and nature of the TS District.

As such, for the reasons herein 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.

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

John Gunn, Chair

November 17, 2025

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

Subject: City Council Referral of Local Law Amending the Beacon Zoning Code Concerning the Train Station (TS) Zoning District

On referral from the City Council, the City of Beacon Planning Board (the "Planning Board") reviewed the proposed Local Law amending Chapter 223 of the Beacon City Code to establish the Train Station (TS) Zoning District. The proposed Local Law was originally discussed by the Planning Board at its October 15, 2025 meeting, with continued discussion at its November 12, 2025 meeting. City Planner, Natalie Quinn, summarized the proposed Local Law for the Planning Board. The following comments are intended to provide the City Council with the Planning Board's review and recommendations regarding the Local Law.

After discussing the proposed Local Law, the Planning Board provides the following comments:

1. **Three-Dimensional Visualization and Viewshed Analysis.** The Planning Board recommends that the Local Law retain or include stronger requirements for three-dimensional visualizations that incorporate topography and surrounding built and natural context. In addition, a viewshed analysis from each protected viewshed identified in the LWRP should be required. The Board suggests retaining or adapting key language from §223-41.4G to ensure these analyses remain clear submission requirements.

2. **Lighting Standards.** The Planning Board recommends strengthening the exterior lighting standards to encourage thoughtful, dark-sky-compliant, and architecturally integrated lighting. A small number of targeted standards, such as lumen limits, layered lighting guidance, or clearer shielding requirements, would improve project review and site lighting design within the waterfront area.

3. **District Name.** Several members of the Board suggested that the Council consider renaming the district from "Train Station" to "Transit District" to better reflect the multimodal nature of the area, including buses, bicycles, pedestrian access, and the riverfront trail system.

4. **Ingress, Egress, and Parking Circulation.** The Board notes the importance of analyzing ingress, egress, and internal parking circulation, given the existing constraints of the Metro-North parking areas. Additional language clarifying expectations for traffic, pedestrian, and bicycle circulation analyses would strengthen site plan review.

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

John Gunn, Chair

5. **Beacon Hudson River Trail (BHRT).** The Planning Board supports the Beacon Greenway Committee's request to include explicit reference to the Beacon Hudson River Trail (BHRT) within the TS development standards, to ensure that trail implementation and connections are incorporated into future development.

6. **Commercial Floor Area Requirement Near the Station.** The Planning Board is not fully supportive of entirely removing the requirement that a portion of development within 400 feet of the train station include nonresidential uses. The Board recommends that the Council consider reducing, rather than eliminating, the percentage; or alternatively, creating incentives to encourage mixed-use development where feasible.

7. **Clarification of Permitted Metal Paneling (§223-41.4(p)).** The Board recommends clarifying that high-quality architectural and prefabricated metal panel systems are permitted materials. The prohibition in the above referenced section should apply specifically to sheet metal panels, riveted metal, corrugated metal, or other low-quality utilitarian metal surfaces, rather than all forms of metal cladding. This clarification will help ensure that modern architectural metal panels remain available while excluding undesirable materials.

8. **Clarification of "All-Glass Walls" Prohibition (§223-41.4(k)).** The Planning Board recommends clarifying the prohibition on "all-glass walls" to prevent applicants from meeting the standard through minimal non-glass elements (e.g., a narrow metal band at the base of an otherwise fully glazed façade). Establishing a measurable glazing limit may better reflect the intent of the standard and prevent circumvention through nominal non-glass materials.

Sincerely,

John Gunn NP

John Gunn
Planning Board Chair

Dutchess County Department of Planning and Development

Fax Info Only		
	To	Date #pgs
	Co./Dept.	From
	Fax #	Phone #

239 Planning/Zoning Referral - Exemption Communities

Please Fill in this section

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s):

Project Name: **Proposed Local Law Concerning the Train Station District**

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.)
- ☐ Rezonings 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: **10/31/2025**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreemment 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: **10/10/2025**	Notes:	☐ Major Project
Date Received: **10/10/2025**		Referral #: **ZR25-296**
Date Requested: **10/31/2025**		
Date Required: **11/9/2025**	☐ Also mailed hard copy	Reviewer:
Date Transmitted: **10/28/2025**		

N

Town of Fishkill

Town of Fishkill

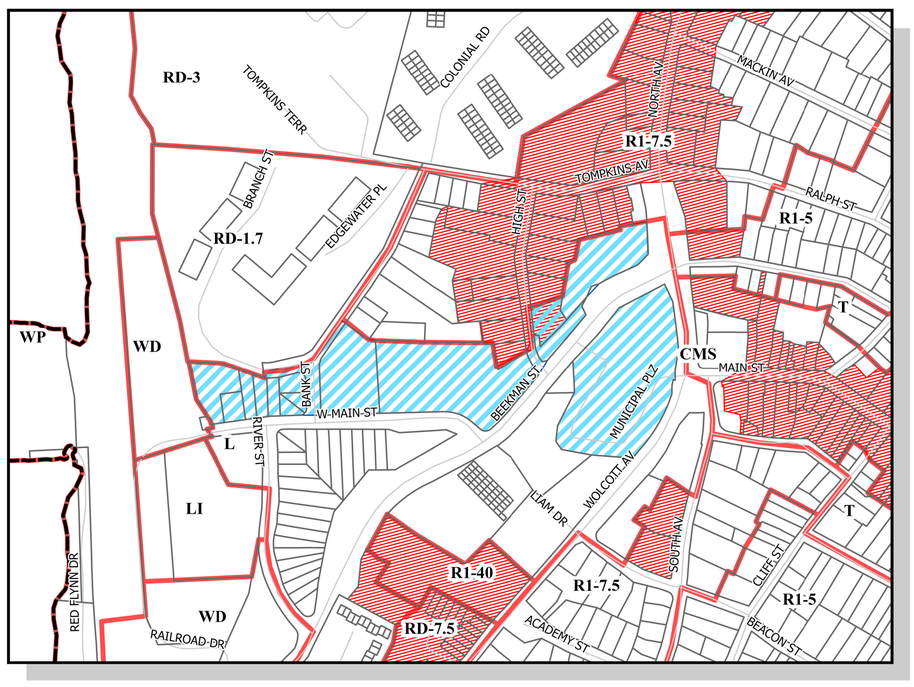
Town of Fishkill

Town of Fishkill

1,000 500 0 1,000 Feet

1 inch equals 600 feet

ENLARGED LINKAGE AREA - 1"=300'



600 300 0 600 Feet

LEGEND

- Roads
- Parcels
- boundary
- Senior Affordable Housing Overlay District
- Historic District and Landmark Overlay Zone
- L District Overlay - additional commercial and industrial uses permitted
- Flood Prone Areas based upon FEMA mapping

ZONING

INDUSTRIAL DISTRICTS

- LI Light Industrial
- HI Heavy Industrial

WATERFRONT DISTRICTS

- WP Waterfront Park
- WD Waterfront Development
- FCD Fishkill Creek Development

COMMERCIAL DISTRICTS

- GB General Business
- T Transitional Zone
- CMS Central Main Street
- L Linkage

RESIDENTIAL DISTRICTS

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

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LANC & TULLY Engineering and Surveying, P.C.
P.O. Box 687, Rte. 207
Goshen, NY 10924
(845) 294-3700

ZONING MAP PREPARED FOR

CITY OF BEACON

DUTCHESS COUNTY, NEW YORK

Date:	Revisions:	GIS File:	Layout:	Sheet No:
4/30/25	5/14/25	BEACON ZONING MAP		1 OF 1

Drawn By:	Chk'd By:	Scale:	Tax Map No:	Drawing No:
TH		1" = 600'		A-17-5070-01

City of Beacon City Council Agenda
12/01/2025

Title:

Resolution No. 110 - Adopting Local Law No. 13 of 2025 Concerning the Transit Station District

ATTACHMENTS

Resolution Adopting Local Law No. 13 of 2025 Concerning the Transit Station District

Local Law No. 13 of 2025 Concerning the Transit Station District

Schedule of Use Regulations

Schedule of Dimensional Regulations

Local Law No. 13 of 2025 Concerning the Transit Station District - Full EAF Parts 2-3

Local Law No. 13 of 2025 Concerning the Transit Station District - Full EAF Part 3, Attachment

City of Beacon Planning Board Memorandum Regarding Proposed Local Law Concerning the Transit Station District

Dutchess County Planning Memorandum Regarding Proposed Local Law Concerning the Transit Station District

City of Beacon Zoning Map

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 110 OF 2025

ADOPTING LOCAL LAW NO. 13 OF 2025 TO AMEND THE BEACON CITY CODE CONCERNING THE TRANSIT STATION (TS) DISTRICT

WHEREAS, pursuant to Resolution No. 2025-095, passed on October 6, 2025, the City of Beacon City Council set a public hearing for November 3, 2025 regarding a proposed Local Law to amend the Beacon City Code concerning the Transit Station (TS) District; and

WHEREAS, notice for said public hearing was duly published in the City's official newspaper; and

WHEREAS, the City Council adjourned the public hearing to December 1, 2025, to allow the Beacon Planning Board additional time to consider comments and recommendations pertaining to the proposed Local Law; and

WHEREAS, pursuant to N.Y. General Municipal Law § 239-m and City Zoning Code § 223-66, the City Council referred the proposed Local Law to the City of Beacon Planning Board and the Dutchess County Department of Planning & Development for review and comment; and

WHEREAS, by letter dated October 28, 2025, the Dutchess County Department of Planning and Development found the proposed Local Law to be a matter of local concern, without comment; and

WHEREAS, the Beacon Planning Board discussed the proposed Local Law at its meetings on October 15, 2025, and November 12, 2025, and by letter dated November 17, 2025, offered comments and recommendations concerning the proposed Local Law; and

WHEREAS, on December 1, 2025, the City Council opened and closed the public hearing on the proposed Local Law, and all those in attendance wishing to be heard were given the opportunity to do so; and

WHEREAS, the proposed Local Law is a Type I Action pursuant to the State Environmental Quality Review Act ("SEQRA") as set forth in 6 NYCRR Part 617; and

WHEREAS, the City Council is the lead agency for SEQRA purposes as the adoption of local zoning laws are solely within City Council's purview; and

WHEREAS, the City Council is familiar with the proposed Local Law and has reviewed the Full Environmental Assessment Forms Parts 1, 2, and 3, including the Part 1 Narrative and the Attachment to the Part 3 which sets forth the reasons for the determination adopted herein (collectively the "FEAF").

NOW THEREFORE, BE IT RESOLVED, the City Council has reviewed the proposed Local Law in accordance with SEQRA and after taking a "hard look" at each of the relevant areas of environmental concern through review of the FEAF, and all other materials prepared and/or presented in connection with the proposed Local Law, hereby adopts the Negative Declaration annexed hereto finding that the proposed Local Law will not result in a significant adverse impact on the environment and thus an Environmental Impact Statement need not be prepared; and

BE IT FURTHER RESOLVED, the City Council hereby authorizes the City Administrator to sign the FEAF Part 3; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 13 of 2025 to amend the Zoning Map and the Beacon City Code concerning the Transit Station (TS) District.

Resolution No. 110 of 2025		**Date: December 1, 2025**					
□ **Amendments** □ **Not on roll call.**			□ **Voice Vote** □ **On roll call**			□ **2/3 Required** □ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		George Mansfield					
		Mayor Lee Kyriacou					
		Motion Carried					

PROPOSED LOCAL LAW NO. ___ OF 2025

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE CONCERNING THE TRANSIT~~IN~~ STATION (TS) DISTRICT

A LOCAL LAW to amend Chapter 223 of the Beacon City Code concerning the change of the Waterfront Development (WD) Zoning District into the Transit~~in~~ Station (TS) District .

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

Section 1. Chapter 223 of the Beacon City Code, Article II – Establishment of Districts; Map; Boundaries, Section 223-2 entitled "Establishment of Districts," Subsection E is hereby amended as follows:

§ 223-2 **Establishment of districts.**

...

E. ~~WD Waterfront Development~~TS Tra~~i~~nsit Station District ~~Zone~~.

...

Section 2. Chapter 223 of the Beacon City Code, Article II – Establishment of Districts; Map; Boundaries, Section 223-3 entitled "Zoning Map" is hereby amended to change the name of the "Waterfront Development" and "WD" zoning district labels shown on the Zoning Map of the City of Beacon to the "Tra~~i~~nsit Station District" and "TS" zoning district, respectively, and in each instance.

Section 3. Article IVA of Chapter 223 of the Beacon City Code entitled "Waterfront Zones" is hereby renamed as follows:

Article IVA **Waterfront ~~Zones~~ and Tra~~i~~nsit Station Area**

Section 4. Chapter 223 of the Beacon City Code, Article IVA ~~–~~ Waterfront and Tra~~i~~nsit Station Area, Section 223-41.4 entitled "Waterfront Development (WD) Zone is hereby renamed to the "Tra~~i~~nsit Station (TS) District" and amended as follows:

§ 223-41.4 ~~Waterfront Development (WD) Zone~~Trainsit Station (TS) District .

This article establishes a comprehensive review for land uses in the Trainsit Station (TS) District. Development within the TS shall be governed by this article, except to the extent that this article specifically incorporates by reference other sections of this chapter. In the event that any other provision of this chapter is inconsistent with the provisions of this article, then the provisions of this article shall control.

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A. Purpose. The purposes of this section shall be as follows:

(1) To encourage compact, mixed-use, pedestrian-oriented development near transit facilities that supports increased mobility, housing choice, and economic vitality while balancing automobile dependence~~stimulate the revitalization of the City and its waterfront by establishing a well-designed central focus for the City's waterfront area~~.

(2) To provide for land uses consistent with the Beacon Local Waterfront Revitalization Plan and Comprehensive Plan, including residential and ~~waterfront~~ commercial uses, to serve as a catalyst for the economic and physical revitalization of the entire waterfront area.

(3) To encourage a mix of uses ~~on the waterfront~~ with a consistent set of design standards to assure a unified and comprehensively planned development that will function effectively and achieve a high standard of site planning and architectural design.

(4) To eliminate deteriorated structures and incompatible, visually unattractive or otherwise deleterious land uses.

(5) To increase pedestrian public access to, and the potential for the enjoyment of, the waterfront and public park(s) and to integrate that access with existing and anticipated pedestrian public access opportunities on adjacent public lands.

B. Permitted principal uses. Permitted principal uses shall be those uses listed in the Schedule of Uses ~~as follows, subject to a requirement that a minimum of 25% of the total development's floor area within 400 feet of the train station shall be permitted nonresidential uses, not including artist live/work spaces~~. Additionally, the City Council may permit by resolution other uses which are similar to those uses permitted in the Schedule of Uses within the TS District. The initial application for any proposed development shall also include a discussion of the consideration of commercial uses on the ground floor. While a commercial use is not required, the City encourages appropriately sized supportive uses in this District, when feasible.~~, which must be built out before or concurrently with any residential development of the site:~~

~~(1) Any principal use permitted in the WP Zone.~~

~~(2) Residential multifamily dwelling unit.~~

~~(3) Convenience retail and personal service shop designed to serve the needs of area residents and commuters.~~

~~(4) Restaurant, bar, or brew pub.~~

~~(5) Inn, hotel, fitness center, spa, or day-care centers.~~

~~(6) Art, craft, or fine arts gallery.~~

~~(7) Office. The Planning Board may limit the extent of office uses on the first floor, depending on the building location within the overall development.~~

~~(8) Professional, small business and service facilities in the lower floors of multistory residential buildings.~~

~~(9) Artist live/work spaces.~~

~~(10) Public square, plaza, promenade, or pocket park.~~

~~(11) Public or semipublic use; live theater, concert hall, museum, or meeting room suitable for social, civic, cultural or education activity.~~

~~(12) Conference space or conference center.~~

~~(13) Microbrewery or microdistillery.~~

~~(14) Other use similar to the above uses as determined by resolution of the City Council.~~

~~(15)~~(1) ~~Wireless telecommunication services facilities, subject to § 223-26.4.~~

~~C. Special permit uses. The following uses may require a special permit:~~

~~(1) (Reserved)~~

~~D.~~C. Permitted accessory uses. Permitted accessory uses shall be as ~~follows:~~set forth in the Schedule of Uses.

~~(1) Public festivals, street fairs, craft and art fairs and concerts. (Requires prior approval from City Council under § 23-7 of the City Code.)~~

~~(2) Uses customarily incidental to permitted uses, and support facilities necessary to serve permitted uses.~~

~~(3) Public garages and off-street parking.~~

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~~(4) Enclosed storage.~~

~~(5) Rooftop gardens, greenhouses and solar collectors.~~

~~(6) Public or semipublic accessory uses, such as bandshells, kiosks and gazebos.~~

~~(7) Short-term rentals in any dwelling unit, or room(s) therein, located in a one-family home, two-family home, accessory apartment, or multifamily dwelling, as provided in § 223-26.5.~~

~~E. Procedure for review of waterfront development proposals.~~

~~(1) Each waterfront development project shall require:~~

~~(a) Special permit approval by the Planning Board; and~~

~~(b) Site plan approval by the Planning Board.~~

~~(2) The Planning Board's review of a special permit application for a waterfront development project or projects shall also include review of a waterfront development concept plan, which contains a proposed designation of the appropriate land uses, or a range of land uses, for the overall development of the site. The purpose of this review is to assure that the site will be developed in accordance with an overall comprehensive plan, even though the total waterfront development may consist of several separate waterfront development projects, which might be constructed at different times.~~

~~F. Application fees. Applications to the Planning Board as provided herein shall be accompanied by the appropriate fees which may be set from time to time by the City Council for such applications. If such fees are not sufficient to defray the costs of review, the applicant shall also be required to pay such additional fees as may be necessary for the reasonable expenses of technical assistance to the City in reviewing the technical aspects of the application.~~

~~G. Procedure for special permit and waterfront development concept plan review.~~

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~~(1) Application. The application for a waterfront development special permit for one or more waterfront development projects shall be submitted to the Planning Board. The application shall consist of narrative text, drawings and/or illustrations describing the proposed waterfront development project and concept plan. Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing, or a final site plan. The application shall include the following:~~

~~(a) A written description of the waterfront development project(s) and concept plan and a description of the manner in which such proposal~~

~~meets the purposes of the Waterfront Development Zone; how it is consistent with the City of Beacon Local Waterfront Revitalization Plan; and describing the manner in which the public interest would be served by the proposed waterfront development, including the description of the benefits to the City as a whole and the waterfront neighborhood.~~

~~**(b)** A land use plan showing the various proposed land uses and their spatial arrangement, including the proposed general location of buildings, parking areas, public, community and/or recreation facilities, utility and maintenance facilities and open space.~~

~~**(c)** An indication of the approximate square footage of buildings and the approximate number of dwelling units of each housing type and size.~~

~~**(d)** An indication of the appropriate number of parking and loading spaces in relationship to their intended use, accompanied by a description of any alternative means of parking to be utilized.~~

~~**(e)** A general indication of any phasing of construction.~~

~~**(f)** The general configuration of the interior road system and connection/access to the adjoining road system.~~

~~**(g)** Waterfront development concept plan showing the relation of the proposed uses to existing and proposed uses adjacent to the site.~~

~~**(h)** The general configuration of the pedestrian circulation system, including the general location of any public access to or along the riverfront, and the connection of such pedestrian passageways to adjoining properties.~~

~~**(i)** The proposed architectural treatment of views and viewing points from the site to the Hudson River; to the site from the Hudson River and from Riverfront Park and Dennings Point; and over the site from any viewsheds identified in the LWRP.~~

~~**(j)** Descriptions, sketches and elevations showing the general architectural treatment and design scheme contemplated for the entire development and specifically for any public spaces or major elements of the site plan.~~

~~**(k)** Such additional information as the Planning Board may deem necessary in order to properly evaluate the application.~~

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~~(2) Planning Board review of special permit and waterfront development concept plan application.~~

~~(a) Environmental compliance.~~

~~[1] The approval of a waterfront development project is an action under the State Environmental Quality Review Act, and all proceedings to review such project shall comply with applicable requirements of SEQR.~~

~~[2] Upon receipt of an application for a special permit and waterfront development concept plan, the Planning Board shall commence a coordinated review under SEQR and institute lead agency procedures after identifying all involved and interested agencies, as provided by law.~~

~~[3] Because any waterfront development will constitute an important element in the implementation of the City's Local Waterfront Revitalization Plan, the preparation of a Draft Environmental Impact Statement shall be required by the lead agency. Such DEIS shall comply with all requirements of law. To the extent possible in accordance with law, the DEIS submitted in connection with the special permit and waterfront development concept plan approval shall be sufficiently specific so as to eliminate the need for additional and/or supplemental DEIS's during the site plan stage of the approval process.~~

~~[4] To the extent possible in accordance with law, the preparation of the DEIS shall be integrated into the existing agency review processes and should occur at the same time as the other agency reviews, including the special permit and waterfront development concept plan review. When a SEQR hearing is to be held, it should be conducted jointly with other public hearings on the proposed action, whenever practicable.~~

~~[5] Notwithstanding Subsection G(2)(a)[1] through [4] immediately above, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the Waterfront Park District, and where a lead agency has been established and has scoped a DEIS for the overall waterfront development project, said phase (or phases) may be segmented for the purposes of environmental review in accordance with the provisions of SEQR. In such case, the lead agency shall require the preparation of a full~~

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environmental assessment form (EAF) for its use in rendering a determination of significance regarding said phase(s). Further, the lead agency shall notify all involved and interested agencies that the phase(s) will be segmented and shall send a copy of the EAF with said notification.

(b) Special permit approval. The Planning Board may authorize the issuance of a special permit for a waterfront development project, provided that it shall find that the following conditions and standards have been met.

[1] The proposed waterfront development project will fulfill the purposes of the waterfront development zone.

[2] The proposed waterfront development project meets the Waterfront Development Design Standards set forth in § 223-41.4J, to the extent applicable at the special permit stage.

[3] The proposed waterfront development project will be in harmony with the appropriate and orderly development of the City's waterfront area.

[4] The proposed waterfront development project will not hinder or discourage the appropriate development and use of adjacent lands.

[5] The proposed land uses will be in accordance with the approved waterfront development concept plan.

[6] The proposed waterfront development uses meet the standards of § 223-41.4B.

[7] The proposed project is otherwise in the public interest.

(c) Conditions. In approving any waterfront development concept plan and special permit, the Planning Board may attach such conditions, safeguards and mitigation measures as it deems necessary or appropriate to assure continual conformance to all applicable standards and requirements and to fulfill the intent and purposes of this chapter.

(3) (Reserved)

(4) Time periods for development pursuant to special permit. At the time of approving a special permit, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in

its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.

(5) Revisions to waterfront development special permit. After approval of a waterfront park special permit, any proposed revisions in the approved special permit shall be submitted to the Planning Board or its designee. The Planning Board, in its discretion, shall determine the appropriate procedures for consideration of the proposed revisions, and whether such revision is material enough to require further environmental analysis, further project review and/or a further hearing, as it may deem appropriate.

(6) Processing of phases comprised of Waterfront Park District uses. Notwithstanding other provisions of the waterfront development review and approval process, where a waterfront development project includes a phase (or phases) comprised solely of uses permitted in the Waterfront Park District, the Planning Board may process and grant special permit approval to said phase(s) in advance of the complete processing of the overall project so long as the SEQR process has been complied with in accordance with the provisions of § 223-41.4G herein; said phase is an integral part of an appropriate waterfront development concept plan, as determined by the Planning Board; and the overall review and approval process for waterfront development special permits as outlined herein, including all referrals and hearings, has been complied with for said phase(s). After the granting of special permit approval, said phase(s) may proceed to site development plan review and approval for said phase(s) in accordance with Subsection H immediately below.

H.D. Site development plan review. After approval of the waterfront development special permit theEach project shall require site plan approval by the Planning Board pursuant to § 223-25A. The Planning Board may grant site plan approval to a waterfront development projectas follows:.

(1) Application for site plan approval. The application for site development plan approval shall contain all the material set forth in § **223-25B** of this Zoning Ordinance. In addition, the applicant shall submit the following:

(a) A written description and illustrative graphics of the proposed project explaining how the proposalInformation to establish that the proposed site plan meets the waterfront development purpose of the TS District; how it is consistent with the City of Beacon Local Waterfront Redevelopment Program (LWRP); and establishes that

the proposed site plan meets the standards set forth in Subsection EJ.

~~(b) Information to establish that the proposed site plan is in substantial conformance with the approved waterfront development concept plan.~~

(b) Preliminary elevations showing the general architectural and design treatment of all buildings, public and open spaces and other site plan elements.

(c) Three-dimensional renderings or visualizations that incorporate topography and the surrounding built and natural context of the site to show how the proposed architectural treatment and massing impacts views and viewing points from the site to the Hudson River; to the site from the Hudson River and from Riverfront Park and Dennings Point; and over the site from any viewsheds identified in the LWRP.

~~(d) Information to establish the relationship of the proposed project to later elements of the development of the site, including any other adjacent and nearby lands that are not part of the applicant's planned waterfront development projects.~~

~~(e)~~(d) Such other information as the Planning Board may reasonably require in order to evaluate the site plan application.

~~(f)~~(e) Application fees ~~as may be required pursuant to Subsection F~~.

(2) Planning Board review of site plan.

(a) The Planning Board shall conduct a detailed review of the adequacy, location, arrangement, design and appearance of each aspect of the proposed development. ~~While the scope of the Planning Board's review of the site plan will generally relate to the waterfront project at issue,~~ The Planning Board shall have the authority to assure that aspects of the overall development of the site (e.g., stormwater management, domestic water and fire protection, sanitary sewer, all utilities, streets, etc.) shall be adequate to suit the purposes and needs of the ~~entire waterfront~~ area, as it is finally developed.

(b) In acting on any site ~~development~~ plan application, the Planning Board shall take into consideration ~~any approved special permits and waterfront development concept plans,~~ the proposed design and layout of the entire ~~waterfront area~~district, including the proposed

location, height and buffer of buildings, traffic circulation within and without the site, provision of off-street parking, exterior lighting, display of signs, landscaping, buffer areas and open spaces and architecture and design, so that any development will have a harmonious relationship with the existing or permitted development of contiguous land and of adjacent neighborhoods, and so that pedestrian, bike, and vehicular traffic will be handled adequately and safely within the site and in relation to the adjoining street system. Particularly, the Planning Board shall assure that the proposed site plan meets the ~~waterfront development~~ standards set forth in Subsection **EJ**~~I~~.

~~**(c)** The proposed site development plan shall be in general conformance with the waterfront development concept plan. While the waterfront development concept plan approval will approve a general layout on the site, the individual site plans for particular waterfront development projects will provide detailed building envelopes, elevations and site design details regarding proposals for various projects within the site. The Planning Board may exercise its discretion in allowing minor variations from the waterfront development concept plan so long as the site plan is, in the Planning Board's judgment, generally in keeping with the waterfront development concept plan. In no case, however, shall the Planning Board have the authority to approve a total number of dwelling units or total density in the waterfront development which exceeds the number approved as part of the special permit and waterfront development concept plan. Nor shall the Planning Board have the authority to approve the total square footage of nonresidential space above that approved in the special permit.~~

(3) Time period for construction. At the time of approving the site plan, the Planning Board may set forth the time period in which construction is to begin and be completed. The Planning Board may, in its discretion, extend any time period it has previously set where it finds that changing market conditions or other circumstances have acted to prevent the timely commencement or completion of work, and that the developer has proceeded with reasonable diligence in an effort to assure completion of the work within the permitted time period. The extension of these time periods shall not require the holding of a new public hearing.

~~**(4)** Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of~~

~~technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in his discretion, refer any such proposed change to the Planning Board for review. The Planning Board may determine to treat the modification as a minor site plan adjustment under this section or to treat it as a site plan amendment under Subsection **G(5)**. If treated as a minor site plan adjustment, the Planning Board may authorize the Engineer or Building Inspector to approve the requested change.~~

~~**(5)** Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection **G(5)** and shall have discretion to determine the extent of further environmental analysis and project review that is required. After appropriate review, the Planning Board shall approve the site plan amendment by resolution.~~

~~**I.** Subdivision within a waterfront development. The Planning Board may review any proposed subdivision applications within a waterfront development at any time. Any requests for subdivision approval shall follow the procedures set forth in the City of Beacon's Subdivision Regulations. The bulk standards, setbacks and other dimensional requirements of the WD Zone shall apply to the gross land area of the total waterfront development, whether or not the gross land area is or will remain in one ownership, and shall not apply to individual or subdivided lots.~~

~~J.~~E. Development standards ~~for Waterfront Development District~~. It is essential that development in this district meet the following ~~development~~ standards.

(1) Comprehensive design. The ~~WD~~ TS Zone allows for ~~flexibility of design to encourage innovative~~ site planning and ~~creative~~ use of the two specified areas ~~specified~~: north area and south area. While the TS ~~WD~~ north area is expected to contain primarily residential development, the southern portion of the district is expected to contain various elements of mixed-use development (e.g., residential, commercial, retail, cultural, etc.). Each area must be planned with a comprehensive plan for ingress, egress, circulation and utility service. The architectural styles of various buildings must be compatible within each ~~portion~~ area of the TS ~~WD~~ district and must attain high standards of design.

(2) Relationship to river and ~~MNRR~~ train station. All elements of a project within the TS ~~WD~~ Zone shall ~~also be sensitive to~~consider the site's relationship to the river and the ~~MNRR~~ train station, and shall be designed accordingly.

(3) Provision of view corridors. The sites shall be developed in such a way as to preserve important public views from upland locations as specified but not limited to view corridors identified in the Local Waterfront Revitalization Program (LWRP). For the TS ~~WD~~ north area, building rooflines should step down, from north to south, to follow contour and elevation of the topography directly to the east of the development site. For the TS ~~WD~~ south area, building roofline should step down, from east to west, to protect views from Beekman and River Streets to maximum extent practicable. No building in the TS south area shall ~~be taller than~~exceed 32 feet in height as measured from the ~~above~~ average grade at the curb line of Beekman Street, consistent with the bulk regulations of §223-41.7 and as illustrated in Attachment 4.

(4) Architectural design standards.

(a) The various elements of any project shall be integrated by cohesive architectural treatment and compatible design.

(b) Buildings shall be designed in consideration of appearance from all vantage points.

(c) Architectural elements shall be used to provide visual interest, reduce apparent scale of the development and promote integration of the various design elements in the project.

(d) Groups of related buildings shall be designed to present a compatible appearance in terms of architectural style. Compatible appearance should seek to achieve non-excessive difference rather than identical similarity.

(e) Building lines shall be varied to the extent practicable in order to provide an interesting interplay of buildings and open spaces.

(f) Appurtenances on buildings and auxiliary structures, such as mechanical equipment or water towers, parking facilities, or storage buildings, shall receive architectural treatment and screening consistent with that of principal buildings.

(g) Parking decks should be screened from public view to maximum extent practicable~~, preferably with "green screen" techniques~~. Screening should prioritize "green screen" or similar landscaped treatments (such as climbing vines, living walls, or planter systems) to soften the appearance of the structure. Where green screening is not feasible due to site constraints or maintenance considerations, alternative architectural treatments – including decorative façade panels, louvers, patterned masonry, or other high-quality materials –

may be used, provided they achieve an equivalent level of visual mitigation and complement the design of adjacent buildings and streetscape."

(h) Buildings should have a top-floor cornice feature and first-floor architectural articulation, such as a storefront with a secondary cornice or an architecturally emphasized entrance doorway, to accent the central body of the building.

(i) Wherever practicable, buildings should employ texture or additional detailing to accentuate the base of buildings and provide human scale.

(j) Architectural features and windows should be continued on all sides of the building that are clearly visible from a street or public parking area, avoiding any blank walls, except in cases of existing walls or potential common property walls. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 35 feet.

(k) Primary individual window proportions shall be greater in height than in width. Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening, appear functional, and be attached to the window frame. For the purposes of this section, "all-glass walls" shall mean any façade in which glazing exceeds 75% of the wall surface area (measured per story), to ensure that minimal non-glass elements cannot be used to circumvent this requirement.

(l) Building elements that provide additional architectural interest, such as bay windows, and cornices, but not including balconies or porches, may encroach up to two feet beyond the front line if the bottom of the encroaching building elements is at least 12 feet above grade.

(m) Metal, glass or canvas-type awnings and canopies or projecting signs are encouraged and may encroach up to six feet for awnings and three feet for signs into the front setback and over the sidewalk above seven feet. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district, as determined by said Board.

(n) Buildings, excluding entrances to parking structures or areas of a building solely for parking, shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.

(o) Commercial buildings, excluding parking structures or areas of a building solely for parking, shall have at least 70% glass on the first-floor facades, located between two feet and 10 feet above the sidewalk. Residential buildings shall have at least 30% glass on the first-floor facades.

(p) Finish building materials should be wood, brick, traditional cement-based stucco, stone, architectural and prefabricated metal panels, or fiber-cement siding or other material deemed acceptable by the Planning Board. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic stone or brick, or synthetic stucco, exterior insulation and finishing system (EIFS), or direct-applied finish system (DAFS), and chain link fencing shall not be permitted.

(5) Energy efficiency. The plan for development of any project shall be designed and arranged in such a way as to promote energy efficiency to the maximum extent practicable for all buildings. All buildings should meet or exceed LEED Silver rating or equivalency.

(6) Landscaping, screening and buffering.

(a) All sidewalks, open spaces, parking areas and service areas shall be landscaped and/or paved in a manner that will harmonize with proposed buildings. Materials for paving, walls, fences, curbs, benches, etc., will be attractive, durable, easily maintained and compatible with the exterior materials of adjacent buildings.

(b) The Planning Board may require buffer landscaping, fencing or screening to separate land uses, and to screen utility buildings, refuse collection areas, cooling systems and other similar installations and features.

(c) All plants, trees and shrubs shall be installed in accordance with a planting schedule provided by the developer and approved by the Planning Board. Landscape materials selected shall be appropriate to the growing conditions of the shoreline environment and this climatic zone.

(7) Lighting. Streets, drives, walks, exterior building facades and other outdoor areas shall be properly lighted to promote safety and encourage pedestrian use. All exterior lighting for the project shall be dark-sky-compliant, fully shielded, and directed downward or otherwise appropriately shielded and designed to minimize excessive light. It shall have an attractive appearance compatible with the overall project design and waterfront character. Lighting intensity, fixture type (including lumen output), number, and locations shall be subject to Planning Board review and approval as part of the site plan review. Layered lighting approaches (e.g., pedestrian-scale lighting supplemented with low-lumen accent or building lighting) are encouraged where appropriate to enhance safety and aesthetics without over-lighting.

(a) Lighting fixtures shall be a maximum of 15 feet in height, except pole lights in rear parking lots shall be a maximum of 20 feet high.

(b) All exterior lighting shall comply with the standards in § **223-14B**, and any additional shielding or performance standards required to achieve dark-sky compliance.

(8) Signage.

(a) All signs shall be planned and designed in accordance with an overall comprehensive signage plan, which shall be subject to Planning Board review and approval as part of site plan review.

(b) All signs shall be of a size and scale as determined appropriate by the Planning Board to accomplish their intended purpose.

(9) Vehicular circulation system and traffic access. The rights-of-way and pavement widths for all internal streets, drives, parking structures, walks or other access ways for vehicles and/or pedestrians shall be determined on the basis of sound current planning and engineering standards, which shall accommodate projected demand but minimize impervious surface to the maximum extent possible. Site plan submissions shall include analysis of ingress and egress conditions, internal vehicular circulation (including parking areas), and pedestrian and bicycle circulation, particularly in relation to existing Metro-North parking and access constraints. Such analyses shall be of sufficient detail to demonstrate safe, efficient, and coordinated multimodal circulation throughout the site.

(10) Public access. While development in ~~WD~~ the TS north area is expected to be primarily residential, development in ~~WD~~ the TS south area is expected to accommodate public access to the ~~MNRR~~ train station and Beacon waterfront. Creation of public access ~~This~~ will require balancing the provision of public access with certain private elements for the security and benefit of any

residential development's ~~its~~ residents and property owners. A clear boundary should be maintained between publicly accessible and private space. Public access must be provided to allow for pedestrians and bicycles to travel along the north-south axis of the property to allow for future connection to a trail system extending from the Town of Fishkill border to the train station. The public access on the northern parcel should be on the western side of the property to allow for river views and be parallel to the train tracks. In designing the public access, the applicant and the Planning Board shall consider the design concepts (but not the location concepts) of the City's trail planning documents to ensure that public access ~~Development that provides access to the MNRR train station (i.e. the WD TS south area) public pedestrian access should be~~ is created in a manner which:

(a) Enhances existing public access opportunities to the riverfront, in furtherance of the City's Comprehensive Plan, ~~and~~ Local Waterfront Revitalization Program (LWRP), and the state's coastal policies.

(b) Coordinates such public access with existing or anticipated opportunities for public access to the ~~MNRR~~ train station and Beacon waterfront west of the railroad tracks.

(c) Provides a public promenade along length of development facing the river.

~~(c)~~**(d)** Be a single trail, not duplicating existing or proposed public access.

(11) Off-street parking and loading shall be provided in accordance with § **223-26**.

(a) General parking requirements.

[1] Off-street parking and loading areas shall be designed with careful regard to their relationship to the uses served and to the objectives for other open spaces. They shall be coordinated with the public street system serving the project in order to avoid conflicts with through traffic or obstruction to pedestrian walks.

[2] Parking and loading facilities not enclosed in structures shall be suitably landscaped and/or screened as determined appropriate by the Planning Board.

(12) On-site utilities and services:

(a) Underground lines. All on-site television, power and communication lines, as well as on-site water, sewer and storm drainage lines, shall be installed underground in the manner prescribed by the regulations

of the government agency or utility company having jurisdiction. Any utility equipment which will be necessarily located above ground will be adequately screened from view in an attractive manner.

(b) Approval of appropriate jurisdiction. All buildings within the waterfront development and transit station zones ~~projects~~ shall be served by water supply, sanitary sewage and stormwater drainage systems as approved by the appropriate government agency or agencies having jurisdiction thereof. Stormwater drainage shall minimize siltation and nonpoint source discharge of salted areas and any other pollutants. Best management practices shall be required.

~~**(c)** Television hookups. Television hookups shall either be by cable television or a central antenna system designed to minimize adverse aesthetic impact.~~

~~**(d)**~~**(c)** Refuse collection. The waterfront development shall provide an adequate means of separation, and storing refuse between collections, which shall comply with all applicable City requirements, including recycling requirements. Such storage systems shall be designed to minimize adverse aesthetic impact.

~~**(e)**~~**(d)** Cooling systems. Cooling systems shall be designed so as to minimize adverse aesthetic and noise impacts.

(e) Placement of utilities. Where possible, all utilities shall be placed within the right-of-way, and all possible steps shall be taken to avoid placement of utilities under the pavement, in order to assure ease of future maintenance.

(f) Rooftop structures and equipment. A separate plan shall be submitted detailing all rooftop structures and equipment, including, but not limited to, utility equipment. Provision shall be made for screening and aesthetic considerations related to both visual and noise impacts to public views from higher elevations and river locations as specified but not limited to view corridors identified in the Local Waterfront Revitalization Program (LWRP).

(13) Floodplain. The ~~waterfront~~ TS development plan shall comply with the applicable provisions of ~~the Beacon Local Law for Flood Damage Prevention~~Chapter 123 of this Code.

Section 5. Chapter 223 of the Beacon City Code, Article IVA – Waterfront and Transit Station Area, Section 223-41.7 entitled "Bulk regulations applicable to Waterfront Development Zone," is hereby amended as follows:

§ 223-41.7 **Bulk regulations applicable to ~~Waterfront Development Zone~~Tra~~i~~nsit Station District.**

A. Minimum site size: 3~~5~~ acres.

B. Maximum height.

(1) Area north of West Main Street (see illustration[1]): Average of four stories of residential/mixed use over parking. Height may not exceed average of 75 feet from average ~~ground level~~grade of the existing Metro-North parking.

(2) Area south of Light Industry (LI) zone (see illustration[2]): Average of three stories of residential/mixed use over parking. Height may not exceed average of 32 feet at Beekman Street, nor more than average of 70 feet above the average ~~ground level~~grade of the existing Metro-North parking.

(3) The illustrations of height attached in this subsection shall not be exceeded so that the public views to the east are adequately protected.

C. Minimum open space: 15% of the site area, 10% of which must be publicly accessible.

Section 6. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled "Schedule of Dimensional Regulations" is hereby amended as follows:

SEE ATTACHED SCHEDULE

Section 7. 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 follows:

SEE ATTACHED SCHEDULE

Section 8. The zoning map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel extending west of the train tracks, owned by MTA, from the Waterfront Development (WD) Zone to the Waterfront Park (WP) District as follows:

City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion extending west of the train tracks shall be rezoned from the WD District to the WP District.

Section 9. The zoning map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel that is north of the existing WD Zoning District and east of the train tracks, owned by MTA, from the Waterfront Park (WP) District to the Tra~~i~~nsit Station (TS) District as follows:

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City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion of said parcel that is east of the train tracks, north of Parcel No. 5954-25-549980, and for a distance of ~~465~~ 730 feet north therefrom and east of the train tracks, adjacent to Parcel No. 5954-25-549980, and for a distance of 775 feet north therefrom ~~-~~shall be rezoned from the WP District to the TS District.

Section 10. The Zoning Map of the City of Beacon is hereby amended to change the Zoning District designation of a portion of the following parcel that is south of Red Flynn Drive and east of the train tracks, owned by MTA, from the Waterfront Park (WP) District to the Tra~~i~~nsit Station (TS) District as follows:

City of Beacon Tax Parcel No.: 5954-33-549777, but only that limited portion of said parcel that is east of the train tracks and south of Red Flynn Drive and for a distance of 335 feet therefrom shall be rezoned from the WP District to the TS District.

Section 11. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-25, entitled "Site development plan approval" is hereby amended to add Subsection K as follows:

§ 223-25 Site development plan approval.

...

K. Adjustment or amendment to site plan.

(1) Adjustments to site plan during construction. During the construction of an approved site plan, the Building Inspector or the City Engineer may authorize minor adjustments to the approved plans which are consistent with the overall approved site plan, when such adjustments appear necessary in the light of technical or engineering considerations which develop during actual construction, or when such adjustments are required in order to comply with law, rules or regulations made applicable to the subject property by any agency or instrumentality of the United States, New York State, Dutchess County or City government. The Building Inspector or City Engineer may, in their sole discretion, refer any such proposed change to the Planning Board for review. If the proposed change is referred to the Planning Board, the Planning Board shall process the proposed change in accordance to Subsection K(2) below.

(2) Site plan amendments. If the Planning Board determines that the character of the proposed changes requires a site plan amendment, the Planning Board shall process the application as an amended site plan under this Subsection and shall have discretion to determine the extent of further environmental analysis and project review that is required. After appropriate review, the Planning Board

shall approve the site plan amendment by resolution or authorize the Engineer or Building Inspector to approve the requested change.

Section 12. Consistency Revisions to the Beacon City Code, Comprehensive Plan, and Local Waterfront Revitalization Plan (LWRP), and other City of Beacon Planning and Zoning Documents.

The City Council authorizes the publisher of the City Code to change any remaining reference in the City Code to the WD and/or Waterfront Development zoning district so that it shall be revised to reference the TS and/or Tra~~i~~nsit Station District. Additionally, it is the intent of the City Council that reference in planning and zoning documents created by the City of Beacon, including, but not limited to, the Comprehensive Plan and the Local Waterfront Revitalization Plan (LWRP) be read so that any reference to the WD and/or Waterfront Development zoning district shall be deemed to be a reference the TS and/or Tra~~i~~nsit Station District.

Section 13. Ratification, Readoption and Confirmation.

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

Section 14. 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 15. 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 16. 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.

DRAFT

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; 5-5-2025 by L.L. No. 4-2025; 6-2-2025 by L.L. No. 5-2025; 7-7-2025 by L.L. No. 8-2025; 11-17-2025 by L.L. No. 12-2025]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	~~WD~~TS	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	P[2]	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		P[2]	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	P[2]	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~~P	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.

[2] These uses, excluding townhouses, are only permitted on a parcel within the R1-5 Zoning District and not any other R1 Zoning District. Additionally, these uses are only permitted on a parcel in the R1-5 Zoning District if such parcel is located north of either side of Rombout Avenue, south of Verplank Avenue, east of South Avenue (a/k/a Route 9D) and west of Fishkill/Teller Avenue. For a parcel on the southern side of Rombout Avenue, such use is not permitted on a corner lot unless the driveway and the front of the house is located on Rombout Avenue.

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	~~WD~~TS	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		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	P/SP	X	X	X	X	X	P/SP	P/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	P	P	P	P	P	P	P	P
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~~P	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		

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020;[1] amended 9-19-2022 by L.L. No. 8-2022; 9-3-2024 by L.L. No. 8-2024; 11-17-2025 by L.L. 12-2025]

Zoning District	Minimum Lot Size Area[h] (see also § 223-121)				Minimum Yards[a]			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear[d,e] (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	2,500	50	100	10	10	20	—	2.5 / 35	N.A.	40%	2	—	R1-5	
RD-7.5[d,e]	2 acres	7,500	200	200	20 to 35	25	50	30	3 / 35	15%	20%	12	—	RD-7.5[d,e]	
RD-6[d,e]	2 acres	6,000	200	200	50	25	50	30	2.5 / 35	15%	20%	16	—	RD-6[d,e]	
RD-5[d,e]	5,000	5,000	50	100	30	10	25	30	3 / 35	20%	30%	16	—	RD-5[d,e]	
RD-4[d,e]	5,000	4,000	200	200	40	20	40	30	2.5 / 35	20%	25%	20	—	RD-4[d,e]	
RD-3[d,e]	5,000	3,000	50	100	30	20	25	30	3.5 / 45	20%	40%	24	—	RD-3[d,e]	
RD-1.8[d,e]	5,000	1,800	50	100	30	20	25	30	10[b] / 100	25%	40%	__[c]	—	RD-1.8[d,e]	
RD-1.7[d,e]	5,000	1,700	50	100	30	20	25	30	4.5[f] / 55[f]	25%	40%	36[g]	—	RD-1.7[d,e]	
T[e]	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T[e]	
GB	—	1,500	—	100	15	20	25	—	— / 35	—	—	—	—	GB	
CMS	—	—	—	75	0 to 10	0	20	—	3 /| 38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4 / 48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3 / 40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5 / 35	20%		—	—	WP	Art. IVA
~~WD~~TS	~~3~~5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	~~WD~~TS	Art. IVA
LI	—	1,500	60	100	20	20	25	—	— / 35	70%		—	20%	LI	
HI	—	—	60	100	30	20	25	—	— / 40	70%		—	20%	HI	

NOTES:

[a] A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.

[b] But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.

[c] But not more than 24 dwelling units in any building 3 1/2 stories or less in height.

[d] For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.

[e] In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setbacks for end unit dwellings shall not be reduced further than ½ the minimum side yard setback of the least restrictive adjoining residential district.

[f] A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.

[g] And each building shall not exceed 150 feet in length.

[h] For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.

[i] One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

[1] Editor's Note: This local law also repealed former 223 Attachment 1, § 223-17C, Schedule of Regulations for Residential Districts, as amended.

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

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) ☐ NO ☑ YES
If "Yes", answer questions a - j. If "No", move on to Section 2.

	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

If "Yes", answer questions a - c. If "No", move on to Section 3.

	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

If "Yes", answer questions a - l. If "No", move on to Section 4.

	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	□	□

l. 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) ☐ NO ☑ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	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) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	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. (See Part 1. D.2.f., D.2.h, D.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑ NO ☐ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

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

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	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, Elb	□	□
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.	El 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.)
☐ NO ☑ YES
If "Yes", answer questions a - g. If "No", go to Section 10.

	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 ½ -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.)
☑ NO ☐ YES
If "Yes", answer questions a - e. If "No", go to Section 11.

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

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	□	□
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	□	□
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	□	□
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	□	□
e. Other impacts: _____ _____		□	□

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	□	□
c. Other impacts: _____ _____		□	□

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems. ☐ NO ☑ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	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)
If "Yes", answer questions a - e. If "No", go to Section 15.

	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.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	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.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	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. ☑ NO ☐ YES

(See Part 1. C.1, C.2. and C.3.)

If "Yes", answer questions a - h. If "No", go to Section 18.

	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, Elb	☐	☐
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. ☑ NO ☐ YES

(See Part 1. C.2, C.3, D.2, E.3)

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	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 Full Environment Assessment Form Part 1 and Narrative, the City of Beacon Schedule of Uses, the Beacon Schedule of Dimensional Requirements, the City of Beacon Zoning Map, Dutchess County Department of Planning and Development GML 239-m referral response letter, dated October 28, 2025, and City of Beacon Planning Board referral response letter dated, November 17, 2025.

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: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Transit Station District.

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

Name of Responsible Officer in Lead Agency: Christopher White (Delegated to the City Administrator per City Council Resolution)

Title of Responsible Officer: City Administrator

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 the Transit Station (TS) District

On September 29, 2025, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the "Zoning Code") to rename the Waterfront Development Zone to Transit Station (TS) District[1] and amend the City's zoning regulations thereof, Chapter 223 of the Beacon City Code (the "Zoning Code"). The proposed Local Law is a hybrid zoning text and zoning map amendment. The proposed Local Law was referred to the Dutchess County Department of Planning and Development, which by letter dated October 28, 2025, opined that proposed Local Law is a matter of local concern without comment. The proposed Local Law was referred to the City of Beacon Planning Board, which was discussed its meetings on October 15, 2025, and November 12, 2025. The Beacon Planning Board issued its comment letter, dated November 17, 2025, with comments, and was generally in favor of the proposed Local Law. The Beacon Planning Board's comments and recommendations have been incorporated into the proposed Local Law.

The proposed Local Law will reorientate the goals of the TS Zoning District to encourage compact, mixed-use, pedestrian-oriented development near transit facilities that supports increased mobility, housing choice, and economic vitality while balancing automobile dependence development near Metro-North's train station in Beacon. In summary, the proposed Local Law will make the following changes:

- Change the name of the Waterfront Development (WD) District to the Transit Station (TS) District, which automatically rezones all parcels in the WD to the TS.

- Eliminate redundancies in Article IVA of the Zoning Code by referring to the City of Beacon Schedule of Uses and Schedule of Dimensional Regulations in lieu of restating same.

- Eliminate redundant site plan requirements provisions found under Article IVA and simply refer to the existing Zoning Code § 223-25. This provides the Planning Board with clear procedural direction when reviewing site plan applications.

- Codify the procedure for modifications of all site plans regardless of Zoning District.

- Revise development standards to conform with the purpose of the TS District.

- Clarify screening requirements of parking structures and decks.

[1] The proposed Local Law was originally introduced renaming the Waterfront Development (WD) Zone to the "Train Station (TS) District." Per Beacon Planning Board recommendation, the proposed name of the subject Zoning District was changed to "Transit Station (TS) District."

- Add screening and aesthetic requirements for rooftop structures and equipment.

- Decreases the minimum lot size from 5 acres to 3 acres. No other changes to the dimensional regulations of the Zoning Code are proposed (e.g., density, setbacks, building height, building coverage, open space requirement, etc.)

- Rezone all Waterfront Park (WP) parcels, or portions thereof, which are east of the Metro-North train tracks to the TS District, which is appropriate given the separation from the waterfront.

- Rezone a small portion of a parcel west of the train tracks from the WD District to the WP District, which is appropriate given the closer proximity to the waterfront.

- Only two (2) new uses are proposed within the TS District, *artist studio, art gallery/exhibit space*s and *home occupation or artist studio*. All other uses currently permitted in the WD District will similarly be permitted in the TS District. No uses are proposed to be eliminated.

The Local Law will only affect the area near the Beacon Metro-North train station and no amendments to zoning regulations, uses, or district boundaries outside of this area will be affected, excluding the codification of site plan modification procedures applicable to all site plan approvals. The determination of environmental significance made herein pursuant to the State Environmental Quality Review Act ("SEQRA") is only applicable to the proposed hybrid zoning text and zoning map Local Law and is not a review of environmental significance of any proposed development. For clarity, any and all subsequent development within the TS District shall be subject to project specific environmental review pursuant to SEQRA and the Beacon City Code.

The proposed Local Law will not have a significant adverse impact on the environment for the following reasons.

The proposed Local Law is not inconsistent with the City's Zoning Code or Comprehensive Plan. There are only two (2) new proposed uses within the TS District, *artist studio, art gallery/exhibit space*s and *home occupation or artist studio*. These are low impact uses which do not have substantial impacts on neighbors, the environment, or public services. Moreover, the proposed Local Law is intended to further the City's land use goals by encouraging development which will link the Metro-North Train Station and the City's downtown and residences. The subject area is currently fully developed with industrial uses, governmental uses, commercial uses, and transit-oriented uses. However, by reducing the minimum lot size to 3 acres when 5 acres is currently required, the ability to develop residential uses (as is currently allowed) will be encouraged. Rezoning parcels east of the Metro-North train tracks, which are currently in the Waterfront Park (WP) District, to the TS District is consistent with existing land use patterns because of the physical separation caused by the train tracks. Similarly, rezoning parcels west of the Metro-North train tracks, which are currently in the

WD District, to the WP District is consistent with existing land use patterns due to the physical separation caused by the train tracks.

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, each application for land use approvals in the TS District 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. Full build out of the TS District or WF Zone is also unlikely due to geographical limitations caused by the Metro-North train station, dedicated public roadways, steep slopes, and the Hudson River.

The proposed Local Law will not result in a substantial adverse change or impact to existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage. The changes to the text of the Zoning Code are minor and primarily to clean-up and update existing regulations. For example, no changes are proposed to the applicable parking requirements, erosion control requirements, density requirements, building heights, setback requirements, stormwater pollution prevention requirements, nor will new uses be permitted which are inconsistent with existing regulations. To the extent that this environmental review precedes future development, such development shall be subject to all City zoning and land use requirements, which is no less protective of the environment than the requirements of SEQRA.

The areas affected by the proposed Local Law are currently developed, and have been developed for decades, including industrial and commercial uses, as well as the Beacon Metro-North train station. Given the developed nature of the area, 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 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 the changes to the City's schedule of uses and dimensional requirements are minor (i.e., only the

minimum lot size is being reduced from 5 acres to 3 acres, and two (2) new low impact uses permitted).

The proposed Local Law will further the goals of SEQRA because it adds new application and review standards for the Planning Board to consider. For example, applicants will be required to submit 3-D renderings and visualizations to assist the Planning Board with assessing architecture and viewshed impacts. Minor changes to permitted building materials will also be required which further the City's design goals near the Hudson River to ensure that high quality materials are utilized. The proposed Local Law will prohibit certain design standards which are typically considered to be sub-optimal for this area of the City (e.g., glass walls). The proposed Local Law adds new lighting standards for review by the Planning Board. Applicants will also be required to submit plans which fully details ingress and egress conditions for not only vehicles, but also pedestrians and cyclists. This is especially beneficial due to the commuter usage of the Metro-North train station. The TS District will also require applicants to adhere to the principals and concepts of the Beacon Hudson River Trail and Local Waterfront Revitalization Program (LWRP), even when such plans do not express address this Zone or the specific parcel. There are also amendments to rooftop equipment requirements to ensure that such equipment is properly screened from higher elevations. New standards for parking screening will also be encouraged to prioritize "green screen" or similar landscaping treatments. As such, the proposed Local Law will benefit the environment and enhance the character and nature of the TS District.

As such, for the reasons herein 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.

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

John Gunn, Chair

November 17, 2025

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

Subject: City Council Referral of Local Law Amending the Beacon Zoning Code Concerning the Train Station (TS) Zoning District

On referral from the City Council, the City of Beacon Planning Board (the "Planning Board") reviewed the proposed Local Law amending Chapter 223 of the Beacon City Code to establish the Train Station (TS) Zoning District. The proposed Local Law was originally discussed by the Planning Board at its October 15, 2025 meeting, with continued discussion at its November 12, 2025 meeting. City Planner, Natalie Quinn, summarized the proposed Local Law for the Planning Board. The following comments are intended to provide the City Council with the Planning Board's review and recommendations regarding the Local Law.

After discussing the proposed Local Law, the Planning Board provides the following comments:

1. **Three-Dimensional Visualization and Viewshed Analysis.** The Planning Board recommends that the Local Law retain or include stronger requirements for three-dimensional visualizations that incorporate topography and surrounding built and natural context. In addition, a viewshed analysis from each protected viewshed identified in the LWRP should be required. The Board suggests retaining or adapting key language from §223-41.4G to ensure these analyses remain clear submission requirements.

2. **Lighting Standards.** The Planning Board recommends strengthening the exterior lighting standards to encourage thoughtful, dark-sky-compliant, and architecturally integrated lighting. A small number of targeted standards, such as lumen limits, layered lighting guidance, or clearer shielding requirements, would improve project review and site lighting design within the waterfront area.

3. **District Name.** Several members of the Board suggested that the Council consider renaming the district from "Train Station" to "Transit District" to better reflect the multimodal nature of the area, including buses, bicycles, pedestrian access, and the riverfront trail system.

4. **Ingress, Egress, and Parking Circulation.** The Board notes the importance of analyzing ingress, egress, and internal parking circulation, given the existing constraints of the Metro-North parking areas. Additional language clarifying expectations for traffic, pedestrian, and bicycle circulation analyses would strengthen site plan review.

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

John Gunn, Chair

5. **Beacon Hudson River Trail (BHRT).** The Planning Board supports the Beacon Greenway Committee's request to include explicit reference to the Beacon Hudson River Trail (BHRT) within the TS development standards, to ensure that trail implementation and connections are incorporated into future development.

6. **Commercial Floor Area Requirement Near the Station.** The Planning Board is not fully supportive of entirely removing the requirement that a portion of development within 400 feet of the train station include nonresidential uses. The Board recommends that the Council consider reducing, rather than eliminating, the percentage; or alternatively, creating incentives to encourage mixed-use development where feasible.

7. **Clarification of Permitted Metal Paneling (§223-41.4(p)).** The Board recommends clarifying that high-quality architectural and prefabricated metal panel systems are permitted materials. The prohibition in the above referenced section should apply specifically to sheet metal panels, riveted metal, corrugated metal, or other low-quality utilitarian metal surfaces, rather than all forms of metal cladding. This clarification will help ensure that modern architectural metal panels remain available while excluding undesirable materials.

8. **Clarification of "All-Glass Walls" Prohibition (§223-41.4(k)).** The Planning Board recommends clarifying the prohibition on "all-glass walls" to prevent applicants from meeting the standard through minimal non-glass elements (e.g., a narrow metal band at the base of an otherwise fully glazed façade). Establishing a measurable glazing limit may better reflect the intent of the standard and prevent circumvention through nominal non-glass materials.

Sincerely,

John Gunn JG

John Gunn
Planning Board Chair

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 Numbers(s):

Project Name: **Proposed Local Law Concerning the Train Station District**

Applicant: **City of Beacon**

Address of Property:

Please Fill in this section

**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.)
- ☐ Rezonings 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: **10/31/2025**

Entered By: **Swanson, Benjamin**

These actions are only exempt in municipalities that signed an intermunicipal agreemment 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: **10/10/2025**	Notes:	☐ Major Project
Date Received: **10/10/2025**		Referral #: **ZR25-296**
Date Requested: **10/31/2025**		
Date Required: **11/9/2025**	☐ Also mailed hard copy	Reviewer:
Date Transmitted: **10/28/2025**		

N

Town of Fishkill

Town of Fishkill

Town of Fishkill

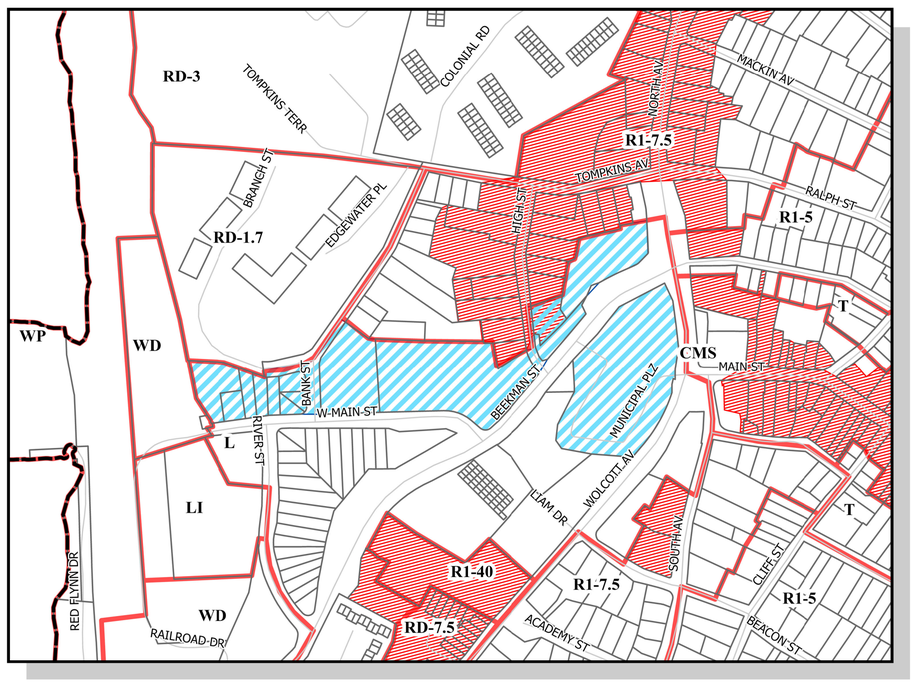
Town of Fishkill

Town of Fishkill

1,000 500 0 1,000 Feet

1 inch equals 600 feet

ENLARGED LINKAGE AREA - 1"=300'



600 300 0 600 Feet

LEGEND

- Roads
- Parcels
- boundary
- Senior Affordable Housing Overlay District
- Historic District and Landmark Overlay Zone
- L District Overlay - additional commercial and industrial uses permitted
- Flood Prone Areas based upon FEMA mapping

ZONING

INDUSTRIAL DISTRICTS

- LI Light Industrial
- HI Heavy Industrial

WATERFRONT DISTRICTS

- WP Waterfront Park
- WD Waterfront Development
- FCD Fishkill Creek Development

COMMERCIAL DISTRICTS

- GB General Business
- T Transitional Zone
- CMS Central Main Street
- L Linkage

RESIDENTIAL DISTRICTS

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

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LANC & TULLY Engineering and Surveying, P.C.
P.O. Box 687, Rte. 207
Goshen, NY 10924
(845) 294-3700

ZONING MAP PREPARED FOR

CITY OF BEACON

DUTCHESS COUNTY, NEW YORK

Date:	Revisions:	GIS File:	Layout:	Sheet No:
4/30/25	5/14/25	BEACON ZONING MAP		1 OF 1

Drawn By:	Chk'd By:	Scale:	Tax Map No:	Drawing No:
TH		1" = 600'		A-17-5070-01

City of Beacon City Council Agenda
12/01/2025

Title:

November 17, 2025 Minutes

ATTACHMENTS

November 17, 2025 Minutes

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

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

November 17, 2025
7:00 PM
Draft
City Council
Minutes

Regular Meeting

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

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

Councilmembers Present

Mayor Lee Kyriacou

Councilmember Amber Grant, At Large

Councilmember Paloma Wake, At Large

Councilmember Molly Rhodes, Ward One

Councilmember Jeffrey Domanski, Ward Two

Councilmember Pam Wetherbee, Ward Three

Councilmember George Mansfield, Ward Four

Also Present

Christopher White, City Administrator

Christian A.L. Gates, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for a Proposed Local Law Concerning the Train Station District (to be adjourned to December 1, 2025)

Motion to adjourn the public hearing to December 1, 2025 by Councilmember Rhodes.
Second by Councilmember Grant.
Motion passes 7 - 0.

Public Hearing for the 2026 Proposed Budget

Motion to close the public hearing by Councilmember Rhodes.
Second by Councilmember Wetherbee.
Motion passes 7 - 0.

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 107 - Amending the Schedule of Fees Concerning Recreation Fees for Subdivisions and Site Plans

Motion to pass the resolution by Councilmember Grant.
Second by Councilmember Mansfield.
Motion passes 7 - 0.

2. Resolution No. 108 - Adopting Local Law No. 12 of 2025 Concerning Residential Uses in the R1-5 Zoning District

Motion to pass the resolution by Councilmember Rhodes.
Second by Councilmember Wake.
Motion passes 7 - 0.

3. Resolution No. 109 - Adopting the 2026 Budget

Motion to amend the 2026 Budget to increase lines A3410 101000, A3140 105200, A3410 108002, A3140 119000, A3140 820000, and A9060 840000 collectively by $51,412 with a corresponding $51,412 increase in the use of Fund Balance by Councilmember Wake.
Second by Councilmember Grant.
Motion passes 7 - 0.

Motion to amend the 2026 Budget to rename line no. A1010 452020 from ‘Planning Studies’ to ‘Council Initiatives’ by Councilmember Rhodes.
Second by Councilmember Wetherbee.
Motion passes 7 – 0.

Motion to amend the 2026 Budget to increase line no. A1010 452020 by $25,000 with a corresponding $25,000 increase in the use of Fund Balance by Councilmember Wake.
Second by Councilmember Mansfield.
Motion passes 7 – 0.

Motion to adopt the budget, as amended, by Councilmember Wetherbee.
Second by Councilmember Grant.
Motion passes 7 – 0.

Approval of Minutes

1. November 3, 2025 Minutes

Motion to approve the minutes by Councilmember Rhodes.
Second by Councilmember Grant.
Motion passes 7 - 0.

Public Comment - Second Opportunity

Announcement of Next Workshop: November 24, 2025 at 7:00 p.m.

Adjournment

Motion to adjourn by Councilmember Wetherbee.
Second by Councilmember Mansfield.
Motion passes 7 - 0.