



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

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**August 15, 2022
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Public Comment

Public Hearings

Public Hearing for Draft Local law to Amend Chapter 223, Section 24.1 and Section 14 and Chapter 223 Attachment 1, Attachment 2, and Attachment 3 of the Code of the City of Beacon Concerning Accessory Apartments

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. Resolution No. 106 - Rejecting the Bids Received for the Accessible Curb Ramps Project
2. Resolution No. 107 - Authorizing the Implementation and Funding of Costs of the Reconstruction of Fishkill Avenue
3. Resolution No. 108 - Authorizing the Implementation and Funding of Costs of the Reconstruction of Teller Avenue
4. Resolution No. 109 - Approving Amendments to the 2022 Operating Budget
5. Resolution No. 110 - Referring Beacon Lofts and Studios Development Conceptual Plan to the Planning Board
6. Resolution No. 111 - Setting a Public Hearing for a Local Law to Amend Chapter 223 of the Code of the City of Beacon Regarding Self-Storage Parking Requirements
7. Resolution No. 112 - Setting a Public Hearing for a Local Law to Amend the Code of the City of Beacon Regarding Off-Street Parking Adjacent to Non-Residential Districts
8. Resolution No. 113 - Authorizing the City Administer to Apply for a Water Infrastructure Improvement Act Grant

Approval of Minutes

1. August 1, 2022 City Council Minutes

2nd Opportunity for Public Comments

Adjournment

City of Beacon City Council Agenda
08/15/2022

Title:

Public Hearing for Draft Local law to Amend Chapter 223, Section 24.1 and Section 14 and Chapter 223 Attachment 1, Attachment 2, and Attachment 3 of the Code of the City of Beacon Concerning Accessory Apartments

ATTACHMENTS

City of Beacon Planning Board Memorandum on Accessory Apartments Local Law

City Planner Memorandum on Accessory Apartments

Keane & Beane P.C. Memorandum on New York State Accessory Housing Funding

Proposed Local Law to Amend Chapter 223, Section 24.1 and Section 14 and Chapter 223 Attachment 1, Attachment 2, and Attachment 3 of the Code of the City of Beacon Concerning Accessory Apartments

Proposed Amendments to the Schedule of Dimensional Regulations for Accessory Apartments

Proposed Amendments to the Schedule of Use Regulations - Accessory Apartments

Proposed Amendments to the Schedule of Regulations for Accessory Buildings on Residential Lots

Memorandum *Planning Board*

TO: City Council

FROM: Planning Board Chairman Gunn and Planning Board Members

RE: Proposed Local Law Amending Chapter 223, Section 24.1 and Section 14, and Chapter 223 Attachment 2:2 of City Code concerning Accessory Apartments

DATE: July 22, 2022

As requested, the Planning Board reviewed the proposed Local Law to amend Chapter 223, Section 24.1 and Section 14, and Chapter 223 Attachment 2:2 of City Code concerning Accessory Apartments. The Board discussed a possible amendment to disallow accessory dwelling units from R1-5 and R1-7.5 properties. The Board did not support this amendment, as these lots represent a significant portion of homes in the areas around Main Street, and an accessory apartment in the R1-5 zoning district was recently approved by the Planning Board. The Board noted that side-yard setback requirements will still need to be met, and the accessory dwelling units should not be disallowed from certain lots based on size alone.

The Board was in support of allowing the Planning Board to waive the parking requirement for units that require Planning Board approval, noting that the decision should be made on a case-by-case basis based on objective circumstances such as the availability of on-street parking.

Overall, the Board was supportive of the section regarding parking discretion and did not support restricting accessory apartments from R1-5 and R1-7.5 zones.

To: Mayor Kyriacou and the Beacon City Council
From: John Clarke, City Planner
Date: June 24, 2022
Re: Accessory Dwelling Units (ADUs)

After the June 13, 2022 Council Workshop discussion on draft revisions to the Accessory Apartments Section 223-24.1, the City Administrator requested a summary memo on accessory dwelling units as an affordable housing option in the City. Accessory apartments tend to be more affordable than typical rental developments because they require no extra land costs, no large parking lots, no elevators or stair bulkheads, have shorter construction periods with lower carrying costs, and involve no large developer profit margins. They are smaller in scale, incremental in nature, and often intended for family members or friends who need housing support at lower cost or no cost.

The largest studies of states and cities that have adopted more progressive and streamlined ADU laws have shown that a substantial percentage of the units built had below-market rents. A 2021 study of California ADUs by the UC Berkeley Center for Community Innovation found that a large portion of units are available to those making less than 80% of the area median income, ranging from only 12 % in LA County to 29% in Alameda County, 38% in San Mateo County, 50% in Santa Clara County, and 67% in Marin County. A 2017 study of updated ADU policies in Seattle, Portland, and Vancouver BC reported that, overall, 58% of the surveyed rents were below the market rates, with only about 40% of these occupied by family or friends.

It is important to note that ADUs are the only affordable housing option available for the R1 single-family districts, which contain the overwhelming majority of the land in Beacon. Historically across the U. S., single-family zoning has been used to exclude lower-income tenants from middle- and upper-income neighborhoods. The proposed NY State ADU legislation has been endorsed by a long list of fair housing advocacy groups and related organizations, including AARP New York, Fair Housing Justice Center, NYS Habitat for Humanity, Housing Rights Initiative, NY Housing Conference, Regional Plan Association, and Westchester Residential Opportunities. The main proponent of the adopted Connecticut ADU law was Desegregate CT, a coalition of 80+ organizations.

Beacon's accessory apartment standards were initially adopted in 1989 and need updating. Many communities in the area allow ADUs, but most were similarly adopted decades ago and do not represent the best model for today's changing demographics, aging population, smaller households, and high demand for affordable housing options. A good starting point for discussion is the Westchester County Department of Planning's Model ADU Ordinance, which includes the following primary recommendations:

- An attached or detached ADU may be added to a house on any residentially zoned lot;
- The parcel shall be occupied by the owner, either in the ADU or principal dwelling unit;
- An ADU may be up to 800 square feet or the size of the primary dwelling, whichever is less;
- The maximum height is 20-25 feet or the height of the primary dwelling, whichever is less;
- No additional ADU parking is required, but the required primary dwelling parking must remain;
- An ADU that complies with the standards will be approved by the Building Inspector;
- ADU application fees shall be no more than 30% of single-family dwelling application fees.

The City of Kingston offers a useful and current comparison. The existing very restrictive standards only allow ADUs in dwellings over 2,000 square feet and built before 1982. They are limited to 300 to 600 square feet in size, but no more than 25% of the principal dwelling. ADUs require additional parking, at least 3 total off-street spaces or likely 4 based on the number of total combined bedrooms, and need a Special Permit from the Planning Board. The recently drafted Zoning Code rewrite, now open for public comments, would permit ADUs as-of-right in a

much broader area of the City and allow ADUs with single-family, duplex, or rowhouse building types. The maximum size for an attached ADU is 1,000 square feet or 50% of the primary structure, whichever is less, and the maximum size of a detached ADU is 1,000 square feet. No additional ADU parking would be required. Approval is proposed to be by administrative review, not through the Planning Board.

Not all communities allow ADUs, including the cities of Poughkeepsie, Hudson, Peekskill, Middletown, and White Plains, as well as the villages of Cold Spring, New Paltz, Nyack, Tarrytown, Mt. Kisco, and Catskill.

The Council also asked for examples of ADU standards from other communities. The following table compares the primary standards for ADUs in area municipalities, mostly in Dutchess County:

Municipality	Min. - Max. ADU Size	Max. % Main House	Required Parking	Approval Process	Other Regulations
Town/Fishkill	350 sf - 1,000 sf	50%	2 spaces	Building Inspector	Separate ADU entrance required
Town/Wappinger	300 sf – 1,000 sf	35%	2 spaces	Zoning Administrator	Only family member or 55+ tenants Min. 80,000 sf lot. 1-year insp/renewal
Village/ Wappingers Falls	750 sf – 1,000 sf		1 space	Special Permit Planning Board	At least 1 family member in both units
Town/Newburgh	450 sf – 700 sf		1 space	Special Permit ZBA	Principal house must be 5 years old
Town/East Fishkill			1 space	Building Inspector	If in principal house, must be 5 years old If in acc. bldg., must be built before 1985
Town/ Poughkeepsie	400 sf	35%	2 spaces	Special Permit ZBA	No more than 1 bedroom in ADU Inspection every 2 years
Town/LaGrange	400 sf	35%	2 spaces	Special Permit Planning Board	No more than 1 bedroom in ADU
Town/ Hyde Park	400 sf	35%	2 spaces	Special Permit Planning Board	No more than 2 bedrooms in ADU ADU shall count for density calculations
Village/Pawling	450 sf – 500 sf		1 space	Special Permit Planning Board	Main house min 1,200 sf. 2-year renewal No more than 1 ADU Bedroom/2 persons
Village/Rhinebeck	400 sf – 750 sf	25%	1 space	Special Permit Planning Board	Owner must live on lot 6 months/year
Village/Red Hook	400 sf – 600 sf	35%	1 space	Special Permit Planning Board	No more than 1 ADU bedroom/2 persons Detached ADU needs min. of 1.5 acres
Town/Pine Plains	250 sf – 1,250 sf	75%	1 space	Special Permit Planning Board	

Please let me know if you have any questions or need additional information.

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■ **Mid-Hudson Office**

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■ **New York City Office**

99 Madison Avenue
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Phone 646.794.5747

MEMORANDUM

TO: Mayor Kyriacou and Members of the City Council

FROM: Keane & Beane, P.C.

RE: Funding for Accessory Dwelling Units

DATE: June 23, 2022

At the June 13, 2022 City Council workshop meeting, the City Council asked our office to provide information on the status of state funding available for accessory dwelling units.

As the City Council is aware, Governor Hochul removed the proposed Accessory Dwelling Unit (ADU) legislation from the state's proposed fiscal year 2023 budget after municipal leaders voiced strong opposition to the initiative. The bill, which was originally introduced by State Senator Peter Harkham, would have required municipalities to allow residential property owners to have an accessory apartment on their properties subject to certain conditions.

Although the ADU legislation was removed from the 2023 state budget, the budget was adopted with a \$25 billion, five-year comprehensive housing plan to focus on economic recovery, social justice, climate action and improved digital connectivity. The new multi-year investment includes funding for programs in affordable housing, supportive housing and related services. The plan specifically sets aside \$85 million for the creation or rehabilitation of ADUs, including basement apartments, garage units, attics and backyard cottages. This program will be supported by a new \$4.5 billion capital allocation. The goal of this program is to encourage the creation of alternative housing options, bring existing accessory dwelling units into code compliance across the state, and improve safety for these alternative housing options. This is the link to the Governor's Press Release:

<https://www.governor.ny.gov/news/governor-hochul-announces-launch-comprehensive-25-billion-housing-plan-historic-fy-2023-budget>

Specific details regarding eligibility for the funds, whether they are a loan or grant and other parameters have not yet been announced. We expect the NYS Homes and Community Renewal (HCR) Agency to issue regulations and guidelines to implement the ADU Program.

LOCAL LAW NO. ____ OF 2021

CITY COUNCIL
CITY OF BEACON

PROPOSED LOCAL LAW TO AMEND CHAPTER 223, SECTION 24.1 AND
SECTION 14, AND CHAPTER 223 ATTACHMENT 2:2 OF THE CODE OF
THE CITY OF BEACON

A LOCAL LAW to amend Chapter 223, Section 24.1 and Section 14, and Chapter 223 Attachment 1, Attachment 2 and Attachment 3 of the Code of the City of Beacon concerning accessory apartments.

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

Section 1. Chapter 223, Section 24.1 of the Code of the City of Beacon entitled “Accessory Apartments” is hereby amended as follows:

§ 223-24.1 Accessory Apartments.

- A. Purpose and intent. It is the purpose and intent of allowing accessory apartments on all existing single-family properties in all residence districts and the Transitional District ~~in all residence districts~~ to provide the opportunity and encouragement for the development of small, rental housing units designed to meet the special housing needs of single persons, couples, other small households, the young, the elderly, persons of low and moderate income and relatives of families presently living in Beacon. It is the further purpose and intent of this provision to allow the more efficient use of the City's existing stock of dwellings and accessory buildings, to provide economic support for present resident families of limited income and to otherwise help to protect and preserve property values.
- B. Owner occupancy required. The owner of the single-family lot upon which an accessory apartment is located shall occupy at least one of the dwelling units on said lot.
- C. Location on the lot. An accessory apartment may be located either in or attached to a detached single-family dwelling or in an accessory building on such a single-family lot.
- D. Apartment size. The floor area of an accessory apartment shall not exceed 50% of the

~~total floor area of the single-family dwelling in which it is located. In no case shall the total square footage of the accessory apartment exceed a maximum of 1,000 square feet or be less than a minimum of 200 square feet. Notwithstanding the foregoing, The minimum floor area for an accessory apartment within a detached single-family dwelling shall be 400 square feet. The maximum floor area shall be 650 square feet, but in no case shall the floor area of the apartment exceed 30% of the total floor area of the dwelling building in which it is located. For an accessory apartment located in an accessory building, the minimum floor area shall be 300 square feet, and the maximum shall be 600 square feet, except that the Planning Board may permit a smaller or larger accessory apartment where appropriate in an existing accessory building constructed prior to August 1, 1989. There shall be no more than one accessory apartment permitted per single-family lot. There shall be no more than one accessory apartment permitted per single-family lot. However, in the case of a lot which contains an existing accessory building or buildings that comply with the minimum required setbacks required for a principal building in the zoning district in which the lot is located and that were constructed prior to August 1, 1989, one accessory apartment shall be permitted in each such accessory building in addition to the one permitted in the detached single-family dwelling; the area of such lot shall be at least 100% larger than the minimum lot area required in the district in which the lot is located for each accessory apartment in excess of the first one.~~

- E. Exterior appearance. If an accessory apartment is located in a detached single-family dwelling, the entry to such unit and its design shall be such that, to the degree reasonably feasible, the exterior appearance of the building will remain that of a single-family residence.
- F. Off-street parking. A minimum of one off-street parking space shall be provided for each accessory apartment in addition to the off-street parking required for other uses existing on the lot. The Planning Board may, in its discretion, waive all parking requirements when deemed appropriate.
- G. The accessory apartment shall not be used for short term rentals as defined in § 223-26.5.
- H. An existing structure that does not conform to the yard requirements of Chapter 223 may be converted into an accessory apartment without a variance from the Zoning Board of Appeals if the proposed use will not enlarge or increase the dimensional nonconformity.

~~G. Renewal inspections. Each accessory apartment shall be inspected by the Building Department every two years in order to determine whether the apartment remains in compliance with this section. Upon a satisfactory inspection report, the accessory apartment owner shall be reissued a certificate of occupancy. In the event that the inspection indicates that the apartment is no longer in compliance, the certificate of occupancy shall be revoked until the violations are cured.~~

I. The Building Inspector shall have approval authority for accessory apartments entirely contained within an existing single-family dwelling and meeting all the provisions of this section. All other proposed accessory apartments, including any accessory apartments requiring exterior additions, conversions of existing accessory buildings, or new accessory buildings, shall require site plan approval from the Planning Board.

Section 2. Chapter 223, Section 14 of the Code of the City of Beacon entitled “Accessory buildings on residential lots” is hereby amended to add a new subsection (4) as follows:

§ 223-14 Landscaping, lighting, and miscellaneous regulations.

...

E. Accessory buildings on residential lots.

...

(4) This subsection shall not apply to accessory apartments.

Section 3. Chapter 223 Attachment 1 of the Code of the City of Beacon, entitled “§ 223-17. Schedule of Dimensional Regulations” shall be amended to (1) add a 40% maximum percent building coverage limit for the R1-5 and T Zoning Districts and (2) reduce the required front yard setbacks in all R1 residential districts by five (5) feet.

SEE ATTACHED CHART

Section 4. Chapter 223 Attachment 2 of the Code of the City of Beacon, entitled “§ 223-17, City of Beacon Schedule of Use Regulations” shall be amended to permit accessory apartment as-of-right in all Residential Districts and the Transitional District in the City of Beacon, subject to site plan review by the City Planning Board.

SEE ATTACHED CHART

Section 5. Chapter 223 Attachment 3 of the Code of the City of Beacon, entitled “§ 223-17E, Schedule of Regulations for Accessory Buildings on Residential Lots” shall be amended to (1) eliminate the maximum cumulative square foot requirement for accessory buildings for all R1 Zoning Districts, (2) increase the maximum square footage permitted for each accessory building construction in connection with a single-family dwelling to be based on the total square footage of the principal building rather than the footprint of the principal building, and (3) increase the maximum square footage permitted for each accessory building constructed in connection with a single-family home from 40% to 50%.

SEE ATTACHED CHART

Section 6. Ratification, Readoption and Confirmation

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

Section 7. 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 8. Severability. The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 9. Effective Date

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

DRAFT

ZONING

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations
[Added 6-15-2020 by L.L. No. 7-2020¹]

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	75 70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	50 45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	40 35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	30 25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	25 20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	20 15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	15 10	10	20	—	2.5 / 35	N.A.	40%	1	—	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	5,000	i	50	100	10	10	20	—	2.5 / 35	—	40%	—	—	T	
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	5 acres	—	—	—	—	—	—	—	See Art. IVA	—		—	15%	WD	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 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.

^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.

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020¹; amended 2-16-2021 by L.L. No. 02-2021]

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

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

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale or storage business		X	X	X	P	X	X	X	X	X	P	P
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	SP <u>P</u>	SP <u>P</u>	SP <u>P</u>	X	X	X	X	X	X	X	X
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
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		

ZONING

223 Attachment 3

City of Beacon

§ 223-17E, Schedule of Regulations for Accessory Buildings on Residential Lots

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Cumulative Square Footage for All Accessory Buildings	Maximum Square Footage Permitted For Each Accessory Building (Based on footprint the total square footage of the principal building)	Maximum Number of Sheds Permitted
R1-120 1-Family Residence District	Not permitted in front yard	50	50	2,775	40% 50%	2
R1-80 1-Family Residence District	Not permitted in front yard	30	30	2,125	40% 50%	2
R1-40 1-Family Residence District	Not permitted in front yard	25	25	1,625	40% 50%	2
R1-20 1-Family Residence District	Not permitted in front yard	20	20	1,250	40% 50%	2
R1-10 1-Family Residence District	Not permitted in front yard	15	15	960	40% 50%	2
R1-7.5 1-Family Residence District	Not permitted in front yard	5	5	720	40% 50%	1
R1-5 1-Family Residence District	Not permitted in front yard	5	5	720	40% 50%	1

BEACON CODE

Zoning District	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Cumulative Square Footage for All Accessory Buildings	Maximum Square Footage Permitted For Each Accessory Building (Based on footprint ^a of principal building) ^b	Maximum Number of Sheds Permitted
R1-5 1-Family Residence District	Not permitted in front yard	5	5	720	40%	1
RD-6 Designed Residence District	Not permitted in front yard	50	50	2,775	40%	2
RD-5 Designed Residence District	Not permitted in front yard	30	30	2,125	40%	2
RD-4 Designed Residence District	Not permitted in front yard	25	25	1,625	40%	2
RD-3 Designed Residence District	Not permitted in front yard	20	20	1,250	40%	2
RD-1.8 Designed Residence District	Not permitted in front yard	15	15	960	40%	2
RD-1.7 Designed Residence District	Not permitted in front yard	5	5	720	40%	1
R1-5 Designed Residence District	Not permitted in front yard	5	5	720	40%	1

NOTES:

The following districts were not included in the Planning Board's recommendation: RMF-1.5 (Multifamily Residence District), SAHO (Senior Affordable Housing Overlay District).

^a Footprint includes attached garages but excludes open porches/decks.

^b The maximum square footage of each accessory building for any single-family dwelling located in the RD Zoning District shall be 50% based on the total square footage of the principal building.

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 106 - Rejecting the Bids Received for the Accessible Curb Ramps Project

ATTACHMENTS

Lanc & Tully Engineering and Surveying, P.C. Recommendation of Rejection for the Accessible Curb Ramp Project Bid Result

Resolution Rejecting the Bids Received for the Accessible Curb Ramps Project

LANC & TULLY

ENGINEERING AND SURVEYING, P.C.

John J. O'Rourke, P.E., Principal
David E. Higgins, P.E., Principal
John Queenan, P.E., Principal

Rodney C. Knowlton, L.S., Principal
Jerry A. Woods, L.S., Principal

John D. Russo, P.E., Principal
John Lane, P.E., L.S.
Arthur R. Tully, P.E.

August 9, 2022

Mr. Christopher White
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

and

Mr. Michael Manzi
Highway Superintendent
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

RE: 2022 Beacon Accessible
Curb Ramps
City of Beacon
Rejection Recommendation

Dear Mr. White & Mr. Manzi:

A total of two (2) bid proposals were submitted and opened on August 5, 2022, for the re-bid **2022 Beacon Accessible Curb Ramps** project. Under regulations that took effect in 2016, when a road is reconstructed or resurfaced through milling & paving operations, all sidewalks are required to have accessible curb ramps installed if they are not present already, or funding from the state or federal government can be withheld.

The two proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. The proposals were found to be complete with all required documentation and bonding. The following tabulation shows the order from the lowest bidder, the name of the bidder, and the total contract amount. The engineer's estimate for the installation of the 7 accessible ramps at 4 different locations within the city was approximately \$45,000.00.

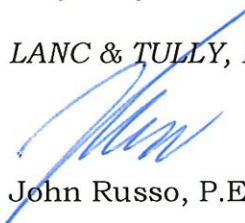
NAME OF BIDDER	TOTAL CONTRACT AMOUNT
Precise Enterprises II, Ltd. Wallkill, NY	\$85,810.00
A-Tech Concrete Co. Edison, NJ	\$98,310.00

The lowest bidder is Precise Enterprises II, with the total base bid of \$85,810.00. Although Precise Enterprises submitted information related to several project in which they have completed the work as outlined within the proposed project, it is our recommendation to the City Council to "reject" all bids received for the **2022 Beacon Accessible Curb Ramps** project, as the received bids are just about double (2x) that of the engineer's estimate.

If you have any questions, or need any further information, please do not hesitate to contact our office.

Very truly

LANC & TULLY, P.C.



John Russo, P.E.

Cc: Nick Ward-Willis, City Attorney



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 106 OF 2022

**RESOLUTION REJECTING THE BID RECEIVED FOR THE
2022 BEACON ACCESSIBLE CURB RAMPS PROJECT**

WHEREAS, on June 24, 2022, the City issued an Advertisement for Bids for the 2022 Beacon Accessible Curb Ramps project to install seven (7) ADA complaint accessible curb ramps at four (4) locations throughout the City of Beacon; and

WHEREAS, at the close of the initial bidding period, on July 12, 2022, the City only received one bid proposal from Precise Enterprises II LTD. for \$92,605.00; and

WHEREAS, receipt of just one proposed bid does not provide for a comparison of competitive bids to ensure a fair price, and the value of the bid submitted was exceedingly high in comparison to the estimate for the project; and

WHEREAS, on July 18, 2022, the City of Beacon City Council voted to reject the initial bid proposal received; and

WHEREAS, on July 22, 2022, the City issued a second Advertisement for Bids for the 2022 Beacon Accessible Curb Ramps project to install seven (7) ADA complaint accessible curb ramps at four (4) locations throughout the City of Beacon; and

WHEREAS, at the close of the bidding period, on August 5, 2022, the City received two bid proposals: one from Precise Enterprises II LTD. for \$85,810.00 and a second from A-Tech Concrete Co. for \$98,310.00; and

WHEREAS, the value of the bid submitted was exceedingly high in comparison to the estimate for the project.

NOW, THEREFORE, BE IT RESOLVED THAT that the City Council of the City of Beacon hereby rejects the proposed bids from Precise Enterprises II LTD. and A-Tech Concrete Co.

Resolution No. 106 of 2022			Date: August 15, 2022				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 107 - Authorizing the Implementation and Funding of Costs of the Reconstruction of Fishkill Avenue

ATTACHMENTS

[Resolution Authorizing the Implementation and Funding of Costs of the Reconstruction of Fishkill Avenue](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 107 OF 2022

**AUTHORIZING THE IMPLEMENTATION AND FUNDING, IN THE FIRST INSTANCE, OF
100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE
COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, a Project for the Rehabilitation of Fishkill Avenue in the City of Beacon, Dutchess County, PIN 8757.30 (the “Project”) is eligible for funding under Title 23 of the U.S. Code, as amended, which calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. 139 of 2001, adopted by the City of Beacon on September 4, 2001, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way-incidentals work; and

WHEREAS, Resolution No. 129 of 2010, adopted by the City of Beacon on September 7, 2010, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way-incidentals work; and

WHEREAS, Resolution No. 58 of 2011, adopted by the City of Beacon on April 18, 2011, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way acquisition; and

WHEREAS, Resolution No. 84 of 2017, adopted by the City of Beacon on May 6, 2017, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of preliminary design work; and

WHEREAS, Resolution No. 68 of 2019, adopted by the City of Beacon on May 6, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way incidentals work; and

WHEREAS, Resolution No. 127 of 2019, adopted by the City of Beacon on September 16, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the design work, right-of-way acquisition, and construction and construction inspection for the Project; and

WHEREAS, the City of Beacon desires to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of design work, right-of-way acquisitions, and construction and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED THAT the Beacon City Council, duly convened, hereby approves the above-subject Project; and

BE IT FURTHER RESOLVED, that the Beacon City Council hereby authorizes the City of Beacon to pay in the first instance 100% of the federal and non-federal share of the cost of the additional design work, right-of-way acquisition, and construction and construction inspection for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of **\$1,977,162 (\$7,212,962 minus previous \$5,235,800)** is hereby appropriated from the Fishkill Avenue Capital Account and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Beacon City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof; and

BE IT FURTHER RESOLVED that the Beacon City Administrator be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Beacon with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that in addition to the City Administrator, the City of Beacon Mayor and Director of Finance are also hereby authorized to execute any necessary Agreements or certifications on behalf of the City of beacon, with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Resolution No. 107 of 2022			Date: August 15, 2022				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 108 - Authorizing the Implementation and Funding of Costs of the Reconstruction of Teller Avenue

ATTACHMENTS

[Resolution Authorizing the Implementation and Funding of Costs of the Reconstruction of Teller Avenue](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 108 OF 2022

**AUTHORIZING THE IMPLEMENTATION AND FUNDING, IN THE FIRST INSTANCE, OF
100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE
COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND
APPROPRIATING FUNDS THEREFORE**

WHEREAS, a Project for the Reconstruction of Teller Avenue from Main Street to Wolcott Avenue in the City of Beacon, Dutchess County, PIN 8757.80 (the “Project”) is eligible for funding under Title 23 of the U.S. Code, as amended, which calls for the apportionment of the costs for such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. 85 of 2001, adopted by the City of Beacon on June 18, 2001, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way-incidentals work; and

WHEREAS, Resolution No. 130 of 2010, adopted by the City of Beacon on September 7, 2010, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of right-of-way-incidentals work; and

WHEREAS, Resolution No. 57 of 2011, adopted by the City of Beacon on April 18, 2011, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of right-of-way acquisition work; and

WHEREAS, Resolution No. 67 of 2019, adopted by the City of Beacon on May 6, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of preliminary right-of-way-incidentals work; and

WHEREAS, Resolution No. 126 of 2019, adopted by the City of Beacon on September 16, 2019, approved and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of additional costs for the design work and construction and construction inspection for the Project; and

WHEREAS, the City of Beacon desires to advance the Project by making a commitment of 100% of the non-federal share of the additional costs of design, construction, and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, BE IT RESOLVED THAT the Beacon City Council, duly convened, hereby approves the above-subject Project; and

BE IT FURTHER RESOLVED, that the Beacon City Council hereby authorizes the City of Beacon to pay, in the first instance, 100% of the federal and non-federal share of the additional costs of the design, construction, and construction inspection work for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of **\$164,000 (\$2,589,670 minus previous \$2,425,670)** is hereby appropriated from the Teller Avenue Capital Account and made available to cover the cost of participation in the above phases of the Project; and

BE IT FURTHER RESOLVED, that in the event the full federal and non-federal share costs of the Project exceeds the amount appropriated above, the Beacon City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof; and

BE IT FURTHER RESOLVED that the Beacon City Administrator be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Beacon with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that in addition to the City Administrator, the City of Beacon's Mayor and Director of Finance are also hereby authorized to execute any necessary Agreements or certifications on behalf of the City of Beacon with NYSDOT in connection with the advancement or approval of the Project identified in the State/Local Agreement; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

Resolution No. 108 of 2022			Date: August 15, 2022				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 109 - Approving Amendments to the 2022 Operating Budget

ATTACHMENTS

[Resolution Authorizing Amendments to the 2022 Operating Budget](#)

[Amendments to the 2022 Operating Budget](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 109 OF 2022

**RESOLUTION APPROVING AMENDMENTS TO THE 2022 CITY OF BEACON
OPERATING BUDGET**

BE IT RESOLVED, that the City of Beacon City Council hereby authorizes the attached amendments to the City of Beacon 2022 Operating Budget.

Resolution No. 109 of 2022			Date: August 15, 2022				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

Council Budget Amendments
August 15, 2022 Meeting

1. Amend the 2022 General Fund Budget to transfer money in from donations (held in Trust & Agency) for Fireworks. Below is the proposed budget amendment:

Increase (Expense) to:

A -07-7140-471500- FIREWORKS	<u>\$ 10,000</u>
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Increase (Revenue) to:

A -07-7140-208903- FIREWORKS DONATIONS (T&A)	<u>\$ 10,000</u>
--	------------------

2. Amend the 2022 General Fund Budget for payments of accrued and unused time for those retiring from various departments. Below is the proposed budget amendment:

Transfer to:

A -01-1210-190000- SEVERANCE/RETIREMENT PAY	\$ 3,393
A -01-1210-820000- SOCIAL SECURITY	260
A -01-1230-190000- SEVERANCE/RETIREMENT PAY	70,944
A -01-1230-820000- SOCIAL SECURITY	5,427
A -05-5110-190000- SEVERANCE/RETIREMENT PAY	<u>12,271</u>
Total	<u>\$ 92,295</u>

Transfer from:

A -01-1990-400004- CONTINGENCY-RETIREMENT	<u>\$ 92,295</u>
---	------------------

3. Amend the 2022 General Fund Budget for overtime in various departments due to volume of work. Below is the proposed budget amendment:

Transfer to:

A -01-1325-105000- OVERTIME	\$ 3,000
A -01-1620-105000- OVERTIME	1,000
A -07-7110-105000- OVERTIME	2,000
A -07-7140-105000- OVERTIME	<u>1,500</u>
	<u>\$ 7,500</u>

Transfer from:

A -01-1990-400001- CONTINGENCY FUND	<u>\$ 7,500</u>
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Council Budget Amendments
August 15, 2022 Meeting

4. Amend the 2022 General Fund Budget for Patrol overtime for Filming and School events.
Below is the proposed budget amendment:

Increase (Expense) to:

A -03-3120-105005- OT-SCHOOL DISTRICT	\$ 5,000
A -03-3120-105021- OT - FILMS	<u>7,500</u>
	<u><u>\$ 12,500</u></u>

Increase (Revenue) to:

A -03-3120-226001- SCHOOLEVENT SECURITY	\$ 5,000
A -01-1325-277008- FILM PERMITS	<u>7,500</u>
	<u><u>\$ 12,500</u></u>

Respectfully submitted,
Susan K. Tucker CPA

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 110 - Referring Beacon Lofts and Studios Development Conceptual Plan to the Planning Board

ATTACHMENTS

City Planner Memorandum Regarding Beacon Lofts and Studios

Beacon Lofts and Studios Development Narrative

Beacon Lofts and Studios Development Site Plan

Beacon Lofts and Studios Development Existing Conditions

Beacon Lofts and Studios Development Building Plans

Beacon Lofts and Studios Development Full EAF

Beacon Lofts and Studios Renderings

Resolution Referring the Beacon Lofts and Studios Development to the Planning Board

To: Mayor Kyriacou and the Beacon City Council
Date: August 15, 2022
Re: **Beacon HIP Lofts, Concept Plan Application**

I have reviewed digital files of an August 10, 2022 cover letter and August 9, 2022 Project Narrative from Aryeh Siegel, August 1, 2022 Concept Plan Application, August 10, 2022 Full EAF Part 1, and a 3-sheet Site Plan set, dated May 21, 2022.

Proposal

The applicant is proposing to construct a multi-use building with a total of 30,000 square feet of 1st-floor artist/artisan studios and 28 loft apartments on the 2nd floor. The proposed project is on a 3.5-acre undeveloped parcel in the Fishkill Creek Development (FCD) district and within the Historic District and Landmark Overlay (HDLO) zone. An existing Greenway Trail is also on the parcel.

Comments and Recommendations

The process for project review in the FCD district under Section 223-41.13 requires City Council approval of the Concept Plan. Typically, the Council first refers the plans to the Planning Board for a SEQRA review and determination, as well as an advisory recommendation on the Concept Plan. After a Concept Plan approval by the Council, more specific architectural, landscaping, lighting, and engineering details should be covered by the Planning Board during the subsequent Site Plan and Architectural Review Board approval process. The submitted plans appear sufficient for referral to the Planning Board, but for further review the applicant will need to address the following:

1. The proposed project uses are consistent with the FCD district, but in order to confirm the proposed number of residential units, the applicant should provide calculations that deduct from the overall parcel acreage any area within a regulatory floodway, surface water, very steep slopes, and state or federally regulated wetlands.
2. The Existing Conditions sheet should include the northeast corner of the parcel, the species and size of any existing trees over 6 inches in diameter that may be affected by the new construction and any of those trees that may be removed, the current configuration of the Greenway Trail, and the location of adjacent structures, driveways, and parking along the edges of the parcel.
3. The east side of the parcel is in the regulatory floodway and almost all of the rest of the site is in the 100-year floodplain, so the proposed building will need to comply with Chapter 123, Flood Damage Prevention. Floor heights and any flood displacement issues will need to be addressed as part of a floodplain development permit.
4. For the SEQRA review, the applicant will need to provide additional information on potential environmental impacts, including traffic, water, sewer, stormwater, and archeological issues.
5. The Site Plan should provide a complete pedestrian circulation system with connections to adjoining properties, the Mill Street sidewalks, and Greenway Trail.

If you have any questions or need additional information, please feel free to email me.



John Clarke, Beacon Planning Consultant

c: Dave Buckley, Building Inspector
 Nicholas M. Ward-Willis, Esq., City Attorney
 Arthur R. Tully, P.E., City Engineer
 John Russo, P.E., City Engineer
 Aryeh Siegel, Project Architect

Project Narrative

Beacon Lofts and Studios Development Front Street, Beacon, NY

August 9, 2022

Summary

The Beacon Lofts and Studios Development site is a 3.5-acre vacant parcel adjacent to the previously approved and developed Beacon Lofts project off of Fishkill Avenue. The proposed project visually and functionally extends the existing development concept at the Beacon Lofts project, which mainly consists of Artist Live Work Lofts, with a few artist studio spaces.

The project is in the Fishkill Creek Development (FCD) zoning district. The proposal is to construct a 2-story mixed use building with commercial artist/artisan studios on the 1st floor and rental apartments on the 2nd floor.

The project is designed as a cohesive unit with building design, landscaping, circulation, ingress and egress, and utility services.

Compliance with Fishkill Creek Development Zone Requirements

The proposed project fits exactly with the primary goal of the Fishkill Creek Development Zone, as stated in the City of Beacon Zoning Code:

“Encourage the development of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses.”

This vacant lot along the Fishkill Creek has been undeveloped for decades and proposes to blend commercial and residential uses. The requirement that a minimum of 25% of the proposed building be commercial is far exceeded in this case. The commercial portion of the project is almost 60% of the building area. Similar commercial studio uses exist on the adjacent developed Beacon Lofts property, and there is a strong demand for more space like that, which this project provides. There is limited commercial studio space available in Beacon, and this project provides this much needed benefit to Beacon.

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Beacon, New York 12508

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Fax 845 838 2657

The residential portion of the building on the 2nd floor consists of 28 one-bedroom loft apartments with mezzanines, similar to the very well received lofts on the adjacent developed property. Ten percent of these apartments will be Below Market Rate units. The residential use complies with the FCD zoning, as well as the Beacon Comprehensive Plan.

Because the upper floor does not cover the entire footprint of the 1st floor, there is a common tenant landscaped roof garden overlooking the landscape and the Fishkill Creek.

Our landscape designer has proposed a preliminary design that enhances the site, works with viewsheds of the Fishkill Creek, works with the proposed stormwater management practices that our site/civil engineer is proposing to use, and provides plantings and trees in the parking lot areas to mitigate the heat island effects of the new impervious parking surfaces.

The Greenway Trail currently runs through the site (and connects to the existing Greenway Trail in the developed adjacent parcel) and will be enhanced along with the proposed landscaping. This continues the use that is consistent with the Beacon Comprehensive Plan and is a benefit to the City and its residents and visitors. The trail will be expanded near the proposed building to provide screening between the building and the trail, and also to create a more park-like experience along that section of the trail. The building is set far back from the Creek so the existing trail will retain its natural feel.

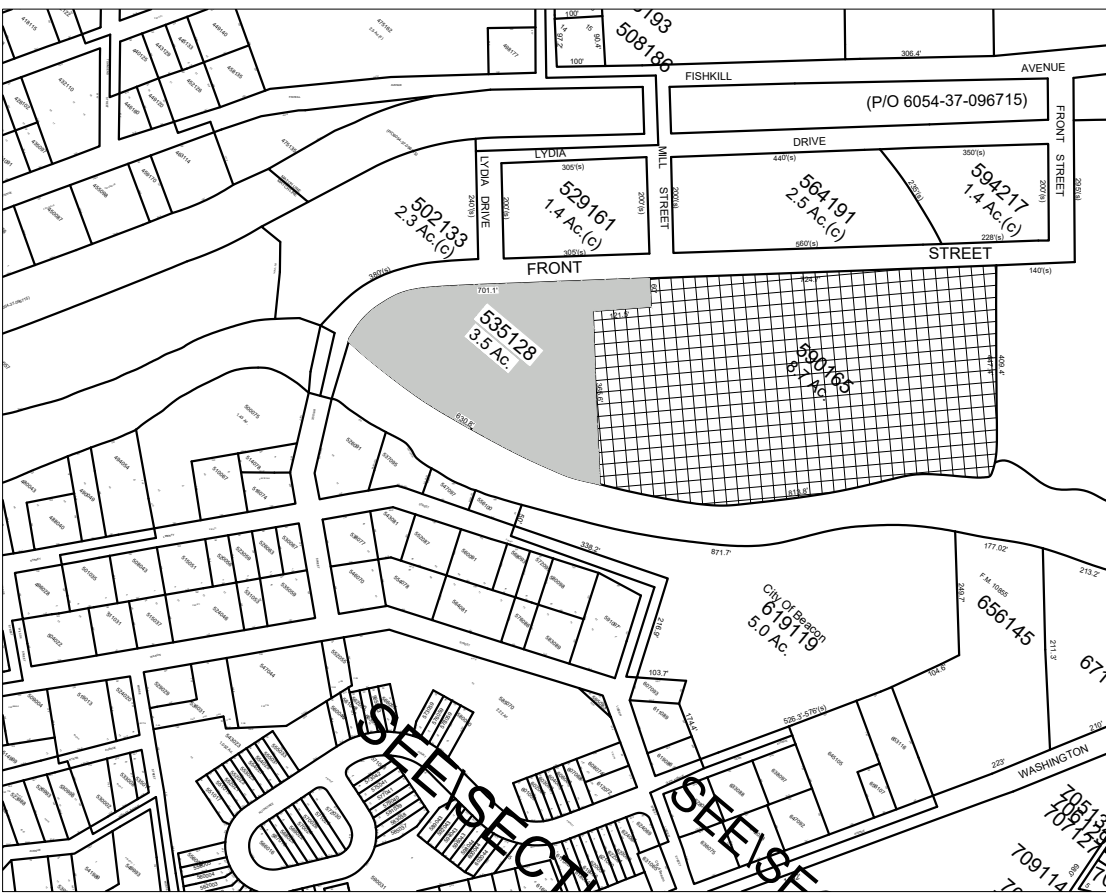
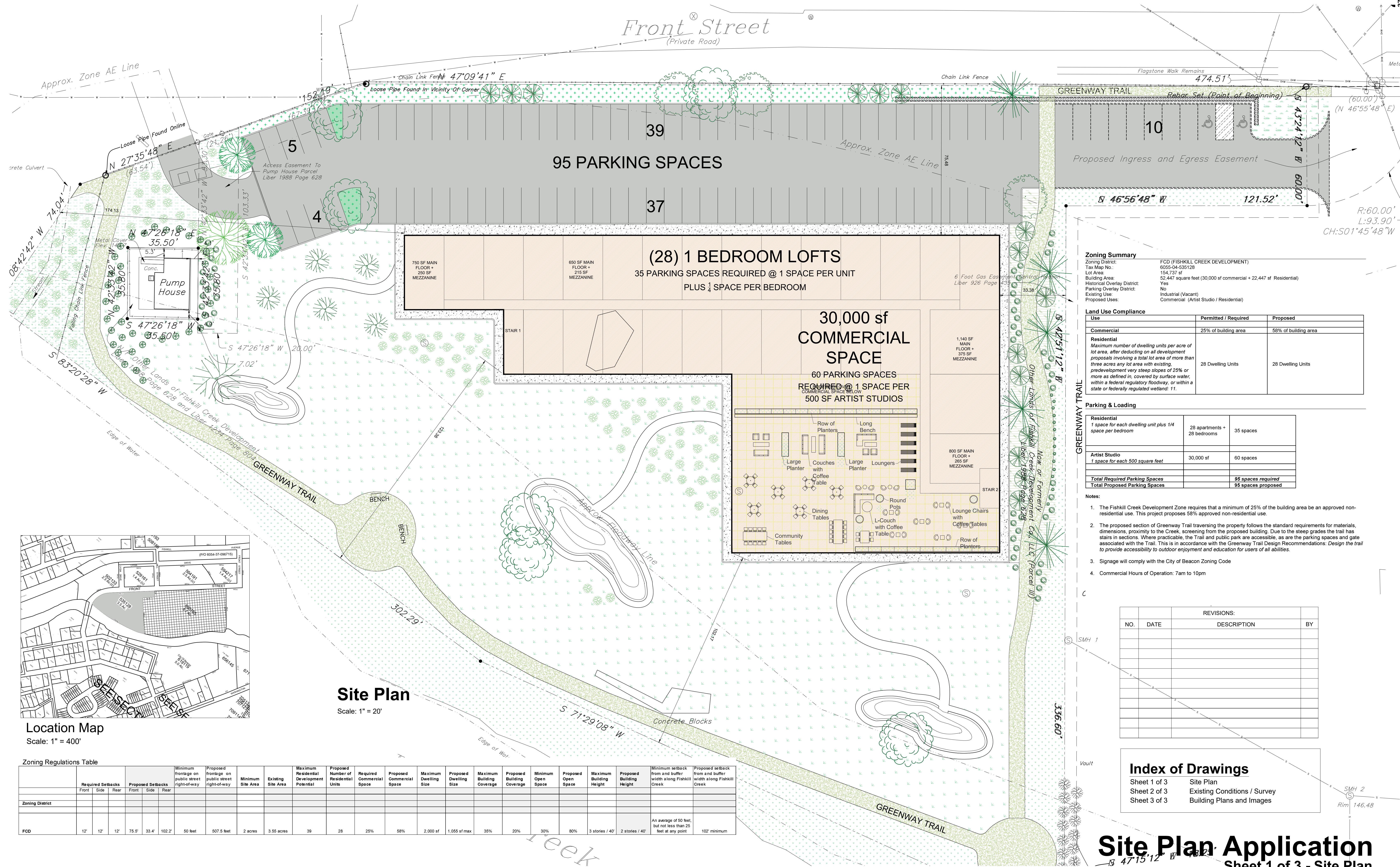
Historic Overlay Zone

The property is also in the Historic Overlay Zone, so the building design will be reviewed by the Architectural Review Board and the Planning Board. The proposed building has a brick exterior and massing and window proportions similar to the former industrial Beacon Lofts parcel next door. The design also recalls the gable roofs of the adjacent apartment complex along Fishkill Avenue, which used to house the workers and managers at the former factory. The building is only 2 stories high, where 3 stories are permitted.

Additional Zoning Compliance

The proposed project is not directly affected by the Local Waterfront Revitalization Plan.

All required parking is provided on site for the commercial and residential uses. We will work with the Planning Board to land bank a portion of the parking in order to minimize the impervious surfaces. The Applicant believes that the parking requirements in the Zoning Code may be more intense than would be practically required for the project. However, this will be up to the Planning Board to make a determination if the parking requirement should be reduced through the use of land banking or some other method.



Location Map
Scale: 1" = 400'

Zoning Regulations Table																			
Zoning District	Required Setbacks			Proposed Setbacks			Minimum frontage on public street right-of-way	Proposed frontage on public street right-of-way	Minimum Site Area	Existing Site Area	Maximum Residential Development Potential	Proposed Number of Residential Units	Required Commercial Space	Proposed Commercial Space	Maximum Dwelling Size	Proposed Dwelling Size	Maximum Building Coverage	Proposed Building Coverage	Minimum Open Space
	Front	Side	Rear	Front	Side	Rear													
FCD	12'	12'	12'	75.5'	33.4'	102.2'	50 feet	507.5 feet	2 acres	3.55 acres	39	28	25%	58%	2,000 sf	1,055 sf max	35%	20%	30%

Owner:
Fishkill Creek Development Corp.
16 Squadron Boulevard
New City NY 10956

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

Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

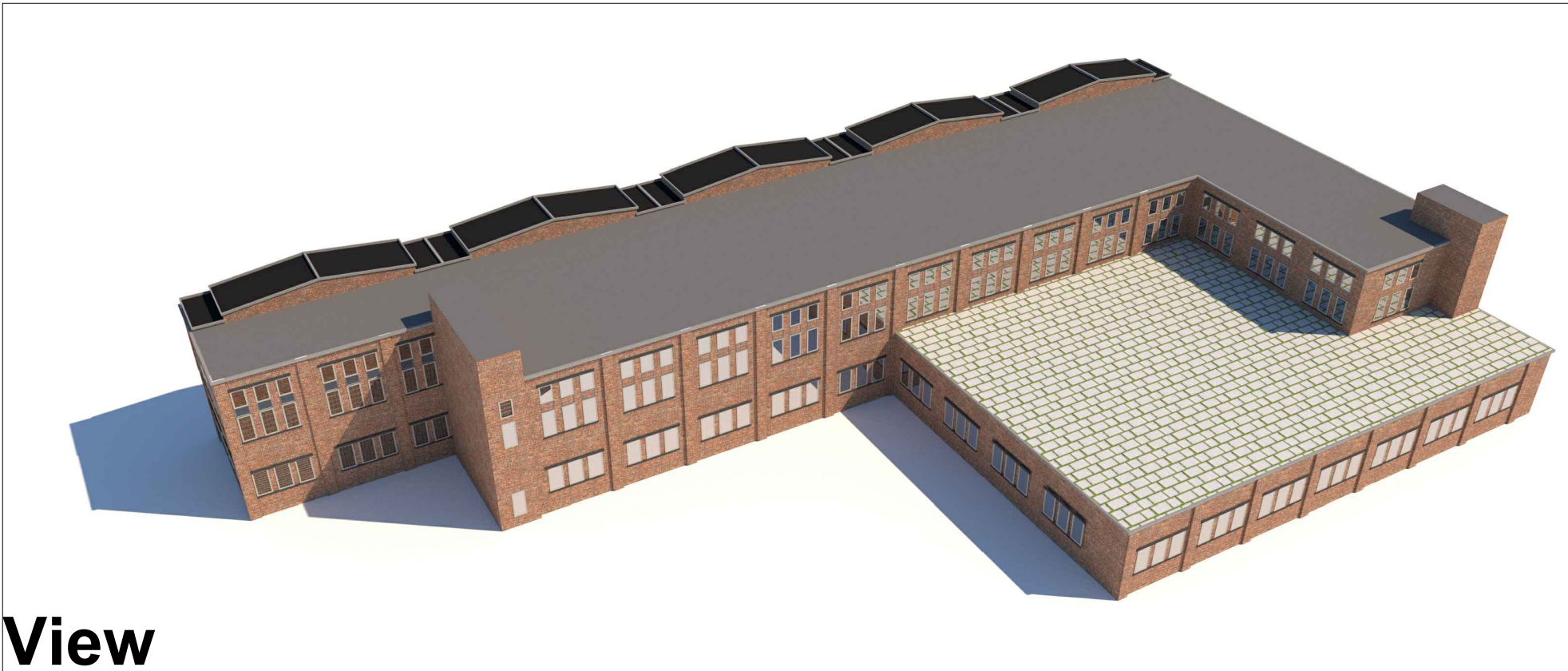
Surveyor:
TEC Surveying
831 Route 52, Suite 2C
Fishkill, New York 12524

Landscape Design:
Landscape Restorations
7 Creek Drive
Beacon, New York 12508

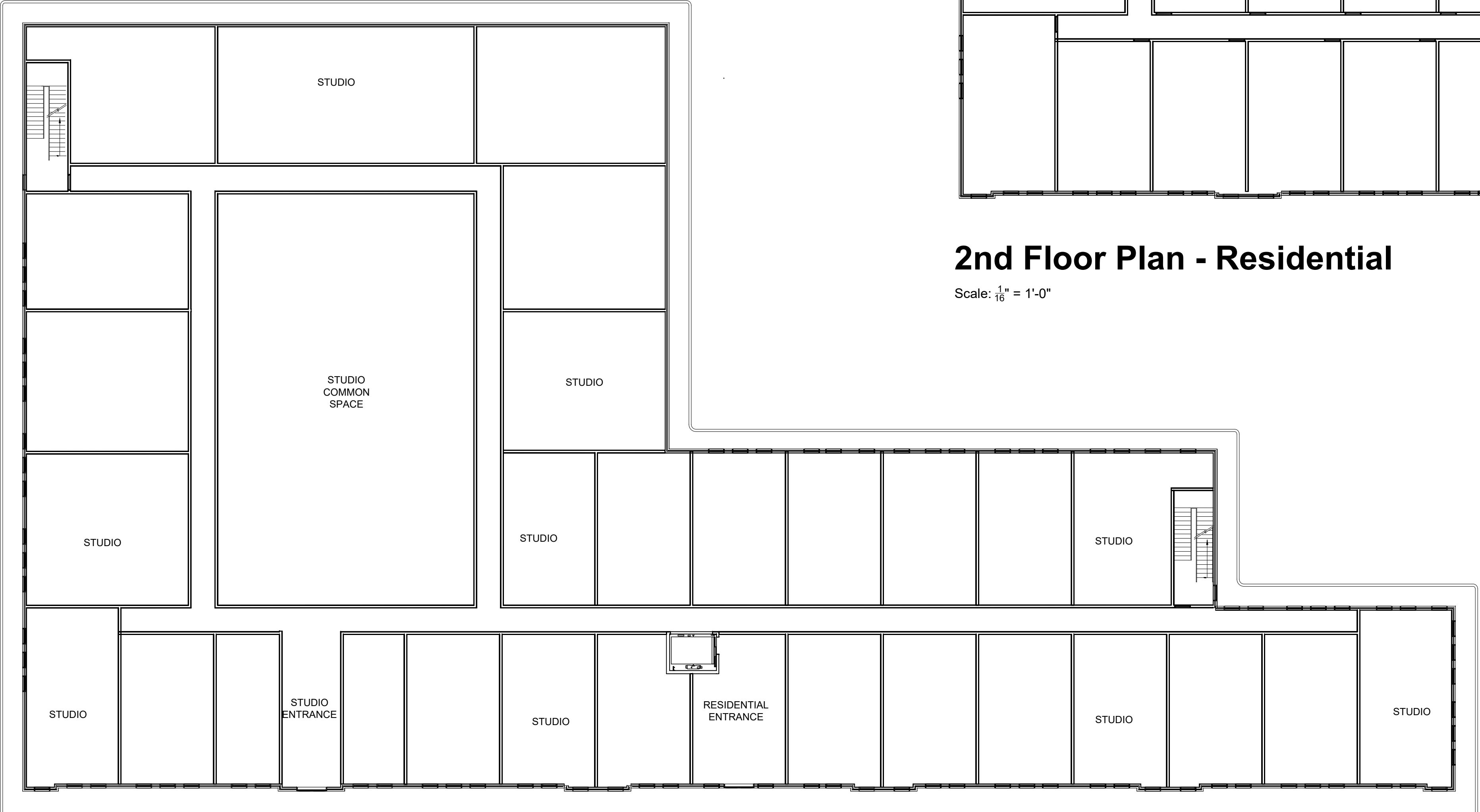
Beacon HIP Lofts and Studios
Beacon, New York
Scale: 1" = 20'
May 21, 2022



View

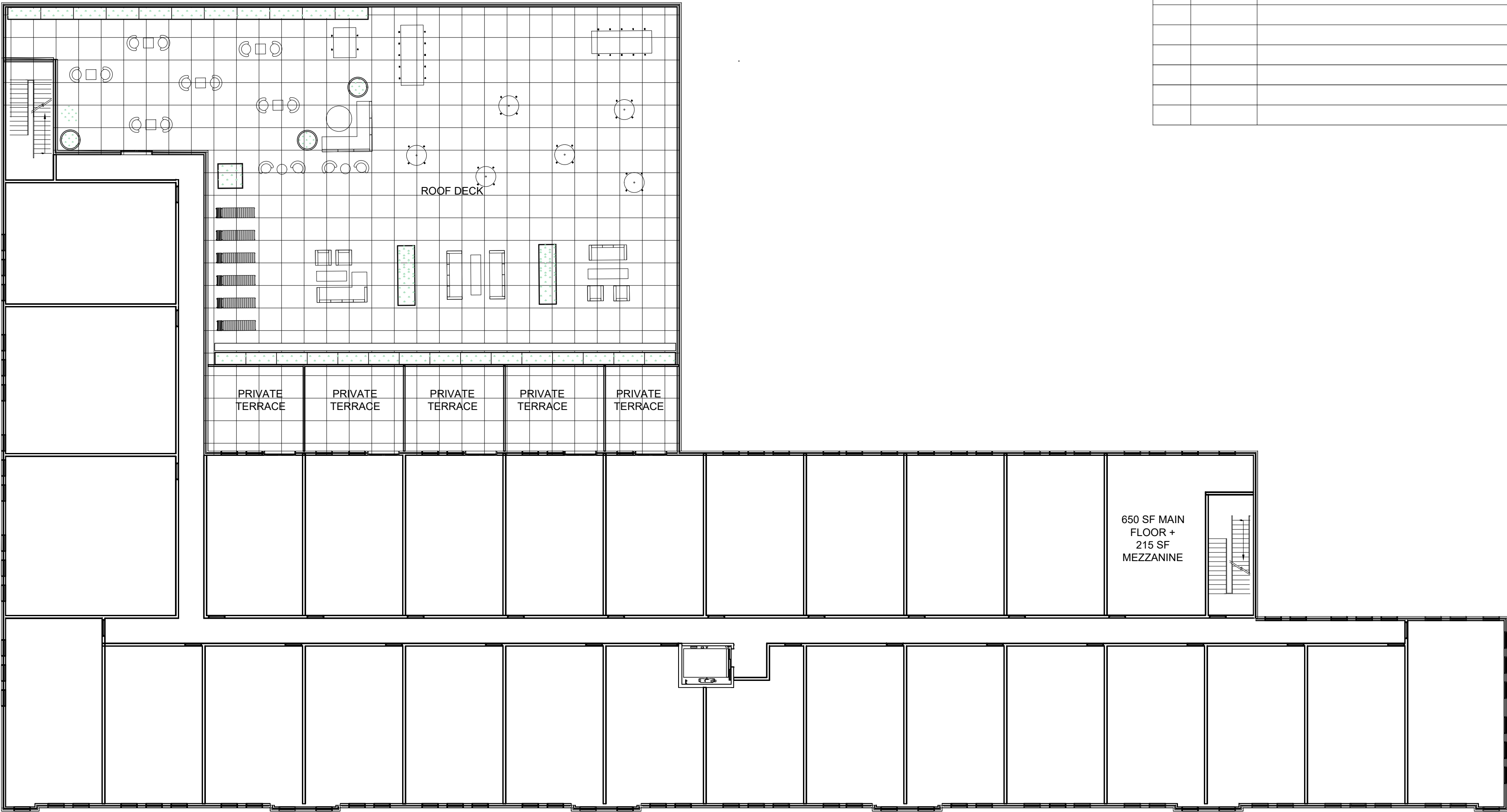


View



1st Floor Plan - Commercial

Scale: 1/16" = 1'-0"



2nd Floor Plan - Residential

Scale: 1/16" = 1'-0"

REVISIONS:			
NO.	DATE	DESCRIPTION	BY



View

Site Plan Application

Sheet 3 of 3 - Building Plans & Images

Owner:
Fishkill Creek Development Corp.
16 Squadron Boulevard
New City NY 10956

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

Site / Civil Engineer:
Hudson Land Design
174 Main Street
Beacon, New York 12508

Surveyor:
TEC Surveying
831 Route 52, Suite 2C
Fishkill, New York 12524

Landscape Design:
Landscape Restorations
7 Creek Drive
Beacon, New York 12508

Beacon HIP Lofts and Studios
Beacon, New York
Scale: 1" = 20'
May 21, 2022

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☐ Yes ☐ No		
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☐ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☐ No		

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☐ No • If Yes , complete sections C, F and G. • If No , proceed to question C.2 and complete all remaining sections and questions in Part 1	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☐ Yes ☐ No If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☐ No	
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☐ No If Yes, identify the plan(s): _____ _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☐ No If Yes, identify the plan(s): _____ _____ _____	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	□ Yes □ No
b. Is the use permitted or allowed by a special or conditional use permit?	□ Yes □ No
c. Is a zoning change requested as part of the proposed action? If Yes,	□ Yes □ No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? _____	
b. What police or other public protection forces serve the project site? _____	
c. Which fire protection and emergency medical services serve the project site? _____	
d. What parks serve the project site? _____ _____	

D. Project Details

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

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

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

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____	
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____	
iii. If other than water, identify the type of impounded/contained liquids and their source. _____	
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres	
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____ _____ _____	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____	
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	

• If to surface waters, identify receiving water bodies or wetlands: _____	

• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

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

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

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No
 If Yes:
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
 ii. Anticipated rate of disposal/processing:
 • _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 • _____ Tons/hour, if combustion or thermal treatment
 iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No
 If Yes:
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

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

 iii. Specify amount to be handled or generated _____ tons/month
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No
 If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____	

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic 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? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

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

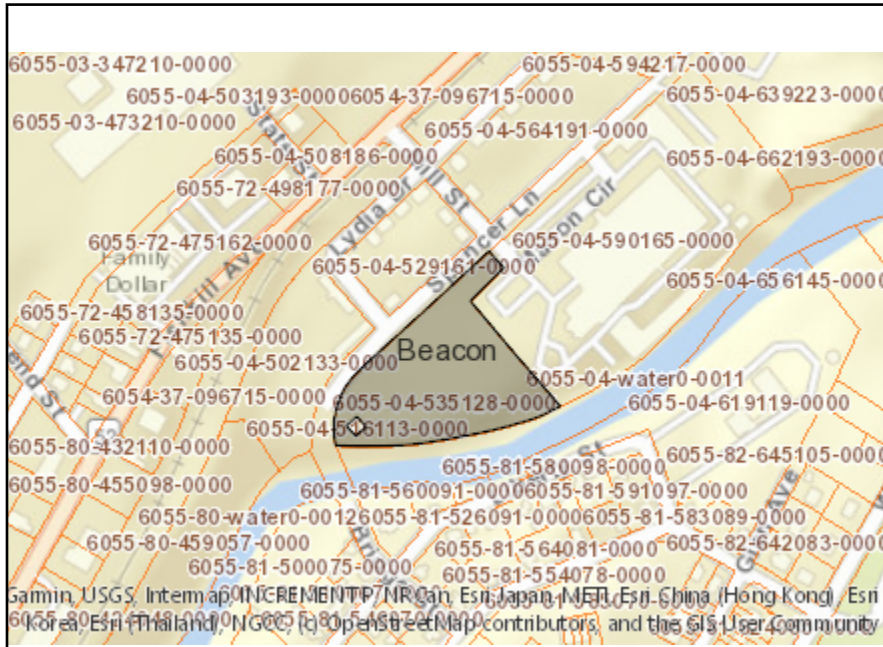
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	Yes
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	314004
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	No

E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Indiana Bat
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:BRIDGE, Eligible property:TENEMENT, Eligible property:GARAGE, Eligible property:GROVEVILLE MILL HISTORIC DISTRICT, Eligible property:GROVEVILLE MILLS; BEACON TEXTILE, Eligible property:BEACON PIECE DYE, Eligible property:GROVEVILLE MILLS: Building 9
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No







**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 110 OF 2022

**RESOLUTION REFERRING THE CONCEPTUAL PLAN FOR THE BEACON LOFTS AND
STUDIO DEVELOPMENT TO THE CITY OF BEACON PLANNING BOARD FOR REPORT
AND RECOMMENDATION**

WHEREAS, the City Council has reviewed the project narrative, site plan, existing conditions, building plans, and full environmental assessment form for the proposed Beacon Lofts and Studios Development (“Beacon Lofts Development”), which is located in the Fishkill Creek Development District; and

WHEREAS, the City Council wishes for the Planning Board to be the Lead Agency for purposes of rendering a determination of significance.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council hereby refers the conceptual plan provided for the Beacon Lofts Development to the Planning Board for report and recommendation and to render a SEQRA determination of significance.

Resolution No. 110 of 2022			Date: August 15, 2022				
☐ Amendments			☐ 2/3 Required				
☐ Not on roll call.			☐ On roll call				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 111 - Setting a Public Hearing for a Local Law to Amend Chapter 223 of the Code of the City of Beacon Regarding Self-Storage Parking Requirements

ATTACHMENTS

Proposed Local Law Regarding the Schedule of Regulations, Off-Street Parking Standards, and Definitions for a Warehouse Storage and a Self-Storage Facility

Schedule of Uses - Warehouses

Resolution Setting a Public Hearing Regarding Self-Storage Parking

LOCAL LAW NO. ____ OF 2022

CITY COUNCIL
CITY OF BEACON

LOCAL LAW AMENDING CHAPTER 223
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to amend Chapter 223 of the Code of the City of Beacon regarding the Schedule of Regulations, off-street parking standards and definitions for a warehouse storage and a self-storage facility.

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

Section 1. Chapter 223 Attachment 1 of the Code of the City of Beacon, entitled “Section 223-17, City of Beacon Schedule of Use Regulations” shall be amended for “Wholesale or storage business” as follows:

SEE ATTACHED CHART

Section 2. Chapter 223, Section 26, Subsection F of the Code of the City of Beacon entitled “Schedule of Off-Street Parking Requirements” is hereby amended to modify the standard for “Wholesale, storage, utility or other similar commercial use” and to add a requirement for “Self-storage facility” as follows:

§ 223-26 Off-street parking, loading and vehicular access.

...

F. Schedule of Off-Street Parking Requirements. Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19.

Wholesale, <u>warehouse</u> storage, utility or other similar commercial use	1 space per employee but not less than 1 space per 1,000 square feet of gross floor space
--	---

Self-storage facility

1 space per 10,000 square feet of gross floor space,
plus one space per employee

Section 3. Chapter 223, Section 63 of the Code of the City of Beacon, entitled “Definitions” is hereby amended to delete the definition of “Storage Business” and to add definitions for “Self-Storage Facility” and “Warehouse Storage” as follows:

§223-63 Definitions.

STORAGE BUSINESS

~~A fully enclosed structure for the containment of materials, including warehouses and residential storage facilities with individual bays that are leased for the storage of personal property.~~

SELF-STORAGE FACILITY

An establishment that permits customers to store their own materials in private warehouse space with individual lockable units accessible from outdoor driveways or indoor hallways.

WAREHOUSE STORAGE

An establishment for the storage of products, supplies, and equipment offered for wholesale distribution (not for direct sale to the general public). This does not include a Self-Storage Facility.

Section 4. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapters 223 and 210 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. 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 6. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 7. Effective Date

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

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations
[Added 6-15-2020 by L.L. No. 7-2020¹; amended 2-16-2021 by L.L. No. 02-2021]

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

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

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	WD	WP	FCD	LI	HI
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale, warehouse storage or self-storage business		X	X	X	P	X	X	X	X	X	P	P
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	SP	SP	SP	X	X	X	X	X	X	X	X
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
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		



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 111 OF 2022

**SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 19, 2022 ON A LOCAL LAW TO
AMEND CHAPTER 223 OF THE CITY CODE REGARDING OFF-STREET PARKING
STANDARDS FOR WAREHOUSE STORAGE AND SELF-STORAGE FACILITY**

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for September 19, 2022 on a proposed local law to amend Chapter 223 of the City Code regarding off-street parking standards for warehouse storage and self-storage facility.

BE IT FURTHER RESOLVED THAT, the City Council refers the above proposed local law to the Dutchess County and City of Beacon Planning Boards for a report and recommendation.

Resolution No. 111 of 2022			Date: August 15, 2022				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 112 - Setting a Public Hearing for a Local Law to Amend the Code of the City of Beacon Regarding Off-Street Parking Adjacent to Non-Residential Districts

ATTACHMENTS

[Keane & Beane, PC Memorandum Regarding Zoning Amendment](#)

[Proposed Local Law Amending Off Street Parking Adjacent to Non-Residential Districts](#)

[Resolution Setting a Public Hearing Regarding Self-Storage Parking](#)

MEMORANDUM

TO: Mayor Kyriacou and
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law – Zoning

DATE: August 12, 2022

It has come to our attention that when the City Zoning Code was amended in June 2020, the ability to allow off-street parking on residential lots as a special permit use was inadvertently omitted. This omission was discovered during review of an application currently pending before the Planning Board for a multifamily residential project at 16 West Main Street. The application includes a small, landlocked parcel located in the R1-7.5 District to the rear of 16 West Main Street. The remainder of the project is in the Linkage District. When the application was submitted in 2019 it was noted that the applicant's use of the landlocked parcel for off-street parking would be subject to approval of a special permit. Review of the site plan and lot merger applications have proceeded before the Planning Board with that understanding until recently when the Planning Board adopted a SEQRA Negative Declaration and referred the application to the City Council for review of the special permit. During preparation of materials for the City Council's review, it was discovered that the Zoning Code provision that allowed off-street parking on this landlocked residential parcel had been inadvertently omitted from the Zoning Code.

It is proposed that the City Council consider reinstating the omitted use. In this regard, a draft local law was prepared to amend the City Zoning Code to reinstate off-street parking as a use permitted in the R1-7.5 and other residential districts by special permit subject to the limitations in the attached draft local law.

In the absence of action by the City Council, the applicant has the option to seek an area variance from the Zoning Board of Appeals to allow less parking than would otherwise be permitted for the project or file a petition to rezone the rear parcel. If the Council would like to consider the local law, the Council should refer the local law to the City and County Planning Board and schedule a public hearing in for the Council's second voting meeting in September.

LOCAL LAW NO. ____ OF 2022

CITY COUNCIL
CITY OF BEACON

LOCAL LAW AMENDING CHAPTER 223
OF THE CODE OF THE CITY OF BEACON

A LOCAL LAW to
amend Chapter 223
of the Code of the
City of Beacon
regarding off-street
parking.

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

Section 1. Chapter 223, Section 26, Subsection C, Item 8 of the Code of the City of Beacon, entitled “Location, use, design, construction and maintenance” shall be added as follows:

...

(8) Off-street parking for private passenger vehicles may be allowed by a special permit from the Planning Board on a lot in a residential district which has a shared parcel line for at least 20 feet with a commercial or industrial district, provided that the off-street parking shall be on a portion of the lot within 200 feet of the commercial or industrial district and that the use shall not include fee-based parking for railroad commuters.

Section 2. Ratification, Readoption and Confirmation

Except as specifically modified by the amendments contained herein, Chapters 223 and 210 of the City of Beacon is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 3. 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 4. Severability

The provisions of this Local Law are separable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid or unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this Local Law or their petition to other persons or circumstances. It is hereby declared to be the legislative intent that this Local law would have been adopted if such illegal, invalid or unconstitutional provision, clause, sentence, subsection, word or part had not been included therein, and if such person or circumstance to which the Local Law or part hereof is held inapplicable had been specifically exempt there from.

Section 5. Effective Date

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



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 112 OF 2022

**SCHEDULING A PUBLIC HEARING FOR SEPTEMBER 19, 2022 ON A LOCAL LAW TO
AMEND CHAPTER 223 OF THE CITY CODE REGARDING OFF-STREET PARKING**

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for September 19, 2022 on a proposed local law to amend Chapter 223 of the City Code regarding off-street parking.

BE IT FURTHER RESOLVED THAT, the City Council refers the above proposed local law to the Dutchess County and City of Beacon Planning Boards for a report and recommendation.

Resolution No. 111 of 2022			Date: August 15, 2022				
☐ Amendments						☐ 2/3 Required	
☐ Not on roll call.			☐ On roll call			☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
08/15/2022

Title:

Resolution No. 113 - Authorizing the City Administer to Apply for a Water Infrastructure Improvement Act Grant

ATTACHMENTS

[Resolution Authorizing the City Administrator to Apply for a Water Infrastructure Improvement Act Grant](#)



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 113 OF 2022

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR A NEW
YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT GRANT**

WHEREAS, the City of Beacon included in its 2023-2027 Capital Program the engineering design and construction of a new sludge dewatering system at the wastewater treatment plant; and

WHEREAS, the State of New York has announced the availability of grant funding under the Water Infrastructure Improvement Act (“WIIA”) for projects undertaken by municipalities that protect public health and improve water quality; and

WHEREAS, applications for WIIA grant funding require a resolution from the City Council to authorize the submission of a grant application on behalf of a municipality.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Beacon City Council hereby authorizes the City Administrator to apply for a New York State Water Infrastructure Improvement Act Grant for engineering design and construction of a new dewatering system at its wastewater treatment plant; and

BE IT FURTHER RESOLVED, that the City Administrator is hereby authorized to sign all grant application documents, funding agreements, and other documentation related to the grant, including reimbursement requests.

Resolution No. 112 of 2022			Date: August 15, 2022				
☐ Amendments			☐ On roll call			☐ 2/3 Required	
☐ Not on roll call.						☐ 3/4 Required	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Justice McCray					
		George Mansfield					
		Wren Longno					
		Molly Rhodes					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

City of Beacon City Council Agenda
08/15/2022

Title:

August 1, 2022 City Council Minutes

ATTACHMENTS

[August 1, 2022 Minutes](#)



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

Mayor Lee Kyriacou
Councilmember George Mansfield, At Large
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward 1
Councilmember Justice McCray, Ward 2
Councilmember Wren Longno, Ward 3
Councilmember Dan Aymar-Blair, Ward 4
City Administrator Chris White

**August 1, 2022
7:00 PM
City Council
Draft
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://vimeo.com/user1296488>. 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 Paloma Wake, At Large

Councilmember George Mansfield, At Large

Councilmember Molly Rhodes, Ward One

Councilmember Justice McCray, Ward Two

Councilmember Wren Longno, Ward Three

Councilmember Dan Aymar-Blair, Ward Four

Also Present

Chris White, City Administrator

Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Workshop Agenda Items

1. [Recognition of City of Beacon Retiree](#)
2. [Update on Milling, Paving, and Accessible Ramps](#)
3. [Legal Services of the Hudson Valley Presentation](#)
4. [Accessory Apartments](#)
5. [Fishkill Creek and Green Infrastructure](#)
6. [Appointment of Thomas Wright to the Conservation Advisory Committee](#)
7. [Agreement with The Palombo Group for Construction Management Services on the Lewis Tompkins Hose Firehouse Renovation Project](#)
8. [Agreement with Core & Main LP for Water Meter Upgrades](#)
9. [Bond Authorization for Melizingah Reservoir Dam](#)
10. [Bond Authorization for Lewis Tompkins Hose Firehouse Renovations](#)
11. [Repealing Certain Previously Adopted Bond Authorizations](#)

Public Comment

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 99 - Approving the Appointment of Thomas Wright to the Conservation Advisory Committee](#)

Motion to pass the resolution by Councilmember Longno.

Second by Councilmember Wake.

Motion passes 7 – 0.

2. [Resolution No. 100 - Authorizing the City Administrator to Execute an Agreement with The Palombo Group for Construction Management Services on the Lewis Tompkins Hose Firehouse Renovation Project](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

3. [Resolution No. 101 - Authorizing the City Administrator to Execute an Agreement with Core & Main LP for Water Meter Upgrades](#)

Motion to pass the resolution by Councilmember Aymar-Blair.

Second by Councilmember Mansfield.

Motion passes 7 – 0.

4. [Resolution No. 102 - Authorizing a Bond Issuance for Melizingah Reservoir Dam](#)

Motion to pass the resolution by Councilmember Longno.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

5. [Resolution No. 103 - Authorizing a Bond Issuance for Lewis Tompkins Hose Firehouse Renovations](#)

Motion to pass the resolution by Councilmember McCray.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

6. [Resolution No. 104 - Repealing Certain Previously Adopted Bond Authorizations](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

7. [Resolution No. 105 - Setting a Public Hearing for a Proposed Local Law to Amend Chapter 223, Section 24.1 and Section 14, and Chapter 223 Attachment 2:2 of the Code of the City of Beacon Concerning Accessory Apartments](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.

Approval of Minutes

1. [July 18, 2022 City Council Minutes](#)

Motion to approve the minutes by Councilmember Wake.

Second by Councilmember Rhodes.

Motion passes 7 – 0.

2nd Opportunity for Public Comments

Executive Session

Adjournment

Motion to adjourn by Councilmember Longno.

Second by Councilmember Aymar-Blair.

Motion passes 7 – 0.