



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

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

**September 3, 2024
7:30 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

[Public Hearing for a Proposed Local Law Concerning Dimensional Regulations for the Transitional District](#)

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 92 - Appointing Felix Benitez to the Position of Motor Equipment Operator](#)
2. [Resolution No. 93 - Adopting Local Law No. 7 of 2024 Concerning Soil Stabilization](#)
3. [Resolution No. 94 - Adopting Local Law No. 8 of 2024 Concerning Dimensional Regulations for the Transitional District](#)

Approval of Minutes

1. [August 19, 2024 Minutes](#)

Public Comment - Second Opportunity

Announcement of Next Workshop: September 9, 2024 at 7:00 p.m

Adjournment

City of Beacon City Council Agenda

09/03/2024

Title:

Public Hearing for a Proposed Local Law Concerning Dimensional Regulations for the Transitional District

ATTACHMENTS

Keane & Beane, P.C. Memorandum Regarding a Revised Proposed Local Law Concerning Dimensional Regulations for the Transitional District (September 3, 2024)

Keane & Beane, P.C. Memorandum Regarding a Proposed Local Law Concerning Dimensional Regulations for the Transitional District (July 15, 2024)

Proposed Local Law Concerning Dimensional Regulations for the Transitional District

Proposed Local Law Concerning Dimensional Regulations for the Transitional District: SEAF Part 1

Proposed Local Law Concerning Dimensional Regulations for the Transitional District: SEAF Parts 2-3

Schedule of Dimensional Regulations (2024 eCode Version)

City of Beacon Planning Board Memorandum Regarding Proposed Local Law Concerning Dimensional Regulations for the Transitional District

Dutchess County Planning Memorandum Regarding a Proposed Local Law Concerning Dimensional Regulations for the Transitional District

MEMORANDUM

TO: Lee Kyriacou, Mayor
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Revised Proposed Local Law - T Zoning District Regulations for Townhouses

DATE: September 3, 2024

In response to the Planning Board's comment letter dated August 15, 2024, our office has revised the proposed local law concerning the dimensional regulations for townhouses within the Transitional (T) and RD zoning districts. The Planning Board is generally in favor of the proposed local law; however, it has also requested the authority to reduce side yard setback requirements for attached townhouses to zero (0) feet when deemed appropriate.

Specifically, the Planning Board stated:

Required side yard setbacks should be permitted to be reduced to zero feet where townhomes are proposed to be attached, and the side yard setback for end units should be contextual with the adjacent zoning district, similar to the manner in which permitted density in the T District is contextual with adjacent districts.

While our office believes this authority is necessarily implied as attached townhouses understandably have no side yard setbacks since they are attached, this proposed revision would eliminate any lack of clarity and make such authority explicit. As such our office has revised the proposed local law to add a new final sentence which captures the Planning Board's request. For additional information on the proposed local law, we respectfully refer the City Council to our office's memorandum dated July 15, 2024.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator

MEMORANDUM

TO: Mayor Lee Kyriacou
Members of the City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law re T Zoning District Schedule of
Dimensions - Townhouses

DATE: July 15, 2024

Please find attached herewith a proposed local law to amend the Beacon Zoning Code, § 223-13.D – Attachment 1 entitled “Schedule of Dimensions.” This proposed local law will add Footnote “e” to the T Zoning District’s Schedule of Dimensions which currently only applies to townhouses in the RD Zoning. It should be noted, townhouses are also a permitted use within the T Zoning District and in the L Zoning District. Thus, by adding the T Zoning District to Footnote “e”, the dimensional requirements for townhouse would be consistent with the requirements in the RD Zoning District. However, without the proposed amendment, applicants seeking to develop townhouses in the T Zoning District would likely need a variety of variances, or would they would need to develop a different type of housing altogether, such as an apartment building or condominium.

The proposed local law would also correct Footnote “e” to include a missing portion of the final sentence as originally adopted via Local Law No. 7-2020.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator

PROPOSED LOCAL LAW NO. _ OF 2024

**CITY COUNCIL
CITY OF BEACON**

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

A LOCAL LAW to amend Article III – General Regulations, Section 223-17.D of the City Code to amend the Schedule of Dimensional Regulations concerning townhouses in the T Zoning District.

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

Section 1. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled “Schedule of Dimensional Regulations”, is hereby amended to add Footnote “e” to the T Zoning District column.

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled “Schedule of Dimensional Regulations”, Footnote “e” is hereby amended as follows:

- e In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero (0) feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setback for end unit dwellings shall not be reduced further than one-half the minimum side yard setback of the least restrictive adjoining residential district.

Section 3. Ratification, Readoption and Confirmation.

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

Section 4. 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 5. Severability.

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

Section 6. Effective date.

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

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all-items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Beacon City Council			
Name of Action or Project: Local Law - Dimensional Regulations of the Transitional District			
Project Location (describe, and attach a location map): City of Beacon			
Brief Description of Proposed Action: The proposed local law would amend Chapter 223 (Zoning) of the Beacon City Code to add the Transitional (T) Zoning District to footnote "e" of the Schedule of Dimensional Regulations concerning townhouses annexed to Section 223-17D of the City Code. The purpose of this local law is to update the dimensional regulations so townhouses (a permitted use) within the T Zoning District are afford the same dimensional requirements as townhouses within the RD Zoning District. The proposed local law would also correct the end of footnote "e" to include a missing portion of the sentence as originally adopted via Local Law No. 7-2020.			
Name of Applicant or Sponsor: City of Beacon City Council		Telephone: 245-838-5000 E-Mail: cityofbeacon@beaconny.gov	
Address: 1 Municipal Plaza			
City/PO: Beacon		State: New York	Zip Code: 12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO ☐
			YES ☒
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO ☐
			YES ☐
3. 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			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. 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?	NO	YES	
	☐	☐	
b. 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?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional		
☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☐	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☐	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☐	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor/name: <u>City Council City of Beacon</u> Date: <u>July 17, 2024</u>		
Signature: <u></u> Title: <u>City Attorney</u>		

July 17, 2024
City of Beacon

SEAF Part 1: Narrative

Proposed Local Law Concerning Dimensional Regulations of the Transitional District

The City Council of the City of Beacon proposes a local law to amend Chapter 223 (Zoning) of the Beacon City Code to add the Transitional (T) Zoning District to footnote “e” of Attachment 1 entitled “Schedule of Dimensional Regulations” annexed to Beacon City Code §223-17.D. Footnote “e” applies to townhouses within the RD Zoning District, however, townhouses are also a permitted use within the T Zoning District. Thus, by adding the T Zoning District to footnote “e”, townhouses within the T Zoning District will be subject to the same dimensional requirements as townhouses in the RD Zoning District. Without the proposed local law, townhouses within the T Zoning District will likely require a variety of variances, or alternatively, prospective applicants would need to develop entirely different types of housing (e.g., multi-family dwellings, condos, etc.).

The proposed local law would also correct the end of footnote “e” which is currently missing a portion of the final sentence as was originally adopted via Local Law No. 7-2020.

Agency Use Only [If applicable]

Project: LL - T District Regulations

Date: August 19, 2024

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: LL - T District Regs

Date: August 19, 2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed local law will amend Chapter 223 (Zoning) of the Beacon City Code concerning the dimensional regulations for the City's Transitional (T) zoning district. Specifically, the proposed local law would add the T zoning district to footnote "e" of Attachment 1, "Schedule of Dimensional Regulations," annexed to the Beacon City Code Section 223-17D. Footnote "e" presently applies to townhouses within the RD zoning district, however, townhouses are also a permitted use within the T zoning district. Thus, the proposed local law would provide that townhouses within the T zoning district are subject to the same dimensional requirements as townhouses within the RD zoning district. Without the proposed local law, townhouses within the T zoning district will likely require a variety of variances, or alternatively, prospective applicants would need to develop entirely different types of housing (e.g., multi-family dwellings, condos, etc.). The proposed local law will also correct the end of footnote "e" which is missing a portion of the final sentence that was originally adopted via Local Law No. 7-2020.

All townhouses within the T zoning district will be subject to individual environmental review by the City's land use boards and staff. The proposed local law is consistent with the City of Beacon's Zoning Code because townhouses are already a permitted use within the T zoning district. Further, the local law is not anticipated to have a significant adverse environmental impact on the intensity of land use or environmental resources (e.g., natural areas, wetlands, streams, flora, fauna, etc.). There will be no significant adverse impacts on historic or aesthetic resources, nor significant impacts on community character, traffic, flood, erosion, and air or noise. For these reasons, the local law will not have a significant adverse environmental impact.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Beacon City Council

August 19, 2024

Name of Lead Agency

Date

Christopher White

City Administrator

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

ZONING

223 Attachment 1

City of Beacon

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

Zoning District	Minimum Lot Size Area ^h (see also § 223-121)				Minimum Yards ^a			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear ^{d,e} (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	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.



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

John Gunn, Chair

August 15, 2024

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

Subject: City Council Referral of Local Law Amending Chapter 223
of the Zoning Code of the City of Beacon regarding Dimensional Requirements
for the Transitional (T) Zoning District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending Chapter 223 of the Beacon Code regarding dimensional requirements in the Transitional (T) Zoning District during the August 13, 2024 Planning Board meeting. Planning Board Attorney, Jennifer Gray, reviewed the proposed local law to modify the existing provisions of the Beacon Code to apply the existing "Note E" in the Schedule of Dimensional Regulations to the T District. Under the existing Code, Note E applies in the RD Districts to allow the Planning Board to reduce the minimum lot size applicable in the district to allow for approval of a subdivision for semi-attached single-family dwellings (townhomes). The proposed local law would allow Note E to also apply to townhouse developments in the T District.

After discussing the proposed amendment, the four Planning Board members in attendance unanimously expressed that they are generally in favor of the proposed local law, but recommended that the City Council specifically add that in addition to reducing the minimum lot size for a subdivision involving townhomes the Planning Board should be granted discretion to reduce the applicable minimum side yard requirements, as appropriate. Required side yard setbacks should be permitted to be reduced to zero feet where townhomes are proposed to be attached, and the side yard setback for end units should be contextual with the adjacent zoning district, similar to the manner in which maximum permitted density in the T District is contextual with adjacent districts.

Sincerely,

John Gunn
Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations of the Transitional District**

Applicant: **City of Beacon City Council**

Address of Property:

Exempt Actions:*
239 Review is NOT Required

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

Date Response Requested: **8/14/2024**

Entered By: **Swanson, Benjamin**

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

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 7/18/2024		Referral #: ZR24-248	
Date Requested: 8/14/2024			
Date Required: 8/16/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 7/23/2024			

City of Beacon City Council Agenda
09/03/2024

Title:

Resolution No. 92 - Appointing Felix Benitez to the Position of Motor Equipment Operator

ATTACHMENTS

Resolution Appointing Felix Benitez to the Position of Motor Equipment Operator

Superintendent of Streets Memorandum in Support of Appointing Felix Benitez to the Position of Motor Equipment Operator



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 92 OF 2024

**APPOINTING FELIX BENITEZ TO THE POSITION OF
MOTOR EQUIPMENT OPERATOR**

WHEREAS, there is currently a vacancy for the position of Motor Equipment Operator; and

WHEREAS, Felix Benitez meets the qualifications for the position of Motor Equipment Operator and is recommended for appointment to the position by the Superintendent of Streets.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints and the City Council approves the appointment of Felix Benitez to the position of Motor Equipment Operator.

Resolution No. 92 of 2024			Date: September 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

Memorandum

Highway Department



To: City of Beacon Administrator Christopher White
City of Beacon City Council

From: Michael Manzi

Re: MEO Hire

Date: August 29, 2024

Please be advised that on August 13, 2024, interviews were conducted for individuals that were interested in a vacant Motor Equipment Operator position in the Highway Department.

The interviews were conducted by Sara Morris and myself. Based on such, it was our determination that Felix Benitez was the most qualified candidate. Felix has worked for the City of Middletown Department of Public Works for over a year, and has prior work experience in warehouse supervision and fulfilment, painting, maintenance, and cleaning. Felix also holds a Commercial Driver's License and is experienced in the use of a variety of vehicles and equipment.

Subject to the Mayor's appointment and Council's approval, I would like to move forward with the hiring of Felix Benitez to fill the vacant position. I believe him to be qualified and capable of handling the tasks of the title.

The position was budgeted for and had been posted in all City Departments. Thank you for your consideration.

Sincerely,

Michael Manzi
City of Beacon
Superintendent of Streets

City of Beacon City Council Agenda
09/03/2024

Title:

Resolution No. 93 - Adopting Local Law No. 7 of 2024 Concerning Soil Stabilization

ATTACHMENTS

Resolution Adopting Local Law No. 7 of 2024 Concerning Soil Stabilization

Local Law No. 7 of 2024 Concerning Soil Stabilization

Local Law No. 7 of 2024 Concerning Soil Stabilization: SEAF Part 1

Proposed Local Law Concerning Soil Stabilization: SEAF Parts 2-3

City of Beacon Planning Board Memorandum Regarding Local Law No. 7 of 2024 Concerning Soil Stabilization

Dutchess County Planning Memorandum Regarding Local Law No. 7 of 2024 Concerning Soil Stabilization



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 93 OF 2024

**ADOPTING LOCAL LAW NO. 7 OF 2024 TO AMEND THE BEACON CITY CODE
CONCERNING SOIL STABILIZATION**

WHEREAS, pursuant to Resolution No. 2023-073, passed on July 15, 2024, the City of Beacon City Council set a public hearing for August 19, 2024 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning soil stabilization; and

WHEREAS, notice for said Public Hearing was published in the Poughkeepsie Journal to provide notice for the public to attend and comment upon the proposed Local Law; and

WHEREAS, on August 19, 2024, the City Council opened and closed a duly noticed Public Hearing on the proposed Local Law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") as set forth in 6 NYCRR Part 617; and

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

WHEREAS, the City Council is familiar with the proposed local law and has reviewed the Short Environmental Assessment Forms Parts 1, 2, and 3 (collectively the "SEAF").

NOW THEREFORE, BE IT RESOLVED, the City Council, based upon its review of the proposed local law, including, but not limited to, the SEAF Parts 1, 2, and 3, hereby determines that the proposed local law amending soil stabilization standards within the City of Beacon will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, the City Council hereby adopts the SEAF Part 3 Negative Determination finding that the proposed local law will not have a significant adverse impact on the environment and authorizes the City Administrator to sign the SEAF Part 3; and

BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 7 of 2024 to amend the Beacon City Code concerning soil stabilization.

Resolution No. 93 of 2024			Date: September 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
		Motion Carried					

LOCAL LAW NO. __ OF 2024

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTERS 190 AND 223 OF
THE BEACON CITY CODE CONCERNING
SOIL STABILIZATION

A LOCAL LAW to amend
Beacon City Code, Chapters
190 and 223, concerning
Soil Stabilization.

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

Section 1. Chapter 190 of the Code of the City of Beacon, Section B, entitled “Contents of stormwater pollution prevention plans,” is hereby amended as follows:

§ 190-7 Stormwater pollution prevention plans.

A. Stormwater pollution prevention plan requirement. No application for approval of a land development activity shall be reviewed until the appropriate board has received a stormwater pollution prevention plan (SWPPP) prepared in accordance with the specifications in this chapter.

B. Contents of stormwater pollution prevention plans.

...

(g) Temporary and permanent structural and vegetative measures to be used for soil stabilization, runoff control and sediment control for each stage of the project, from initial land clearing and grubbing to project close-out. All erosion control practices employed for soil stabilization shall be made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the Stormwater Management Officer or applicable municipal board, or unless otherwise required by NYSDEC;

Section 2. Chapter 223 of the Code of the City of Beacon, Section 12, entitled “Buildings, uses and lots,” is hereby amended as follows:

§ 223-12 Buildings, uses and lots.

...

O. Stormwater Management and Erosion & Sediment Control. Stormwater management and erosion and sediment control methods shall be employed for all projects in compliance with Chapter 190 “Stormwater Management and Erosion and Sediment Control” and the New York Standards and Specifications for Erosion and Sediment Control. All erosion control practices employed for soil stabilization shall be made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the Stormwater Management Officer or applicable municipal board, or unless otherwise required by NYSDEC.

Section 3. Chapter 223 of the Code of the City of Beacon, Section 16, Subsection B, entitled “Hilltops, ridgelines and very steep slopes,” is hereby amended as follows:

B. Hilltops, ridgelines and very steep slopes. For the purpose of preventing erosion, minimizing stormwater runoff and flooding, preserving the City’s underground water resources and protecting the City’s character and property values, it is the intent of this chapter to avoid the development of hilltops, ridgelines and very steep slopes, and toward this end, wherever practicable, new construction shall avoid such areas, and existing vegetation in such areas shall not be disturbed wherever practicable. The City Council, the Planning Board, the Zoning Board of Appeals and the Building Inspector shall take these objectives into consideration in reviewing and acting on any plans submitted pursuant to the provisions of this chapter. Further, no building, development, construction of other site improvements, excavation, filling, grading, or removal of significant vegetation shall be permitted on a very steep slope unless the approval authority has determined:

- (1) That there is no other suitable alternative area within the lot available for the proposed use, improvement or development of such lot;
- (2) That the activity proposed is the minimum necessary to make reasonable use of the land;
- (3) That all feasible construction standards and precautions will be taken to assure that environmental impacts will be minimized; ~~and~~
- (4) That all erosion control practices proposed for soil stabilization are made of natural fibers (hay, straw, jute, coconut, wood fiber, or similar materials) that are fully biodegradable, unless otherwise approved by the approval authority, or unless otherwise required by NYSDEC; and
- (5) That the purpose and intent of this section are satisfied to the maximum degree feasible.

Section 4. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapters 190 and 223 of the Code of the City of Beacon are 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 Charter 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.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			☐	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			☐	☐
3. 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				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
☐ Urban	☐ Rural (non-agriculture)	☐ Industrial	☐ Commercial	☐ Residential (suburban)
☐ Forest	☐ Agriculture	☐ Aquatic	Other(Specify):	
Parkland				

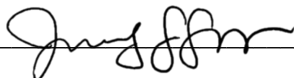
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☐	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☐	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☐	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☐	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☐	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☐	
12. a. 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?	NO	YES	
	☐	☐	
b. 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?	☐	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☐	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☐	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest Agricultural/grasslands Early mid-successional ☐ Wetland ☐ Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____	NO ☐	YES ☐

49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO ☐	YES ☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO ☐	YES ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature:  Title: _____		

SEAF Part 1: Narrative
Proposed Local Law Concerning Soil Stabilization

The City Council of the City of Beacon proposes a local law to amend Chapters 190 (Stormwater Management and Erosion and Sediment Control) and 223 (Zoning) of the Code of the City of Beacon to add a requirement that all erosion and sediment control practices employed for the purpose of soil stabilization must be made of natural fibers that are fully biodegradable, unless otherwise approved by the City or otherwise required by NYSDEC.

The purpose of the proposed Local Law is to encourage green building practices and reduce environmental impacts of construction. Instead of synthetic materials like nylon or plastic the local law would require use of materials such as hay, straw, jute, coconut, wood fiber, or similar materials to stabilize soils during construction or while allowing new vegetation to grow and develop root structure to stabilize the soils. The decomposition of the biodegradable materials also promotes soil health. The proposed amendment would not apply to practices such as silt fencing and other temporary sediment control measures that are ultimately removed from the site or practices required by NYSDEC to be of a specific non-degradable material.

Agency Use Only [If applicable]

Project: LL - Soil Stabilization

Date: August 19, 2024

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: LL - Soil Stabilization

Date: August 19, 2024

Short Environmental Assessment Form Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed local will amend Chapter 190 (Stormwater Management and Erosion and Sediment Control) and Chapter 223 (Zoning) of the Beacon City Code (the "Code"). The proposed local law will require all erosion and sediment control practices employed for the purposes of soil stabilization to be comprised of fully biodegradable materials, unless otherwise approved by the City of Beacon or required by the New York State Department of Environmental Conservation (NYSDEC). As such, the local law is intended to alleviate adverse impacts to the environment caused by plastic or non-biodegradable soil stabilization methods.

The local law would require all erosion control practices employed for soil stabilization to be made of natural fibers, such as hay, straw, jute, coconut, wood fiber or similar materials. This green building practice will alleviate adverse environmental impacts by allowing new vegetation to grow and develop roots thereby helping to stabilize soils. Furthermore, non-biodegradable soil stabilization, such as commonly used plastic products, are known to leech into the soils and bodies of water which can negatively impact human and animal health, as well as aquatic species that rely on such soils or waters for food or habitat. Biodegradable materials will decompose within a relatively short period of time whereas plastics may take hundreds, if not thousands of years to fully decompose, thereby causing adverse impacts for generations. However, this local law will not apply to practices such as silt fencing and other temporary sediment control measures that are ultimately removed from the site or required by NYSDEC to be made of a specific non-degradable material.

Therefore, the proposed local law is not anticipated to have a significant adverse environmental impact. There are no changes to intensities of land uses, and the local law will have a significant benefit to environmental resources (e.g., natural areas, wetlands, streams, flora, fauna, etc.). There will be no significant adverse impacts on historic or aesthetic resources, and no impacts on community character, traffic, air or noise. Flooding and erosion are not anticipated to have a significant adverse impact on the environment as the local law requires natural soil stabilization methods which allow new vegetation to grow thereby helping resist erosion. For these reasons, the local law will not have a significant adverse environmental impact and will have an overall positive impact on the environment.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Beacon City Council

August 19, 2024

Name of Lead Agency

Date

Christopher White

City Administrator

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM



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

John Gunn, Chair

August 15, 2024

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

Subject: City Council Referral of Local Law Amending Chapters 190 and 223
of the Code of the City of Beacon regarding Soil Stabilization

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending Chapters 190 and 223 of the Beacon Code regarding soil stabilization during the August 13, 2024 Planning Board meeting. Planning Board Attorney, Jennifer Gray, reviewed the proposed local law to modify the existing provisions of the Beacon Code to require erosion and sediment control measures for soil and slope stabilization to be made of natural fibers rather than synthetic materials like nylon or plastic.

After discussing the proposed amendments, the four Planning Board members in attendance unanimously expressed that they are generally in favor of the proposed local law.

Sincerely,

John Gunn
Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law No. 6 of 2024 Concerning Soil Stabilization**

Applicant: **City of Beacon City Council**

Address of Property:

Exempt Actions:*
239 Review is NOT Required

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

Date Response Requested: **8/14/2024**

Entered By: **Swanson, Benjamin**

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

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 7/18/2024		Referral #: ZR24-247	
Date Requested: 8/14/2024			
Date Required: 8/16/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 7/23/2024			

City of Beacon City Council Agenda

09/03/2024

Title:

Resolution No. 94 - Adopting Local Law No. 8 of 2024 Concerning Dimensional Regulations for the Transitional District

ATTACHMENTS

Resolution Adopting Local Law No. 8 of 2024 Concerning Dimensional Regulations for the Transitional District

Local Law No. 8 of 2024 Concerning Dimensional Regulations for the Transitional District

Keane & Beane, P.C. Memorandum Regarding a Revised Proposed Local Law Concerning Dimensional Regulations for the Transitional District (September 3, 2024)

Keane & Beane, P.C. Memorandum Regarding a Proposed Local Law Concerning Dimensional Regulations for the Transitional District (July 15, 2024)

Schedule of Dimensional Regulations (2024 eCode Version)

Local Law Concerning Dimensional Regulations for the Transitional District: SEAF Part 1

Local Law Concerning Dimensional Regulations for the Transitional District: SEAF Parts 2-3

City of Beacon Planning Board Memorandum Regarding Proposed Local Law Concerning Dimensional Regulations for the Transitional District

Dutchess County Planning Memorandum Regarding a Proposed Local Law Concerning Dimensional Regulations for the Transitional District



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 94 OF 2024

**ADOPTING LOCAL LAW NO. 8 OF 2024 TO AMEND THE BEACON CITY CODE
CONCERNING DIMENSIONAL REGULATIONS FOR THE TRANSITIONAL DISTRICT**

WHEREAS, pursuant to Resolution No. 2023-074, passed on July 15, 2024, the City of Beacon City Council set a public hearing for August 19, 2024 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning dimensional regulations for the Transitional District; and

WHEREAS, notice for said Public Hearing was published in the Poughkeepsie Journal to provide notice for the public to attend and comment upon the proposed Local Law; and

WHEREAS, on August 19, 2024, the City Council opened and a duly noticed Public Hearing on the proposed Local Law, which was continued to and closed on September 3, 2024, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law; and

WHEREAS, the proposed local law is an Unlisted Action pursuant to the State Environmental Quality Review Act ("SEQRA") as set forth in 6 NYCRR Part 617; and

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

WHEREAS, the City Council is familiar with the proposed local law and has reviewed the Short Environmental Assessment Forms Parts 1, 2, and 3 (collectively the "SEAF").

NOW THEREFORE, BE IT RESOLVED, the City Council, based upon its review of the proposed local law, including, but not limited to, the SEAF Parts 1, 2, and 3, hereby determines that the proposed local law amending dimensional regulations in the Transitional District within the City of Beacon will not result in a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, the City Council hereby adopts the SEAF Part 3 Negative Determination finding that the proposed local law will not have a significant adverse impact on the environment and authorizes the City Administrator to sign the SEAF Part 3; and

BE IT FURTHER RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 8 of 2024 to amend the Beacon City Code concerning dimensional regulations for the Transitional District.

Resolution No. 94 of 2024			Date: September 3, 2024				
☐ Amendments			☐ 2/3 Required				
☐ On roll call			☐ 3/4 Required				
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Molly Rhodes					
		Jeffrey Domanski					
		Pam Wetherbee					
		Dan Aymar-Blair					
		Mayor Lee Kyriacou					
Motion Carried							

PROPOSED LOCAL LAW NO. _ OF 2024

**CITY COUNCIL
CITY OF BEACON**

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

A LOCAL LAW to amend Article III – General Regulations, Section 223-17.D of the City Code to amend the Schedule of Dimensional Regulations concerning townhouses in the T Zoning District.

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

Section 1. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled “Schedule of Dimensional Regulations”, is hereby amended to add Footnote “e” to the T Zoning District column.

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment 1 entitled “Schedule of Dimensional Regulations”, Footnote “e” is hereby amended as follows:

- e In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero (0) feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setback for end unit dwellings shall not be reduced further than one-half the minimum side yard setback of the least restrictive adjoining residential district.

Section 3. Ratification, Readoption and Confirmation.

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

Section 4. 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 5. Severability.

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

Section 6. Effective date.

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

MEMORANDUM

TO: Lee Kyriacou, Mayor
Members of the Beacon City Council

FROM: Keane & Beane, P.C.

RE: Revised Proposed Local Law - T Zoning District Regulations for Townhouses

DATE: September 3, 2024

In response to the Planning Board's comment letter dated August 15, 2024, our office has revised the proposed local law concerning the dimensional regulations for townhouses within the Transitional (T) and RD zoning districts. The Planning Board is generally in favor of the proposed local law; however, it has also requested the authority to reduce side yard setback requirements for attached townhouses to zero (0) feet when deemed appropriate.

Specifically, the Planning Board stated:

Required side yard setbacks should be permitted to be reduced to zero feet where townhomes are proposed to be attached, and the side yard setback for end units should be contextual with the adjacent zoning district, similar to the manner in which permitted density in the T District is contextual with adjacent districts.

While our office believes this authority is necessarily implied as attached townhouses understandably have no side yard setbacks since they are attached, this proposed revision would eliminate any lack of clarity and make such authority explicit. As such our office has revised the proposed local law to add a new final sentence which captures the Planning Board's request. For additional information on the proposed local law, we respectfully refer the City Council to our office's memorandum dated July 15, 2024.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator

MEMORANDUM

TO: Mayor Lee Kyriacou
Members of the City Council

FROM: Keane & Beane, P.C.

RE: Proposed Local Law re T Zoning District Schedule of
Dimensions - Townhouses

DATE: July 15, 2024

Please find attached herewith a proposed local law to amend the Beacon Zoning Code, § 223-13.D – Attachment 1 entitled “Schedule of Dimensions.” This proposed local law will add Footnote “e” to the T Zoning District’s Schedule of Dimensions which currently only applies to townhouses in the RD Zoning. It should be noted, townhouses are also a permitted use within the T Zoning District and in the L Zoning District. Thus, by adding the T Zoning District to Footnote “e”, the dimensional requirements for townhouse would be consistent with the requirements in the RD Zoning District. However, without the proposed amendment, applicants seeking to develop townhouses in the T Zoning District would likely need a variety of variances, or would they would need to develop a different type of housing altogether, such as an apartment building or condominium.

The proposed local law would also correct Footnote “e” to include a missing portion of the final sentence as originally adopted via Local Law No. 7-2020.

Please do not hesitate to contact our office with any questions. Thank you.

cc: Chris White, City Administrator

ZONING

223 Attachment 1

City of Beacon

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

Zoning District	Minimum Lot Size Area ^h (see also § 223-121)				Minimum Yards ^a			Minimum Distance Between Buildings Same Lot	Maximum Height Main Building (see § 223-13) (stories/feet)	Maximum percent Building Coverage		Maximum Number of Units per Building	Minimum Open Space	Zoning District	Also Refer to Pertinent Sections
	Area (square feet)	Per Unit (square feet)	Width (feet)	Depth (feet)	Front (feet)	Side (feet)	Rear ^{d,e} (feet)			Multifamily	All Other				
R1-120	120,000	120,000	250	350	70	50	75	—	2.5 / 35	N.A.	7%	1	—	R1-120	
R1-80	80,000	80,000	150	200	45	30	50	—	2.5 / 35	N.A.	10%	1	—	R1-80	
R1-40	40,000	40,000	150	150	35	25	50	—	2.5 / 35	N.A.	15%	1	—	R1-40	
R1-20	20,000	20,000	125	125	25	20	40	—	2.5 / 35	N.A.	20%	1	—	R1-20	
R1-10	10,000	10,000	85	100	20	15	35	—	2.5 / 35	N.A.	25%	1	—	R1-10	
R1-7.5	7,500	7,500	75	100	15	10	25	—	2.5 / 35	N.A.	30%	1	—	R1-7.5	
R1-5	5,000	5,000	50	100	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.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all-items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
City of Beacon City Council			
Name of Action or Project:			
Local Law - Dimensional Regulations of the Transitional District			
Project Location (describe, and attach a location map):			
City of Beacon			
Brief Description of Proposed Action:			
The proposed local law would amend Chapter 223 (Zoning) of the Beacon City Code to add the Transitional (T) Zoning District to footnote "e" of the Schedule of Dimensional Regulations concerning townhouses annexed to Section 223-17D of the City Code. The purpose of this local law is to update the dimensional regulations so townhouses (a permitted use) within the T Zoning District are afford the same dimensional requirements as townhouses within the RD Zoning District. The proposed local law would also correct the end of footnote "e" to include a missing portion of the sentence as originally adopted via Local Law No. 7-2020.			
Name of Applicant or Sponsor:		Telephone: 245-838-5000	
City of Beacon City Council		E-Mail: cityofbeacon@beaconny.gov	
Address:			
1 Municipal Plaza			
City/PO:		State:	Zip Code:
Beacon		New York	12508
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			YES
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO
If Yes, list agency(s) name and permit or approval:			YES
3. 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			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban)			
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):			
☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☐ ☐	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☐	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☐	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☐ ☐	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☐	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☐	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☐	
12. a. 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? b. 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?	NO ☐ ☐	YES ☐ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☐ ☐	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☐	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☐	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☐	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☐	YES ☐

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☐	YES ☐

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☐	YES ☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City Council City of Beacon</u> Date: <u>July 17, 2024</u> Signature: <u></u> Title: <u>City Attorney</u>		

July 17, 2024
City of Beacon

SEAF Part 1: Narrative

Proposed Local Law Concerning Dimensional Regulations of the Transitional District

The City Council of the City of Beacon proposes a local law to amend Chapter 223 (Zoning) of the Beacon City Code to add the Transitional (T) Zoning District to footnote “e” of Attachment 1 entitled “Schedule of Dimensional Regulations” annexed to Beacon City Code §223-17.D. Footnote “e” applies to townhouses within the RD Zoning District, however, townhouses are also a permitted use within the T Zoning District. Thus, by adding the T Zoning District to footnote “e”, townhouses within the T Zoning District will be subject to the same dimensional requirements as townhouses in the RD Zoning District. Without the proposed local law, townhouses within the T Zoning District will likely require a variety of variances, or alternatively, prospective applicants would need to develop entirely different types of housing (e.g., multi-family dwellings, condos, etc.).

The proposed local law would also correct the end of footnote “e” which is currently missing a portion of the final sentence as was originally adopted via Local Law No. 7-2020.

Agency Use Only [If applicable]

Project: LL - T District Regulations

Date: August 19, 2024

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: LL - T District Regs

Date: August 19, 2024

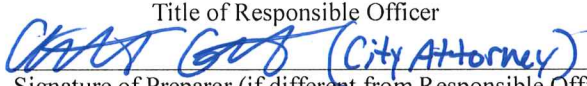
Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

The proposed local law will amend Chapter 223 (Zoning) of the Beacon City Code concerning the dimensional regulations for the City's Transitional (T) zoning district. Specifically, the proposed local law would add the T zoning district to footnote "e" of Attachment 1, "Schedule of Dimensional Regulations," annexed to the Beacon City Code Section 223-17D. Footnote "e" presently applies to townhouses within the RD zoning district, however, townhouses are also a permitted use within the T zoning district. Thus, the proposed local law would provide that townhouses within the T zoning district are subject to the same dimensional requirements as townhouses within the RD zoning district. Without the proposed local law, townhouses within the T zoning district will likely require a variety of variances, or alternatively, prospective applicants would need to develop entirely different types of housing (e.g., multi-family dwellings, condos, etc.). The proposed local law will also correct the end of footnote "e" which is missing a portion of the final sentence that was originally adopted via Local Law No. 7-2020.

All townhouses within the T zoning district will be subject to individual environmental review by the City's land use boards and staff. The proposed local law is consistent with the City of Beacon's Zoning Code because townhouses are already a permitted use within the T zoning district. Further, the local law is not anticipated to have a significant adverse environmental impact on the intensity of land use or environmental resources (e.g., natural areas, wetlands, streams, flora, fauna, etc.). There will be no significant adverse impacts on historic or aesthetic resources, nor significant impacts on community character, traffic, flood, erosion, and air or noise. For these reasons, the local law will not have a significant adverse environmental impact.

☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
Beacon City Council	August 19, 2024
Name of Lead Agency	Date
Christopher White	City Administrator
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)
	 (City Attorney)



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

John Gunn, Chair

August 15, 2024

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

Subject: City Council Referral of Local Law Amending Chapter 223
of the Zoning Code of the City of Beacon regarding Dimensional Requirements
for the Transitional (T) Zoning District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law amending Chapter 223 of the Beacon Code regarding dimensional requirements in the Transitional (T) Zoning District during the August 13, 2024 Planning Board meeting. Planning Board Attorney, Jennifer Gray, reviewed the proposed local law to modify the existing provisions of the Beacon Code to apply the existing "Note E" in the Schedule of Dimensional Regulations to the T District. Under the existing Code, Note E applies in the RD Districts to allow the Planning Board to reduce the minimum lot size applicable in the district to allow for approval of a subdivision for semi-attached single-family dwellings (townhomes). The proposed local law would allow Note E to also apply to townhouse developments in the T District.

After discussing the proposed amendment, the four Planning Board members in attendance unanimously expressed that they are generally in favor of the proposed local law, but recommended that the City Council specifically add that in addition to reducing the minimum lot size for a subdivision involving townhomes the Planning Board should be granted discretion to reduce the applicable minimum side yard requirements, as appropriate. Required side yard setbacks should be permitted to be reduced to zero feet where townhomes are proposed to be attached, and the side yard setback for end units should be contextual with the adjacent zoning district, similar to the manner in which maximum permitted density in the T District is contextual with adjacent districts.

Sincerely,

John Gunn
Planning Board Chair

JG/mp

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

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Beacon**

Referring Agency: **Municipal Board**

Tax Parcel Number(s):

Project Name: **Proposed Local Law No. 7 of 2024 Concerning Dimensional Regulations of the Transitional District**

Applicant: **City of Beacon City Council**

Address of Property:

**Exempt Actions:*
239 Review is NOT Required**

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

No Authority to review these Actions

- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

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

Parcels within 500 feet of:

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

Date Response Requested: **8/14/2024**

Entered By: **Swanson, Benjamin**

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

For County Office Use Only			
Response From Dutchess County Department of Planning and Development			
No Comments: ☒ Matter of Local Concern ☐ No Jurisdiction ☐ No Authority ☐ Withdrawn ☐ Incomplete - municipality must resubmit to County ☐ Exempt from 239 Review ☐ None		Comments Attached: ☐ Local Concern with Comments ☐ Conditional ☐ Denial ☐ Incomplete with Comments- municipality must resubmit to County ☐ Informal Comments Only (Action Exempt from 239 Review)	
Date Submitted:	Notes:	☐ Major Project	
Date Received: 7/18/2024		Referral #: ZR24-248	
Date Requested: 8/14/2024			
Date Required: 8/16/2024	☐ Also mailed hard copy	Reviewer:	
Date Transmitted: 7/23/2024			

City of Beacon City Council Agenda
09/03/2024

Title:

August 19, 2024 Minutes

ATTACHMENTS

[August 19, 2024 Minutes](#)



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

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

**August 19, 2024
7:00 PM
Draft
City Council
Minutes**

Regular Meeting

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

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

Councilmembers Present

Mayor Lee Kyriacou
Councilmember Paloma Wake, At Large
Councilmember Molly Rhodes, Ward One
Councilmember Pam Wetherbee, Ward Three
Councilmember Aymar-Blair, Ward Four

Also Present

Christopher White, City Administrator
Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for an Amended Concept Plan for 248 Tioronda Avenue (to be adjourned to September 16, 2024)

Motion to adjourn the public hearing to September 16, 2024 by Councilmember Rhodes
Second by Councilmember Aymar-Blair.
Motion passes 5 - 0.

Public Hearing for a Proposed Local Law Concerning the Fishkill Creek Development District (to be adjourned to September 16, 2024)

Motion to adjourn the public hearing to September 16, 2024 by Councilmember Wetherbee.
Second by Councilmember Aymar-Blair.
Motion passes 5 - 0.

Public Hearing for a Proposed Local Concerning Soil Stabilization

Motion to close the public hearing by Councilmember Aymar-Blair.
Second by Councilmember Rhodes.
Motion passes 5 - 0.

Public Hearing for a Proposed Local Law Concerning Dimensional Regulations for the Transitional District

Motion to adjourn the public hearing to September 3, 2024 by Councilmember Rhodes.
Second by Councilmember Aymar-Blair.
Motion passes 5 - 0.

Reports: Mayor, City Council, and City Administrator

Local Laws and Resolutions

1. [Resolution No. 87 - Appointing George White to the Position of Police Dispatcher](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Rhodes.

Motion passes 5 – 0.

2. [Resolution No. 88 - Authorizing the City Administrator to Execute a Memorandum of Agreement with the Patrolmen's Benevolent Association of Beacon, New York, Inc.](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Wetherbee.

Motion passes 5 – 0.

3. [Resolution No. 89 - Authorizing the City Administrator to Execute an Agreement with Sun Up Construction Corporation for the Washington Avenue Box Culvert Wingwall Replacement Project](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 0.

4. [Resolution No. 90 - Adopting the 2021-2030 City of Beacon Government Operations Climate Action Plan](#)

Motion to pass the resolution by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 0.

5. [Resolution No. 91 - Adopting Local Law No. 6 of 2024 Concerning Prohibition of Eviction Without Good Cause](#)

Motion to pass the resolution by Councilmember Wetherbee.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 0.

6. [Resolution No. 92 - Adopting Local Law No. 7 of 2024 Concerning Soil Stabilization](#)

Motion to table the resolution to September 3, 2024 by Councilmember Rhodes.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 0.

Approval of Minutes

1. [August 5, 2024 Minutes](#)

Motion to approve the minutes by Councilmember Rhodes.

Second by Mayor Kyriacou.

Motion passes 5 – 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: September 3, 2024 at 7:00 p.m.

Adjournment

Motion to adjourn by Councilmember Wetherbee.

Second by Councilmember Aymar-Blair.

Motion passes 5 – 0.