



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

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

November 6, 2023
7:00 PM
City Council Agenda

Roll Call

Workshop Agenda Items

1. [Proposed 2024 Budget: Police Department](#)
2. [Proposed 2024 Budget: Fire Department](#)
3. [Proposed 2024 Budget: Recreation Department](#)
4. [2023 Adjusted Base Proportions for Homestead/Non-Homestead Taxes](#)
5. [Dutchess County Request for Expression of Interest Regarding 223 Main Street Development](#)
6. [248 Tioronda Avenue Amended Greenway Trail Easement](#)
7. [Minimum Parking Requirements and Unit Square Footage Amendments](#)

City of Beacon City Council Agenda
11/06/2023

Title:

Proposed 2024 Budget: Police Department

ATTACHMENTS

[Proposed 2024 Budget: Police Department Overview](#)

[Proposed 2024 Budget: Police Department Excerpt](#)



CITY OF BEACON POLICE DEPARTMENT



2024 Budget Overview

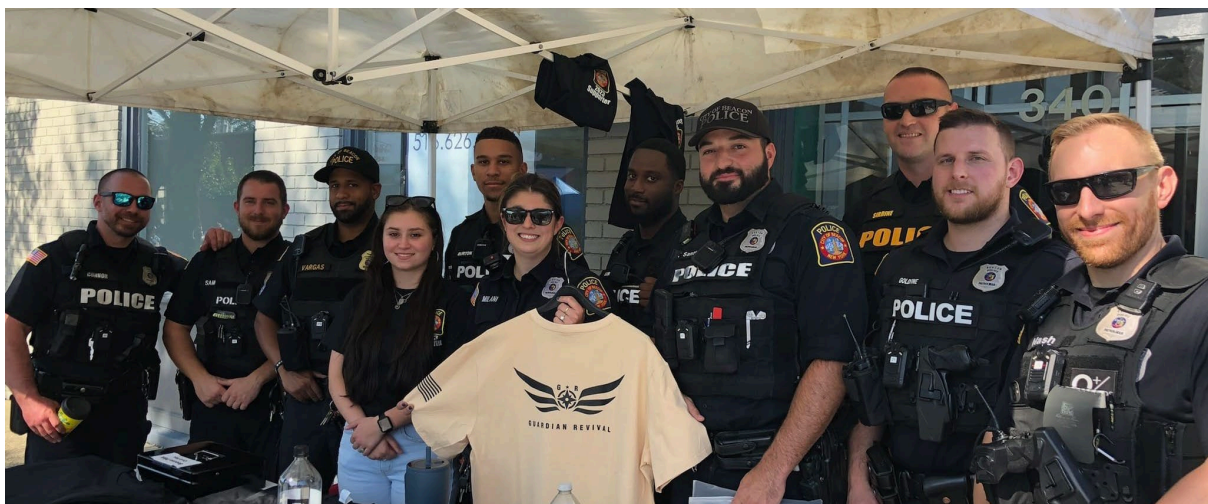
DEPARTMENT RESPONSIBILITIES:

The City of Beacon Police Department provides 24/7 protection and service to the community ensuring public safety and a peaceful quality of life for the residents, visitors, and businesses. The Department provides support for a wide array of public events, such as Main Street parades, and also supports Beacon City School District sporting events.

The Department has responded to more than 7,000 calls for service to date in 2023. These calls include emergencies, such as domestic disputes and vehicle accidents, as well as quality of life calls, including noise complaints, parking issues, etc. The Department also seeks to engage in proactive work, such as rotating traffic enforcement and patrols of neighborhoods, apartment complexes, and along Main Street. The Department takes pride in its focus on being involved in community events throughout the year.

DEPARTMENT STAFFING:

The City of Beacon Police Department is made up of 36 Police Officers (including the Police Chief, Lieutenants, Sergeants, and Detectives), 2 administrative staff members, and 2 full-time Police Assistants. Additionally, the Department expanded its use of civilian dispatchers by hiring a part-time police assistant in 2023. Staffing is also augmented by a full-time Behavioral Health Specialist from Mental Health America and a part-time Domestic Violence Advocate from the Domestic Abuse Response Team, who has an office in the Department facilities but is funded by Dutchess County. The Department currently has 4 open positions for Police Officer.



HIGHLIGHTS OF 2023 PROJECTS AND INITIATIVES:

Hired an additional part-time Police Assistant:

This year, the Department hired an additional part-time civilian dispatcher to assist the Department on Saturday and Sunday afternoons (8 a.m. to 4 p.m.) This new Police Assistant covers the dispatch desk and allows a Police Officer to be out in the community rather than answering phones. This is part of the Department's effort to address broader concerns and to provide greater level of service to the community during all shifts.



Addressing Overtime Concerns:

As was the case in the past few years, throughout 2023 the Department was significantly short-staffed and faced as many as 5 or 6 openings at a given time. This has led to short staffing for many shifts which put pressure on use of overtime to fill shifts. The Department is continuing to work to hire new officers and has hired 5 new officers in 2022 and 2023. Unfortunately, that hiring has been offset by retirements and transfers. In addition to trying to increase staffing to stem overtime, the Police Chief has been more actively managing use of overtime for events to ensure that resources are allocated only where they are needed.



2024 Projects and Initiatives:

The 2024 Proposed Budget makes incremental increases to cover the increased cost for salaries and supplies but proposes no new major initiatives. The two additional new initiatives build further upon similar initiatives in the 2023 Adopted Budget.

Hiring a Second Part-time Police Assistant:

The Department has requested in the 2024 budget to hire another part-time police assistant to cover the weekend shift from 4 p.m. to midnight, which allows a Police Officer to be out on patrol instead of answering phones.

Flock Safety Cameras:

The Council included in the 2023 Budget four Flock Safety Cameras (license plate readers) to be used at the four entrances/exits of the City. These were immediately helpful in solving incidents, including hit-and-run incidents and catalytic converters thefts, in which the readers helped to identify the license plate of a vehicle that was described to or suspected by police. The Department is proposing two additional Safety Cameras. One will help to cover the north entrance to Beacon at Route 9D where the current camera can only capture one-half of the traffic. The second camera would be installed at the intersection of Fishkill Avenue and Main Street, which is one of the highest traffic areas in the City.

MAJOR ITEM CHANGES PROPOSED FOR 2024:

Overtime (A3120.105000): The Proposed 2024 Budget recognizes the ongoing staffing challenges the Department is facing. Despite ongoing recruitment and hiring efforts, the Department remains understaffed, which requires the use of Police Officers on overtime to cover various shifts. The proposed budget would increase Overtime from \$762,000 to \$842,000, an increase of just under \$80,000 or 10.4 percent.

K-9 Program (A3120.105500, A3120.416.700, and A3120.459300): With the retirement of the K9 Office in August 2023, the Department has eliminated all funding for K9 Care, Dog Food & Supplies, and Veterinary Services (\$28,013). The Overtime related to K9 Training was also reduced.

Police Assistant (A3120.106001): With the proposed addition of a new part-time police assistant, salary allocation to this line is expected to go up approximately \$26,319 (22%). As discussed above, this position further allows Police Officers to be out in the community rather than answering phones at the Dispatch Desk.

Rental of Equipment (A3129.44700): The proposed budget includes increased funding for rental of communications equipment. The rental of new radio equipment would increase this line from \$31,776 to \$47,628, an increase of approximately \$16,000.

Retirement (A3120.810000): As discussed by the Director of Finance, New York State has significantly increased the City's pension contributions for 2024, and the Police pensions face the largest increase. The pension contribution in 2023 of \$1,025,852 will increase to \$1,275,229 in 2024. This increase of nearly a quarter million dollars in one year (approx. 25%) is not controlled by the City and is the single largest increase in the Police budget for 2024.



2024 CITY OF BEACON BUDGET

GENERAL FUND EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
3120 POLICE										
A3120	100200	POLICE CHIEF SALARY	150,493	147,732	147,732	151,641	155,590	155,590	117,283	160,110
A3120	101000	REGULAR SALARIES	2,049,242	2,422,233	2,154,233	2,123,921	2,531,728	2,531,728	1,779,944	2,610,367
A3120	102000	CROSSING GUARD SALARIES	38,656	45,263	50,263	51,190	62,700	62,700	40,238	61,900
A3120	105000	OVERTIME	725,811	475,000	858,000	851,743	762,615	762,615	501,453	842,233
A3120	105001	OVERTIME-BUCKLE UP NY	1,774	3,575	3,575	2,145	1,716	1,716	1,494	2,000
A3120	105004	OVERTIME-STOP DWI	1,692	2,000	2,000	3,525	5,000	5,000	2,634	5,500
A3120	105005	OVERTIME-SCHOOL DISTRICT	6,681	5,000	10,000	13,380	5,000	5,000	6,525	8,000
A3120	105008	OVERTIME-POLICE TRAFFIC SERV	4,910	4,950	4,950	3,745	3,300	3,300	2,599	4,000
A3120	105018	OT - EVENTS	6,035	22,161	22,161	19,904	15,202	15,202	5,840	11,695
A3120	105021	OT - FILMS	42,564	-	7,500	5,972	7,620	9,620	8,814	10,000
A3120	105200	SICK LEAVE BONUS	11,998	14,575	14,575	9,972	13,100	13,100	10,152	14,092
A3120	105201	OUT OF TITLE	-	2,000	2,000	-	2,000	2,000	-	2,000
A3120	105204	SECONDARY LANGUAGE				2,000	3,000	3,000	-	3,000
A3120	105400	K-9 CARE	20,299	20,649	20,649	21,360	21,013	21,013	11,118	-
A3120	106000	CLERICAL SALARIES	55,539	62,087	62,087	61,930	63,772	63,772	47,800	66,164
A3120	106001	POLICE ASSISTANT	48,077	96,616	76,616	71,510	118,425	118,425	80,331	144,791
A3120	108001	HOLIDAY PAY	84,601	111,440	111,440	105,121	115,816	115,816	-	129,944
A3120	119000	CLOTHING ALLOWANCE	19,350	20,300	20,050	18,700	20,300	20,300	19,403	20,300
A3120	120000	HEALTH INSURANCE BUY	15,462	15,000	15,000	17,292	17,500	17,500	3,750	15,000
A3120	190000	SEVERANCE/RETIREMENT PAY	195,012		94,223	2,473			3,375	
A3120	220001	COMPUTER EQUIPMENT	41,024	44,297	44,297	38,801	17,893	17,893	5,602	16,643
A3120	250000	EQUIPMENT	29,708	2,074	64,074	-	1,000	53,000	64,709	21,069
A3120	250090	EQUIPMENT - BYRNE/JAG	-	10,000	10,000	-				
A3120	251200	BODY ARMOR	3,545	18,600	19,705	12,223	9,260	9,260	1,923	9,089
A3120	412400	FIREARMS	27,198	36,499	53,313	21,882	41,214	41,214	46,853	34,179
A3120	412401	LESS LETHAL	3,532	10,952	11,037	4,944	11,005	11,005	6,909	18,505
A3120	413000	GAS & DIESEL	29,730	40,757	40,757	42,400	50,448	50,448	22,400	46,535
A3120	416000	MATERIALS & SUPPLIES	14,453	16,000	15,335	8,816	17,000	17,000	4,772	17,000
A3120	416700	DOG FOOD & SUPPLIES	1,430	1,800	4,100	4,012	2,800	3,972	3,000	
A3120	416800	TICKETS	16,815	22,800	22,800	4,427	11,970	11,970	-	11,000

2024 CITY OF BEACON BUDGET

GENERAL FUND EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
A3120	417501	CHILD SAFETY PROGRAM-GRANT	1,582	1,850	1,850	1,146	200	200	-	-
A3120	418900	TRAFFIC LIGHTS	10,778	11,000	11,000	9,656	11,000	11,000	3,284	11,000
A3120	419000	CLOTHING REPAIRS	-	350	350	62	350	350	174	500
A3120	422015	CAMERA ELECTRIC	391	423	423	427	465	465	266	500
A3120	440200	AUTO BODY REPAIRS	-	6,000	25,429	24,463	6,000	6,000	3,341	6,000
A3120	443200	TRAINING	9,166	12,000	13,440	8,873	13,000	13,000	1,824	13,000
A3120	443203	CANDIDATE EVALUATION	3,422	7,200	9,700	2,406	7,200	7,200	1,458	8,000
A3120	445100	MAINTENANCE OF EQUIPMENT	37,539	56,325	70,038	56,939	58,415	58,415	40,687	60,887
A3120	447000	RENTAL OF EQUIPMENT	34,163	31,776	32,544	31,895	31,776	31,776	19,175	47,628
A3120	447200	REPAIR OF EQUIPMENT	22,801	27,000	28,665	19,642	28,000	28,000	8,180	30,000
A3120	452021	CASE MANANGEMENT	47,623	70,000	70,000	52,408	76,125	76,125	21,553	83,000
A3120	453000	MEDICAL EMERGENCY SERVICES	-	350	550	314	350	445	444	800
A3120	459300	VETERINARY SERVICES	5,365	3,200	2,900	574	4,200	1,953	28	-
A3120	462000	TRAVEL	681	500	800	727	500	600	815	1,000
A3120	464000	MEALS, LAUNDRY	258	1,000	1,400	114	1,000	1,000	59	500
A3120	467000	ASSOCIATION DUES	1,275	3,580	3,785	1,725	3,580	3,580	1,300	3,000
A3120	479800	YOUTH PROGRAM					4,000	4,880	2,719	5,000
A3120	810000	RETIREMENT	969,085	1,004,872	1,004,872	952,723	1,025,852	1,025,852	-	1,275,229
A3120	820000	SOCIAL SECURITY	235,778	259,280	259,280	239,091	300,293	300,293	193,979	314,499
TOTAL POLICE			5,025,538	5,171,066	5,499,498	5,078,214	5,660,293	5,714,293	3,098,207	6,145,659

2024 CITY OF BEACON BUDGET

GENERAL FUND
EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
3130 DETECTIVES										
A3130	101000	REGULAR SALARIES	568,897	600,508	600,508	603,255	617,701	617,701	466,873	639,877
A3130	105000	OVERTIME	75,228	70,000	106,000	88,909	100,000	100,000	61,642	105,536
A3130	105200	SICK LEAVE BONUS	5,000	4,500	4,500	3,750	3,500	3,500	3,500	2,000
A3130	105202	ON-CALL STIPEND	10,181	15,600	15,600	15,600	15,600	15,600	11,700	15,600
A3130	106000	CLERICAL SALARIES	53,920	62,003	62,003	61,858	63,522	63,522	47,612	65,914
A3130	108001	HOLIDAY PAY	26,995	27,716	27,716	30,026	29,074	28,824	-	31,994
A3130	119000	CLOTHING ALLOWANCE	4,950	4,200	4,450	4,450	4,200	4,450	4,450	4,200
A3130	120000	HEALTH INSURANCE BUY	5,000	5,000	5,000	5,000	5,000	5,000	1,250	5,000
A3130	190000	SEVERANCE/RETIREMENT PAY								-
A3130	250000	EQUIPMENT	2,489	-	-	-	21,400	21,400	11,400	15,800
A3130	416000	MATERIALS & SUPPLIES	5,191	7,000	8,400	7,258	7,000	7,000	3,453	7,000
A3130	441500	SOFTWARE & SUPPORT	1,995	-	-	-			-	-
A3130	445100	MAINTENANCE OF EQUIPMENT								10,000
A3130	462002	PRISONER TRANSPORT	552	1,500	800	632	1,500	1,500	506	1,500
A3130	468200	TOWING/IMPOUNDS	250	750	2,410	1,925	2,000	2,000	150	2,000
A3130	820000	SOCIAL SECURITY	56,169	58,459	58,459	57,076	63,770	63,770	42,967	66,182
TOTAL DETECTIVES			816,817	857,236	895,846	879,739	934,267	934,267	655,503	972,603

City of Beacon City Council Agenda
11/06/2023

Title:

Proposed 2024 Budget: Fire Department

ATTACHMENTS

[Proposed 2024 Budget: Fire Department Overview](#)

[Proposed 2024 Budget: Fire Department Excerpt](#)



CITY OF BEACON FIRE DEPARTMENT



2024 Budget Overview

DEPARTMENT RESPONSIBILITIES

The City of Beacon Fire Department's mission is to protect lives and property by responding to fires, natural disasters, medical emergencies, and accidents. The Department's career and volunteer Firefighters are committed to serving the City in a prompt, professional, and courteous manner and strive to promote public safety awareness and fire prevention.

In 2022, the Fire Department responded to 1,925 calls for service including 18 Structure Fires. The Department continues to boast one of the fastest response times in Dutchess County with an average response of 3 minutes and 21 seconds from the time of dispatch to the time on scene. Department responsibilities vary from interior firefighting and emergency rescues to providing EMS support on medical calls and pumping flooded basements. The Department provides proactive fire prevention education to local schools and advises local businesses how on reducing fire risk.



DEPARTMENT STAFFING

As with every combination volunteer/ career department in Dutchess County, the City of Beacon Fire Department has encountered many challenges from the declining number of volunteer firefighters. The Fire Department has transitioned over the years from a primarily volunteer department with career firefighters operating the fire apparatus, to a career department that is supplemented by volunteer firefighters. In 2023, the career firefighter staffing was increased from 16 Firefighters to 17 Firefighters so that any openings could be backfilled with the additional staff. There are 8 active volunteer firefighters, but volunteer Assistant Chief Lahey is the only volunteer qualified as an interior firefighter. The remaining 7 volunteer members assist with exterior firefighting and traffic control at emergency incidents. In 2023, Beacon's first career Fire Chief

Gary VanVoorhis retired, and Chief Thomas Lucchesi transitioned into the position.

The construction of the long-anticipated Firehouse project began in June 2023. Upon completion, for the first time in Department history, the on-duty career members will be responding together from a central location, which will lead to both a safer and more productive fire scene. In the past, a career firefighter would respond alone, each from their own station, this often times resulted in a single firefighter operating alone for a period of time.



HIGHLIGHTS OF 2023 PROJECTS AND INITIATIVES

Creation of New Firefighter Position: Two career Firefighters were hired by the City in 2023 to backfill one open position and add a 17th Firefighter to the Department. These individuals graduated from the Utica Fire Academy as the class valedictorian and salutatorian and are now serving on regular shifts. This additional staffing has allowed one of the four shifts to be staffed with five career firefighters while they are also available to cover any longer-term openings that might come up in other shifts from loss of staff or injuries. As the City continues to incrementally increase staffing, the Department looks forward to adding a fifth staff person on each shift to increase the Department's effectiveness and safety (not proposed for 2024 due to other costs).

Fire Station Capital Project: After more than 17 years of planning, studies, and architectural design, the groundbreaking ceremony for the Beacon Fire Station project took place on June 5, 2023 and construction is anticipated be completed at the end of summer 2024. The new facility will be all-electric and utilize geothermal heat pumps for heating and cooling. The rehabilitated station will not only meet the operational needs of the Department today but also for decades to come.



MAJOR ITEM CHANGES PROPOSED FOR 2024



Overtime (A3410.105111): Data on overtime expenses was compiled from 2022 and year-to-date for 2023 to create a more accurate projection that reflects the current department staffing and response to calls for service. The budget proposes an increase of approximately \$48,000 to the funding for overtime, increasing it from \$307,000 in the 2023 Adopted Budget to \$355,063 in the 2024 Proposed Budget. The budget increase is due to the increased frequency of recalling off-duty career members for severe incidents due to the decline in volunteers responding.

Equipment (A3410.445100): The budget proposes to increase funding for Equipment from \$34,650 to \$63,981 (an increase of more than \$29,000 or 85 percent). This jump in requested funding is needed to replace aging and obsolete equipment, including hoses and communications equipment that need to be replaced.

Maintenance of Equipment (A3410.445100): This year, the Fire Department began a much-needed effort to address a backlog of maintenance issues for equipment and apparatus. The proposed increase in funding from \$7,500 in 2023 to \$28,633 will provide necessary funding to support the proper annual testing and preventative maintenance to be completed on fire apparatus and lifesaving equipment, such as self-contained breathing apparatus (SCBA). Fire department equipment and apparatus require regular maintenance and upgrades to remain operational and effective. Increased funding can help ensure that equipment is well-maintained.

Retirement (A3410.810000): As previously noted to the Council by the Director of Finance, the City's contributions to its New York State Pension Fund will increase significantly in 2024. The annual cost is projected to increase from \$378,357 to \$419,043, a year-over-year increase of more than \$40,000 or 10 percent.

SUMMARY

The City has made some significant changes and investments to further improve and professionalize the Department, including most notably the central facility under construction. A well-funded fire department ensures prompt and effective emergency response to fires, accidents, medical incidents, and natural disasters. Increased funding enables the department to maintain a sufficient number of trained personnel, modern equipment, and up-to-date technology, all of which are essential for safeguarding the community

2024 CITY OF BEACON BUDGET

GENERAL FUND
EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
3410 FIRE										
A3410	100200	FIRE CHIEF	101,471	99,567	99,567	85,990	110,000	110,000	67,014	121,571
A3410	101000	REGULAR SALARIES	1,114,682	1,101,866	1,101,866	1,089,846	1,173,983	1,173,983	864,095	1,212,944
A3410	103700	TRAINING CERTIFICATION	32,000	-	-	-	-	-	-	-
A3410	103701	HEALTH CARE WORKER BONUS						50,057	46,500	-
A3410	105101	OVERTIME	290,474	250,000	345,000	347,243	307,000	307,000	240,914	355,063
A3410	105200	SICK LEAVE BONUS	2,600	10,100	10,100	9,100	14,333	14,333	12,982	12,194
A3410	108002	KELLY DAYS		13,600	13,600	13,582	29,162	29,162	-	44,912
A3410	119000	CLOTHING ALLOWANCE	10,200	600	600	600	600	600	600	600
A3410	120000	HEALTH INSURANCE BUY-OUT	3,055	5,000	5,000	2,500	2,500	2,500	-	7,500
A3410	190000	SEVERANCE/RETIREMENT			30,697	-		5,977	5,977	-
A3410	250000	EQUIPMENT	33,268	38,871	49,344	39,077	34,650	34,650	9,241	63,981
A3410	413000	GAS & DIESEL	18,615	23,828	23,828	30,312	31,917	31,917	14,450	29,937
A3410	416000	MATERIALS & SUPPLIES	7,213	8,500	9,843	7,021	9,000	9,000	4,635	9,000
A3410	432201	VOLUNTEER SERVICE AWARD PR	56,308	56,324	56,324	56,967	51,071	51,071	52,571	51,071
A3410	441500	COMPUTER SUPPORT/DATA	2,002	2,800	2,800	1,895	3,000	3,400	5,400	6,690
A3410	443200	RECRUIT & OFFICER TRAINING	1,097	10,000	8,269	6,929	10,000	16,620	11,487	21,000
A3410	445100	MAINTENANCE OF EQUIPMENT						7,500	4,478	28,633
A3410	447200	REPAIR OF EQUIPMENT	38,210	29,000	69,431	53,473	39,000	64,000	41,450	27,000
A3410	453700	EMPLOYEE PHYSICALS	3,727	6,000	1,100	1,044	6,000	6,000	3,409	6,800
A3410	454010	AMBULANCE SERVICES		200,000	200,000	175,000	212,000	212,000	127,833	225,000
A3410	454400	ASSISTANT CHIEF STIPEND		3,000	3,000	3,000	4,000	4,000	3,000	10,000
A3410	461900	FIRE PREVENTION	-	200	200	185	900	900	-	900
A3410	462000	TRAVEL	844	1,200	1,200	706	1,200	1,200	645	1,200
A3410	467000	ASSOCIATION DUES	410	600	600	525	650	800	800	1,040
A3410	810000	RETIREMENT	303,842	322,584	322,584	326,565	378,357	378,357	-	419,043
A3410	810001	RETIREMENT 384e		69,074	69,074	68,504	69,074	69,074	-	69,074
A3410	820000	SOCIAL SECURITY	112,407	113,276	113,276	111,253	125,275	125,275	90,588	134,241
TOTAL FIRE			2,132,425	2,365,990	2,537,303	2,431,317	2,613,672	2,709,376	1,608,069	2,859,394

City of Beacon City Council Agenda
11/06/2023

Title:

Proposed 2024 Budget: Recreation Department

ATTACHMENTS

[Proposed 2024 Budget: Recreation Department Overview](#)

[Proposed 2024 Budget: Recreation Department Excerpt](#)



CITY OF BEACON RECREATION DEPARTMENT



2024 Budget Overview

DEPARTMENT RESPONSIBILITIES

The City of Beacon Recreation Department has developed into a full-time, year-round organization dedicated to delivering high quality programs and activities for City residents of all ages. Working in the City's Recreation Center, park facilities, and public schools, our programs and activities reach thousands of people each year while enhancing the quality of life in Beacon. Working closely with other City Departments, we also work to plan and implement improvements to the City's parks and facilities.

The Department is very active and dedicated to the work we do in the community. Our support and communication with local committees and organizations has proven to be key to implementing great new initiatives and programs for our community. Over the years, we have collaborated with many different organizations and individuals to support and synergize the work of our community partners. We want to acknowledge the hard work of committed, dedicated volunteers, and organizations that expand upon the recreation landscape here in Beacon.



DEPARTMENT STAFFING

With the promotion in August 2023 of Heidi Harrison to Assistant Director (alongside current Assistant Director Nate Smith) and the addition of Kyra Cimino as Recreation Assistant, the Department increased staffing to 4 full-time employees. Rounding out our year-round staff is Recreation Director Mark Price and part-time cleaner Barbara Milligan.



In addition to these year-round positions, the Department has two teams of critical seasonal employees. The first is the six to nine part-time staff for the administration of afterschool programs. The second team supports the operations of summer programs, camp, and the public pool, which utilizes another twenty to twenty-five part-time staff. As detailed below, the 2024 Proposed Budget would increase investment in the programs supported by these teams and allow us to expand our services.

HIGHLIGHTS OF 2023 PROJECTS AND INITIATIVES

Completed Community Facility and Program Report:

Launched in the spring of 2022, the City finalized the long-awaited Community Facility and Program Report. The Report, which received public input from nearly 1,000 local residents, inventoried existing programs and facilities and asked the community what improvements and additions it wanted. The Final Report delivered to the City Council in Spring 2024 has laid out a blueprint for the Department's further evolution and will be a key tool in prioritizing and planning improvements in 2024 and coming years.

Reactivated Recreation Committee:

The Department focused its efforts this year on recruiting for and rebuilding the Recreation Committee, and the first task of the newly restored volunteer board was to review applications and make recommendations for funding for the 2023 Community Investment Program. The Committee will also help the Department prioritize the extensive list of recommendations made in the Community Facility and Program Report.

Hired fourth full-time staff:

The Report clearly identified that residents of Beacon would like expanded and improved programs and further investments in our parks and recreational facilities. With the strong support of the City Council, the Department added a fourth full-time staff member to increase the Department's capacity to deliver programs and allow the Recreation Director to focus on some significant capital projects and grants that are upcoming.

2024 PROJECTS AND INITIATIVES

The 2024 Proposed Budget proposes to increase spending for the Department by 20 percent, an increase of more than \$150,000 from 2023 to 2024 to expand our capacity to serve residents.



Increases afterschool programs: The 2024 Proposed Budget funds the new position for the entire year and increases Department funding to allow the expansion of afterschool programming from the current three sites to a fourth site. This additional site will make allow us to serve between twenty to thirty additional students/families and expand the number of available slots for those currently utilizing programs. Currently operating at three City public schools, the fourth program will be hosted at the Recreation Center.

Expands summer programming: The hiring of new staff and funding support proposed in the Budget will also allow the Department to add an additional two weeks of full-day camp and expand the summer clinics offered.

Facilitates capital projects to improve parks: The hiring of a new staff person will allow the Recreation Director to work with consultants to plan, design, and implement improvements to our park facilities. In 2024, the Department hopes to rehabilitate the Wee Plat Tot Playground at Memorial Park, which will include installation of a new play structure, replacement of surfacing, and construction of new fencing. The Department is also working to design improvements to South Avenue Park, including construction of new retaining walls, installation of new basketball and tennis court surfaces, replacement of deteriorated fencing, rehabilitation of walkways, and addition of public restroom facilities. These projects were contained in the Capital Program, but the extra staffing will allow these projects to be managed and implemented.

MAJOR ITEM CHANGES PROPOSED FOR 2024

Summer Playground Counselors (A7112.173100): The Budget proposes an increase of 50 percent for summer staff from \$44,000 to \$66,000.

Regular Salary (A7140.101000): This budget line covers payroll for a regular year-round full-time staff. With the addition of a fourth full-time staff member in 2023, this line is proposed to increase approximately \$50,000 from \$129,000 to \$179,000.

After School Counselors (A7140.173102): This budget line covers payroll for after-school staff and the 20 percent increase reflects the intention to expand programming.

After-School Activity Specialist (A7140.173103): This budget line covers stipends for after-school specialists and the 65 percent provides resources to expand programming. Specialists for after-school provide expert instruction in a variety of topics. Art, cooking, movement, sports, etc.

After-School Materials and Supplies (A7140.416007): This budget line covers supplies for after-school programming and the 33 percent increase supports the expanded programming.

Summer Camp Program (A7140.478100): This budget line covers supplies for summer programming and the increase reflects the intention to expand programming.

Thank you for your support of our department and programs!



2024 CITY OF BEACON BUDGET

GENERAL FUND EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
7110 PARK										
A7110	101000	REGULAR SALARIES	135,006	138,169	138,169	142,655	145,242	145,242	108,859	150,442
A7110	103100	TEMPORARY POSITION	22,892	28,800	28,800	15,275	30,720	30,720	8,799	34,560
A7110	105000	OVERTIME	6,347	3,000	6,200	7,647	4,000	4,000	3,091	4,000
A7110	105020	OT BATHROOMS	586	585	535	12	600	600	13	600
A7110	105200	SICK LEAVE BONUS	-		-		600	600	-	600
A7110	112500	MEALS	35		50	63	50	50	21	50
A7110	119000	CLOTHING ALLOWANCE	1,300	1,300	1,300	1,300	1,300	1,300	-	1,300
A7110	120000	HEALTH INSURANCE BUY-OUT								
A7110	250000	EQUIPMENT	2,196	1,500	1,500	1,230	1,500	1,500	490	2,000
A7110	250093	PARK IMPROVEMENTS	-							
A7110	411000	CLEANING SUPPLIES	1,045	2,000	2,955	876	2,000	2,000	1,151	2,000
A7110	412300	FENCE	-	250	250	-	250	250	-	250
A7110	413000	GAS & DIESEL	6,975	6,278	6,278	7,015	8,266	8,266	4,100	8,042
A7110	415400	TOOLS	398	500	342	-	500	500	320	750
A7110	416000	MATERIALS & SUPPLIES	3,418	3,500	3,323	3,083	3,500	5,275	5,256	3,500
A7110	416300	PAINTS	497	1,000	1,190	1,187	1,000	900	-	1,000
A7110	419600	WEED CONTROL	-	2,000	2,000	-	2,000	1,500	760	2,000
A7110	422095	PARK ELECTRIC	12,006	6,185	6,185	7,743	6,804	6,804	2,844	6,800
A7110	444000	JANITOR SERVICE	14,025	20,000	22,425	14,550	15,000	15,000	12,825	17,500
A7110	447200	REPAIR OF EQUIPMENT	1,792	2,500	5,222	3,042	2,500	3,750	1,490	2,500
A7110	447300	REPAIR OF REAL PROPERTY	2,884	12,000	9,991	-	12,000	9,575	8,075	16,000
A7110	448000	TREE MAINTENANCE	39,000	7,600	7,600	-	8,000	8,000	1,000	9,000
A7110	820000	SOCIAL SECURITY	11,839	13,102	13,102	12,051	13,916	13,916	8,647	14,608
TOTAL PARK			262,241	250,269	257,417	217,729	259,748	259,748	167,741	277,502

Note: 7110 PARK is technically in the Highway Budget and is presented with Recreation just for context and reference.

2024 CITY OF BEACON BUDGET

GENERAL FUND
EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
7112 SETTLEMENT CAMP PROPERTY										
A7112	173100	SUMMER PLAYGROUND COUNSE	31,294	49,500	49,500	36,087	44,000	44,000	46,180	66,270
A7112	250000	PURCHASE EQUIPMENT	-	20,000	24,511	24,511			-	
A7112	416000	MATERIALS & SUPPLIES			1,250	1,047	1,000	1,250	786	1,800
A7112	422096	SETTLEMENT CAMP ELECTRIC	791	801	1,031	3,763	881	881	1,940	1,000
A7112	444000	JANITOR SERVICE	4,675	5,000	6,825	6,825	5,000	5,000	3,675	5,000
A7112	445100	MAINTENANCE OF EQUIPMENT	939	1,000	1,054	1,082	1,000	1,000	99	4,000
A7112	447300	REPAIR OF REAL PROPERTY	27,343	25,000	17,741	14,657	36,800	36,550	21,955	28,000
A7112	448000	TREE MAINTENANCE	7,200	12,600	12,593	10,216	12,600	12,600	1,620	12,000
A7112	449100	GARBAGE HAULING & REMOVAL	350	1,000	1,000	630	1,000	1,000	1,129	1,000
A7112	820000	SOCIAL SECURITY							3,235	5,070
TOTAL USC			72,592	114,901	115,505	98,818	102,281	102,281	80,619	124,140
7140 RECREATION										
A7140	101000	REGULAR SALARY	118,565	120,943	120,943	120,273	129,161	129,161	93,102	179,281
A7140	103702	CHILD CARE WORKERS BONUS						10,350	10,350	
A7140	105000	OVERTIME	281		1,500	2,524	2,000	2,000	522	2,000
A7140	105200	SICK LEAVE BONUS	1,500	2,100	2,100	2,100	1,500	1,500	1,200	1,717
A7140	109102	RECREATION DIRECTOR	62,073	65,000	65,000	64,921	70,000	70,000	52,404	72,575
A7140	119000	CLOTHING ALLOWANCE	-	325	325	-	325	325	-	325
A7140	120000	HEALTH BUYOUT								2,500
A7140	173102	AFTER SCHOOL COUNSELORS	41,355	70,000	62,000	60,425	100,800	100,800	52,610	122,400
A7140	173103	AFTER SCHOOL ACTIVITY SPECIA	4,860	7,200	15,200	21,440	27,000	27,000	18,129	44,800
A7140	250000	EQUIPMENT	7,008	-	17,957	18,418	22,500	22,500	10,639	25,000
A7140	413000	GAS & DIESEL	630	650	650	481	708	708	800	672
A7140	416000	MATERIALS & SUPPLIES	1,733	2,500	2,785	2,018	2,500	2,445	1,421	2,500
A7140	416007	AFTER SCHOOL MAT & SUPPLIES	6,401	12,000	14,827	13,474	12,000	11,625	6,496	16,000
A7140	417601	LANDSCAPE MATERIAL	-	-	-	-	5,000	5,430	4,232	7,500
A7140	417602	PLAY SAFETY SURFACE	7,370	10,000	10,556	10,556	10,000	10,000	3,392	11,800
A7140	417700	23 W CENTER PAPER SUPPLY	1,161	1,000	1,000	905	1,000	1,000	545	1,000
A7140	422097	23 W CENTER ELECTRIC	7,235	4,288	4,288	1,467	4,717	4,717	1,664	4,500

2024 CITY OF BEACON BUDGET

GENERAL FUND
EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
A7140	423202	23 W CENTER ALARM	1,460	2,500	3,373	888	2,500	2,500	1,141	2,500
A7140	441500	SOFTWARE & SUPPORT	3,695	3,700	8,535	-	4,450	4,450	-	5,120
A7140	446000	PRINTING/COPIER LEASE	2,595	2,900	3,122	2,776	2,900	2,900	2,147	2,900
A7140	446010	YARD SALE AD PRINTING	144	750	550	299	750	750	540	750
A7140	447000	RENTAL OF EQUIPMENT	1,952	9,000	15,077	11,153	10,000	10,088	10,229	12,500
A7140	447200	REPAIR OF EQUIPMENT			1,003	1,003	1,500	1,412	-	1,500
A7140	447300	REPAIR OF PROPERTY	16,854	22,000	21,802	10,510	25,000	40,500	17,874	25,000
A7140	452020	PLANNING STUDIES	-	50,000	50,000	36,975	-	-	11,925	
A7140	462000	TRAVEL	7	100	100	4	100	100	-	1,000
A7140	470500	COMMUNITY OUTREACH	638	1,500	3,805	2,553	2,500	2,500	1,775	2,500
A7140	470600	CELEBRATION	10,359	20,000	15,620	16,456	20,000	20,000	16,382	20,000
A7140	471500	FIREWORKS			10,000	10,000	10,000	10,000	10,000	12,500
A7140	476306	SPORT CAMP	2,025	4,050	4,050	4,050	5,600	5,600	4,000	5,600
A7140	477200	SOFTBALL - WOMENS	2,987	4,400	4,400	4,188	6,000	6,000	5,479	6,000
A7140	477254	SOFTBALL - MENS	2,115	5,000	4,930	3,555	6,000	6,000	4,781	6,000
A7140	477500	SUMMER BASKETBALL	5,830	6,500	5,986	10,554	7,500	7,500	10,050	12,000
A7140	478100	SUMMER CAMP PROGRAM	5,695	7,500	8,014	7,831	7,500	7,500	8,426	14,000
A7140	478700	TENNIS	2,674	5,000	3,000	2,217	5,000	5,000	2,092	5,000
A7140	479600	WOMENS VOLLEYBALL	-	350	350	371				350
A7140	479900	COMMUNITY INVESTMENT	10,000	20,000	20,000	20,000	20,000	20,000	20,600	20,000
A7140	820000	SOCIAL SECURITY	18,248	23,552	23,552	20,620	23,240	24,031	15,366	29,131
TOTAL RECREATION			347,450	484,808	526,400	485,005	549,751	576,392	400,313	678,921

2024 CITY OF BEACON BUDGET

GENERAL FUND
EXPENSE (A)

			2021	2022	2022	2022	2023	2023	2023	2024
			YTD	ADOPTED	REVISED	YTD	ADOPTED	REVISED	YTD	PROPOSED
			ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET	BUDGET	ACTUAL	BUDGET
			12/31/21		12/31/22	12/31/22		10/02/23	10/02/23	
7141	SWIMMING POOL FACILITY									
A7141	173100	LIFEGUARDS	16,640	25,000	25,000	24,415	25,000	25,000	33,588	27,000
A7141	250000	EQUIPMENT	2,332	17,500	17,500	-	17,500	17,500	1,772	15,000
A7141	410900	CHEMICALS	5,127	8,500	9,332	9,332	12,500	12,500	7,674	15,000
A7141	416000	MATERIALS & SUPPLIES	310	2,500	3,500	3,470	1,500	1,502	1,587	1,500
A7141	443200	TRAINING	603	750	750	343	1,000	998	100	1,000
A7141	444100	LICENSE & PERMIT FEE	235	750	750	235	750	750	235	235
A7141	445100	MAINTENANCE OF EQUIP	8,058	2,500	1,668	-	2,500	2,500	-	2,500
A7141	445102	POOL START-UP/CLEANING	5,237	3,600	6,281	6,281	4,800	5,163	4,677	6,500
A7141	447200	REPAIR OF EQUIPMENT	3,923	10,000	6,319	325	10,000	9,637	1,309	7,500
A7141	820000	SOCIAL SECURITY	1,273	1,913	1,913	1,868	1,913	1,913	2,570	2,066
TOTAL SWIMMING POOL FACILITY			43,738	73,013	73,013	46,269	77,463	77,463	53,512	78,301
7620	ADULT RECREATION									
A7620	470600	SENIOR PROGRAMS	-	2,500	2,500	-	2,500	2,500	-	2,000
A7620	476500	SENIOR ART	3,000	5,000	5,000	3,222	3,600	3,600	2,100	3,750
TOTAL ADULT RECREATION			3,000	7,500	7,500	3,222	6,100	6,100	2,100	5,750

City of Beacon City Council Agenda
11/06/2023

Title:

2023 Adjusted Base Proportions for Homestead/Non-Homestead Taxes

ATTACHMENTS

Keane & Beane, P.C. Memorandum Regarding the Adoption of 2023 Adjusted Base Proportions

Approved 2023 Adjusted Base Proportions

MEMORANDUM

TO: Beacon City Council

FROM: Judson K. Siebert 

RE: Annual Resolution -
Adoption of Adjusted Base Proportions
Homestead/Non-Homestead Taxes

DATE: October 12, 2023

■ **Main Office**
445 Hamilton Avenue
White Plains, NY 10601
Phone 914.946.4777
Fax 914.946.6868

■ **Mid-Hudson Office**
200 Westage Business Center
Fishkill, NY 12524
Phone 845.896.0120

■ **New York City Office**
99 Madison Avenue
New York, NY 10016
Phone 646.794.5747

The City of Beacon adheres to the homestead/non-homestead tax option. As a result, the City Council must annually adopt “adjusted base proportions,” which are utilized to allocate the levy of real property taxes within the City upon homestead and non-homestead (commercial) parcels.

The adjusted base proportions have been computed for the 2023 City of Beacon Assessment Roll. Accordingly, I have attached a proposed Resolution adopting the 2023 adjusted base proportions for adoption by the City Council. The Resolution is accompanied by required computations (on standard NYS forms), which are to be certified by the City Clerk upon adoption of the attached Resolution.

Adjusted Base Proportions

The City of Beacon implemented the use of a homestead/non-homestead tax structure when it conducted City-wide assessment revaluations in 1988 and 2007. NYS authorizes the use of this taxing option to encourage assessing jurisdictions to administer annual revaluation programs. This option is designed to avoid – as can often occur when revaluations occur – a sudden shift of the overall tax burden from commercial to residential properties.

When these dual tax rates were first employed, the base proportions represented the share of all real property taxes levied from residential (homestead) and commercial (non-homestead) properties in the year before new assessments from the revaluation were utilized for tax collection purposes. In the years that followed, the City has made annual adjustments (these are the annual *adjusted base proportions*) to these figures based upon the addition and removal of properties from its assessment roll and the rate of market value appreciation in the two property classes.

The adjusted base proportions are computed annually through a series of NYS-mandated calculations. They are vetted by City Assessor Kathy Martin with oversight from NYS before their presentation to the City Council. Again, the adjusted base



proportions will be applied to the City's overall tax levy (the total amount of taxes to be levied) to determine the share that will be carried by homestead and non-homestead properties, respectively. In this way, the adjusted base proportions fix the tax rates to be charged to each type of property.

The Attached Resolution

The City Council is required to adopt a Resolution accepting the use of these proportions for the upcoming tax levy. The attached Resolution should be adopted at the City Council's October 23, 2023 meeting.

cc: Christopher White
Kathy Martin
Benjamin Swanson
Nicholas M. Ward-Willis, Esq.

*****										*****											
* RP-6701		NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES										10/11/23									
		16 SHERIDAN AVENUE, ALBANY, NY 12210-2714																			
		CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND																			
		CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE																			
		LEVY OF TAXES ON TH 2023 ASSESSMENT ROLL																			
		*****										*****									
* Approved Assessing Unit		City of Beacon, 130200										* CERTIFICATION									
* Name of Portion		City of Beacon, 130200										*									
		-----										*									
		DETERMINATION OF BASE PERCENTAGES										*									
* Section I												*									
	(A)	(B)	(C)	(D)																	
	1991	1995	Estimated	Base																	
	Taxable	Class	Market	Percentages																	
	Assessed Value	Equalization Rate	Value																		
* Class			A/(B/100)	(C/sum of C)																	
* Homestead	217,426,298	53.72	404,739,944	76.7080																	
* Nonhomestea	59,052,189	48.05	122,897,376	23.2920																	
* Total	276,478,487		527,637,320	100.0000																	
		-----										*									
		DETERMINATION OF CURRENT PERCENTAGES										*									
* Section II												*									
	(E)	(F)	(G)	(H)																	
	2022	2022	Estimated	Current																	
	Taxable	Class	Market	Percentages																	
	Assessed Value	Equalization Rate	Value																		
* Class			E/(F/100)	(G/sum of G)																	
	including																				
	Special Franchise																				
* Homestead	1,425,936,830	100.00	1,425,936,830	80.68721	* I, the clerk of the legislative body of the approved																
					* assessing unit identified above, hereby certify																
					* that the legislative body determined on _____																
* Nonhomestea	341,303,420	100.00	341,303,420	19.31279	* base percentages, current percentages, and																
					* current base proportions as set forth herein for the																
					* assessment roll and portion as identified above.																
* Total	1,767,240,250		1,767,240,250	100.00000																	
		-----										*									
		DETERMINATION OF CURRENT BASE PROPORTIONS										*									
* Section III												*									
	(I)	(J)	(K)	(L)	(M)	(N)	(O)														
	Local Base	Updated	Prospective	Adusted	% difference	Maximum	Current														
	Proportion	Local Base	Current Base	Base Proportion	between prior	Current	Base Proportions														
	for the	Proportion	Proportion	used for	Adjusted	Base Proportion															
	1992		Part (J)	Prior Tax Levy	Base Proportion																
	Assessment Roll		Prorated		and Prospective																
			to 100.00		Current																
* Class		I*(H/D)	(J/sum of J)		Base Proportion	(L*1.05)															
					((K/L)-1*100)																
* Homestead	68.89	72.46367	73.74776	70.85389	4.08	73.74776															
* Nonhomestea	31.11	25.79514	26.25224	29.14611	-9.93	26.25224															
* Total	100.00	98.25881	100.00000	100.00000		100.00000															
		*****										*****									

signature

title

date

Ratio
CBPH to CPH
0.913995677

RP-6703

NEW YORK STATE OFFICE OF REAL PROPERTY SERVICES
16 SHERIDAN AVENUE, ALBANY, NY 12210-2714

10/11/23

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPT
FOR THE 2023 ASSESSMENT ROLL

Approved Assessing Unit
Name of Portion
Reference Roll
Levy Roll

City of Beacon, 130200
City of Beacon, 130200
2022
2023

CERTIFICATION

Section I

DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR

	(A) Total Assessed Value on the Reference Roll Excluding Special Franchise and Wholly Exmt	(B) Total Assessed Value of Physical and Quantity Increases between the Reference Roll and Levy Roll	(C) Total Assessed Value of Physical and Quantity Decreases between the Reference Roll and Levy Roll	(D) Net Assessed Value of Physical and Quantity Changes	(E) Surviving Total Assessed Value on the Reference Roll
Class				(B-C)	(A-C)
Homestead	1,451,360,000	11,458,800	778,300	10,680,500	1,450,581,700
Nonhomestead	311,639,508	19,363,500	3,322,200	16,041,300	308,317,308

(F)
Total
Assessed Value of Equalization
Increases between the
Reference Roll
and Levy Roll

(G)
Total
Assessed Value of Equalization
Decreases between the
Reference Roll
and Levy Roll

(H)
Net
Equalization
Changes

(I)
Change
in Level of
Assessment
Factor

Class			(F-G)	(H/E)+1	
Homestead	152,992,890	3,098,100	149,894,790	1.10333	1.0064
Nonhomestead	16,463,745	812,217	15,651,528	1.05076	1.0218

Section II

COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

	(J) Taxable Assessed Value on the Levy Roll Excluding Special Franchise	(K) Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment	(L) Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assmnt	(M) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment	(N) Taxable Assessed Value on the Reference Roll	(O) Class Adjustment Factor
Class		(J/I)		(K+L)		(M/N)
Homestead	1,585,751,480	1,437,235,781	0	1,437,235,781	1,425,936,830	1.00792
Nonhomestead	342,195,836	325,663,728	30,939,110	356,602,838	341,303,420	1.04483

Section III

COMPUTATION OF ADJUSTED BASE PROPORTIONS

	(P) Current Base Proportions	(Q) Current Base Proportions adjusted for Physical and Quantity Changes	(R) Adjusted Base Proportions
Class		(P*Q)	(Q/sum of Q)
Homestead	73.74776	74.33213	73.04568
Nonhomestead	26.25224	27.42903	26.95432
Total	100.00000	101.76116	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

signature

title

date

City of Beacon City Council Agenda
11/06/2023

Title:

Dutchess County Request for Expression of Interest Regarding 223 Main Street Development

ATTACHMENTS

[Dutchess County Request for Expression of Interest Regarding 223 Main Street Development](#)

**DUTCHESS COUNTY
REQUEST FOR EXPRESSION OF INTEREST**

223 MAIN ST DEVELOPMENT IN BEACON, NY

#RFEOI-DCP-74-23



**Responses Due
NOVEMBER 30, 2023
2:00 pm**

PHONE (845) 486-3670

FAX (845) 486-3659

REQUEST FOR EXPRESSION OF INTEREST
223 MAIN ST DEVELOPMENT IN BEACON, NY



1. Opportunity Overview

Dutchess County and the City of Beacon (the “City”) are seeking expressions of interest for the subdivision, sale, and development of a portion of the County-owned property at 223 Main Street (Lot #834908). The property currently contains a county office building and a large parking lot. Redevelopment of the site is consistent with the City’s 2017 Comprehensive Plan, which notes that “the Dutchess Center parking lot could be improved substantially by reconfiguring the parking thus providing area for a new infill building and a small green” (p. 64).

Under New York State law, all sales of County property must be made to the highest responsible bidder after public advertisement. As such, this RFEI is only intended to assist the County and City in determining the viability and value of such a bid process, and to assist in the crafting of bid documents should such a process be undertaken.

2. Core Development Goals:

The County’s and City’s goals for the project include:

- a. Redevelopment of a portion of the site with a building or buildings featuring affordable housing units with ground-floor commercial along the Main Street frontage.

The County’s and City’s strong preference is for the maximum feasible number of below-market-rate housing units at the lowest feasible AMI. A range of affordability levels is encouraged, including very-low income (30% AMI). A range of unit sizes is also encouraged, including 3-bedroom units.

Respondents are encouraged to discuss the viability of various income and apartment size mixes. Design strategies such as smaller square footages (ex. micro-apartments) and other strategies to keep rents achievable are encouraged for any market-rate units included in the proposal.

Commercial spaces could house any of the permitted commercial uses in the Central Main Street (CMS) zoning district, including restaurants, service businesses, retail, and office space, understanding that the preference is for uses that are suitably active for this important Main Street location.

- b. Providing adequate parking for the County office building, new tenants, and public use. Parking should be located at the rear of the site, away from Main Street. Currently, the lot's 92 spaces are fully utilized for office staff and visitors during business hours (M-F 9 am to 5 pm), and available for public use on evenings and weekends. These existing uses are expected to require the same number of spaces for the foreseeable future. There is also an agreement in place that allows residents of the 226 Main Street condominiums to use 8 spaces between the hours of 6:00pm-8:00am Monday through Friday and at all times on Saturday and Sunday.
- c. Maintaining and highlighting the successful Beacon Farmer's Market, which uses this site on Sundays year-round. The market saw more than 150% growth from 2021-2023, and now has a roster of around 90 core and rotating vendors, with about 50 booths occupying nearly the entire parking lot during the summer and a smaller group of 10-15 during the winter months. It was recently named "Best Farmer's Market" by Hudson Valley magazine. A successful project will work with market management to incorporate and amplify this important contributor to downtown Beacon.
- d. Incorporation of a pocket park or other public green space along the Main Street frontage, likely including a well-designed transit stop. The preference is for the existing curb cut on Main Street to be eliminated as part of this project.



An ideal response will meet these core goals through a design that contributes to Beacon's active Main Street and its architectural heritage. High-quality architectural and landscape design is required, and the project will undergo a thorough architectural review by the City Planning Board and County planning staff. Green building practices are strongly encouraged.

The subdivided portion of the lot could include some or all of the current parcel's unbuilt area, provided that all subdivided parcels meet zoning bulk requirements.

3. About the Site

223 Main Street is a 1.8-acre parcel in the heart of Beacon's Main Street, at its intersection with South Elm Street. Approximately 25% of the site is occupied by the 2-story Dutchess County Government Center, with the remainder a 92-space parking lot. A range of County agencies – including Probation, Community & Family Services, Behavioral & Community Health, Department of Motor Vehicles, and Astor Services – currently operate out of the building.

From 1894-1972 the corner of Main and Elm was the site of the Holland House hotel, a 50-room brick landmark with three distinctive round towers along its Main Street façade. Prior to the hotel, the site contained a private home on the Main/Elm corner, with a park-like area to its northwest. The rear of the parcel was home to

a lumber yard from the late 1800s to the 1980s, while the current County office building, built in the 1920s, housed a department store for many years, prior to which that portion of the site was the home of the Hotel's stable.



The parcel is zoned Central Main Street, which allows for buildings that are a maximum of 3 stories or 38 feet tall, with no front or side yard minimum setbacks and a 25-foot rear yard minimum setback. A fourth story is permitted with a special permit from the City Council [see §223-41.18 (7)]. The office building is on the National Register of Historic Places as part of the Lower Main Street Historic District, and that portion of the lot is covered by the city's Historic District and Landmark Overlay. The portion of the lot being considered for development in this RFEI is not in the overlay.

4. Information Session / Site Visit

An information session and site visit will be held in Beacon for potential respondents in mid-November. To register for the session, email sandrews@dutchessny.gov and mtheohary@dutchessny.gov by 5:00pm (EST) on November 6, 2023.

Please be advised verbal responses provided by the County or City of Beacon during the information session / site visit are not binding until confirmed by Dutchess County Division of Central Services in writing via addendum or email.

5. Response Submission Requirements

5.1 Response Submission

- 5.1.1** All responses should include the items outlined in Section 6.0 Response Submission Components.
- 5.1.2** Response submissions must be submitted by email to Sarah Andrews at sandrews@dutchessny.gov with a copy to Ellie Theohary at mtheohary@dutchessny.gov.

Responses must be received no later than 2:00 pm (EST) on NOVEMBER 30, 2023.

Responses received after that deadline will not be considered. All responses become the property of Dutchess County after the deadline.

6. Response Submission Components

In accordance with the provisions of this RFEOI, interested respondents are requested to provide written responses to the following. In your response, please respond to each category by repeating the heading at the top of the section and referring to the heading by the number and title used in this RFEOI. Although there is no obligation, the Respondent can provide the County with any additional information that they deem pertinent to their RFEOI response.

Respondents should include the following in their response submission:

6.1 Formal Letter of Interest

6.2 Proposal and Concept Plan

Include a written narrative outlining the respondent's vision for the site and how it aligns with City and County goals, along with conceptual diagrams and an order of magnitude construction budget. The plan should include details on potential affordability models, including any anticipated subsidy sources. It should also note any barriers to execution of the project, including any concerns about the feasibility of any part of the vision outlined in this document, and any zoning or other regulatory barriers to the proposal.

6.3 Preliminary zoning table

Indicate the bulk characteristics of the response, such as but not limited to non-residential square footage, number and size (bedrooms/square footage) of housing units, amount of designed green space, building height, and number of parking spaces.

6.4 Experience and Qualifications

Provide experience and qualifications of the Developer/Development Team, including relevant development experience (a minimum of three [3] examples), geographical market focus, length of time in business, and principals and key personnel. If the response is from a development team, prior experience working together should be described.

6.5 Response Required Documents

- a. Completed Responder Information Form (form attached to this RFEOI)
- b. Completed Addenda Acknowledgment Form (if applicable) – (form attached to this RFEOI).

7. Process

Responses will be reviewed by a committee of Dutchess County and City of Beacon staff. After submissions are made, the committee may submit follow-up questions or conduct responder interviews as desired. At the end of the review process the County and City reserve the right to:

- a. The County may use responses and recommendations generated by this RFEOI process to develop and issue a possible subsequent Request for Bids.
- b. Take any other action deemed appropriate, including no action.

8. General Information to Respondents

- a. All information in a response is subject to the Freedom of Information Law. The County will maintain confidentiality of materials as allowed by law. Should the submitter/respondent feel any aspect of the response, particularly with respect to financial disclosures, is proprietary and confidential, they should clearly indicate this by labeling material as “confidential and proprietary information” that Respondent believes should be protected from public disclosure. By responding to this RFEOI, the submitter/responder agrees to hold the County and City harmless in connection with the release of any information contained in its response.
- b. Dutchess County and the City of Beacon accept no responsibility for costs incurred by any submitter/respondent in responding to this RFEOI.
- c. The County reserves the right to reject all submissions from Respondents to this RFEOI.
- d. The issuance of this RFEOI and the submission of a response by any person or firm or the acceptance of such response by the County does not obligate the County in any manner whatsoever.

9. Timeline

The timeline listed below is to be used as a guide of anticipated timeframes and is subject to change to best meet the needs of Dutchess County. Dutchess County reserves the right to revise dates/timeline as needed.

- October 31st, 2023: RFEOI issued.
- November 16th, 2023 at 5:00 p.m.(EST): deadline for respondent questions.
- November 30th, 2023 at 2:00 p.m. (EST): response deadline. No submissions will be accepted after this time.

10. Questions

Submit questions pertaining to this RFEOI by email to Sarah Andrews at sandrews@dutchessny.gov with a copy to Ellie Theohary at mtheohary@dutchessny.gov no later than 5:00pm (EST) on Thursday, November 16, 2023. All answers to the submitted questions will be posted as an addendum on the following website: <https://www.bidnetdirect.com/new-york/county-of-dutchess>.

RESPONDERS SHOULD CHECK THIS WEBSITE REGULARLY FOR ADDENDUM, WHICH SHOULD BE CONSIDERED BY SUBMITTERS/RESPONDENTS IN THEIR RESPONSE.

11. Appendices

- 1) Site Plan sketches from the City of Beacon 2017 Comprehensive Plan
- 2) Historical images and Sanborn maps of the Holland Hotel and surrounding site
- 3) Parcel Access Parcel Card
- 4) Zoning Parcel Card

RESPONDER INFORMATION FORM

Full Legal Name of
Company Submitting Response: _____

Street Address: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contact Name: _____

Phone Number: () _____ Fax Number: () _____

E-Mail Address: _____ Web Address: _____

Federal ID Number: _____

Name of Authorized Official Submitting Response:

(Please Print or Type)

Signature of Authorized Official Submitting Response:

Date: _____

ADDENDA ACKNOWLEDGMENT FORM

Responder acknowledges receipt of the following addenda to **RFEOI-DCP-74-23**:

Addendum No.		Dated:	
Addendum No.		Dated:	
Addendum No.		Dated:	
Addendum No.		Dated:	
Addendum No.		Dated:	
Addendum No.		Dated:	

Full Legal Name of Company Submitting Response:_____

Authorized Signature:_____

Title:_____

Date:_____

City of Beacon City Council Agenda
11/06/2023

Title:

248 Tioronda Avenue Amended Greenway Trail Easement

ATTACHMENTS

[Greenway Trail Easement Agreement](#)

[Survey of Greenway Trail Easement Area](#)

[Map Showing 96 SF Acre Parcel to be Conveyed](#)



Dutchess County Clerk Recording Page

Record & Return To:

Date Recorded: 3/23/2021

Time Recorded: 10:15 AM

KEANE & BEANE PC
445 HAMILTON AVE
SUITE 1500
WHITE PLAINS, NY 10601

Document #: 02 2021 1431

Received From: BEACON 248 HOLDINGS LLC

Grantor: BEACON 248 HOLDINGS LLC

Grantee: BEACON CITY

Recorded In: Deed

Tax District: City of Beacon

Instrument Type: EASE

Examined and Charged As Follows :

Recording Charge: \$115.00

Transfer Tax Amount: \$0.00

Number of Pages: 14

Includes Mansion Tax: \$0.00

Transfer Tax Number: 5853

***** Do Not Detach This Page**

***** This is Not A Bill**

Red Hook Transfer Tax:

RP5217: N

TP-584: Y

County Clerk By: jmo

Receipt #: 9547

Batch Record: 58

Bradford Kendall
County Clerk



0220211431

(a/b) 13 p/10
TP 5
115

**ACCESS EASEMENT AND MAINTENANCE AGREEMENT FOR
PERMANENT PEDESTRIAN GREENWAY TRAIL**

This Permanent Pedestrian Greenway Trail Easement Agreement is made and entered into this 4th day of March, 2021, by and between Beacon 248 Holdings LLC, with a principal place of business as, 147 Union Street, Suite 101, Poughkeepsie, NY 12601 ATT: Berry Kohn (hereinafter, the "Grantor") and the **CITY OF BEACON**, a municipal corporation having an office at One Municipal Plaza, Beacon NY, 12508, (hereinafter, the "Grantee").

WITNESSETH:

WHEREAS, Grantor is the owner of certain property located at 248 Tioronda Avenue in the City of Beacon, Dutchess County New York, presently identified as Tax Parcel 130200-5954-16-993482, such property having been conveyed to Grantor's by deeds recorded in the Dutchess County Clerk's Office as Document Nos. 02-2006-4859, and also owner of another parcel, presently identified as Tax Parcel 130200-6054-45-012574, subsequently acquired by Grantor, by virtue of a certain deed recorded in the Dutchess County Clerk's Office as Document No 02-2019-496, both such parcels having been consolidated by virtue of a subdivision and lot consolidation map filed in the Dutchess County Clerk's Office on 3/5/21 as Filed Map Number 109-79 A, said consolidated site being hereafter identified as the "**Development Site**" and further described by metes and bounds on **Schedule "A"** annexed hereto; and

WHEREAS, Grantor submitted an application to the City of Beacon Planning Board for Concept Plan, Subdivision and Site Plan Approvals to construct two (2) multifamily buildings with a total of sixty-four (64) dwelling units and a separate office building with 24,500 square feet along with a Greenway Trail; and

WHEREAS, the City of Beacon City Council granted Concept Plan Approval to Grantor on November 18, 2019 to construct two (2) multifamily buildings with a total of sixty-four (64) dwelling units and a separate office building with 24,500 square feet along with a Greenway Trail ("Concept Plan Resolution"); and

WHEREAS, the City of Beacon Planning Board granted Subdivision (lot merger) and Site Plan approval to Grantor on April 14, 2020, said resolution having been signed by the Planning Board Chair on April 18, 2020 (“Subdivision and Site Plan Approval Resolution”); and

WHEREAS, the development approved by the Site Plan consists of the construction of two (2) multifamily buildings with a total of sixty-four (64) dwelling units and a separate office building with 24,500 square feet and related improvements for access, parking, lighting, landscaping and other improvements and amenities (the “Private Improvements”), together with certain physical improvements to which non-exclusive public access is being provided under the terms of this Easement Agreement (the “Public Improvements”), all as further set forth in this Easement Agreement, the Approval Resolutions, and in the plans, visual representations and application documents prepared by Chazen Companies and submitted in support of the application, and specifically on the plans sets entitled, “Beacon 248 Holdings, LLC Final Lot Consolidation Plan,” originally dated February 22, 2020 and last revised 9/2/2020 and “248 Tioronda Ave, Beacon NY,” originally dated September 2018 and last revised August 2020, the sheets of which are set forth in and revised in accordance with the Approval Resolutions (“Approved Plans”); and

WHEREAS, Grantee is a municipal corporation, and regulates and operates a public trail system throughout the City, which includes trails on public and private lands; and

WHEREAS, in furtherance of State and Regional policies to encourage Greenway Trails throughout the Hudson Valley, the Grantee has undertaken activities to support the establishment and operation of the Fishkill Creek Greenway & Heritage Trail (the “FCGHT” or “the Trail”) along the Fishkill Creek within the City of Beacon, including: establishing a comprehensive document entitled “Fishkill Creek Greenway & Heritage Trail Master Plan,” (hereafter, “Trail Master Plan”) funded in part by the New York State Hudson River Valley Greenway and adopted by the Beacon City Council by Resolution dated June 17, 2013; and

WHEREAS, pursuant to the Trail Master Plan, the Grantee is acquiring and continues to acquire pedestrian trail easements on properties along the Fishkill Creek, including those adjacent to the Parcel, for the purpose of establishing connectivity of other existing and future pedestrian trail easements along the Fishkill Creek that together will establish the FCGHT; and

WHEREAS, in furtherance of the above trail policies, the Grantee in its legislative capacity, has on April 3, 2017, enacted a uniform set of rules and regulations governing the use of all public trails in the City, to wit Chapter 170 of the Code of the City of Beacon, covering operation and use of trails on publicly owned land, and also trails, including the FCGHT, where a trail is located on private land over which the City has acquired an easement for trail purposes on behalf of the public, and has established supplementary rules and regulations applicable to the FCGHT in Section 170-5 thereof; and

WHEREAS, in furtherance of the above trail policies, as well as the specific terms and conditions of the project approvals granted to the Project, the Grantee has requested the Grantor to establish a pedestrian trail on the Project to become part of the FCGHT, and Grantor has consented to establish a portion of such trail on its Property; and

WHEREAS, the Approved Plans include a proposed pedestrian pathway designated as the “Greenway Trail”; and

WHEREAS, the Site Plan and Subdivision Resolution requires the conveyance of a Greenway Trail Easement to Grantee providing for pedestrian public access along the Trail to be constructed over and across the Development Site, all as more particularly shown on the Approved Plans. A reduced copy of the plan entitled “Site Plan” prepared by Chazen Engineering, Land Surveying and Landscape Architecture Co., D.P.C., dated September 10, 2018, last revised 9/9/2020, is attached hereto and made part hereof as **Schedule “B”**, which shows the proposed location of the Trail, in addition to the pedestrian path leading from Tioronda Avenue in a generally east-west direction to the Trail and the “ADA Trail” as shown on the Approved Plans (the “**Trail Easement Area**”); and

WHEREAS, the parties intend that the Greenway Trail Easement granted herein shall be used only for passive, non-motorized, pedestrian recreation in the form of walking and hiking, including visual enjoyment of the Fishkill Creek corridor, with non-motorized bicycle riding as may be approved by Grantee, all such activities being within the ambit of the protections granted under New York State General Obligations Law §9-103 and New York State Environmental Conservation Law §44-0119(7), and within the coverage requirements of the Greenway Trail Insurance Program; and

WHEREAS, the parties further intend that the FCGHT will be open to the public only during daylight hours (dawn to dusk), and is also subject to the further rules and regulations set forth in Chapter 170 of the City Code; and

WHEREAS, the parties recognize that Grantee shall have the authority to establish further terms and limitations on public use of the FCGHT, as it may deem appropriate.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants below, and One dollar (\$1.00) and other good and valuable consideration, receipt and sufficiency of which is hereby acknowledged, the Grantor and Grantee do hereby agree as follows:

1. Construction and Location of Improvements: Grantor shall construct the Public Improvements as shown on the Approved Plans according to the construction standards set forth on the Approved Plans and according to all applicable accepted industry standards for such construction. The Public Improvements include the following, all of which are shown in more detail on the Approved Plans:

- a. The pedestrian Greenway Trail improvements, running in a generally north-south direction generally parallel with the Fishkill Creek beginning, at the south, at the shared property line with property owned by Sisters Properties LLC identified as Tax Parcel 130200-5954-16-951357, and terminating at its northerly end at Wolcott Avenue. Such improvements shall include the Greenway Trail, benches, signage, concrete walkways, and a gravity retaining wall at the south end of the Trail. Grantor shall construct the pedestrian Trail of a variable width of five (5) to eight (8) feet, as shown on the Approved Site Plan, within the twenty (20) foot wide trail easement, as granted in Paragraph 3. The location of the Trail within the trail easement shall be as shown on the Approved Plans, although the City Building Inspector may authorize minor variations in the route during construction based on field conditions
- b. A concrete/asphalt pedestrian walkway providing access from Wolcott Avenue to the Trail;

- c. A pedestrian concrete/asphalt path with concrete step transition leading from Tioronda Avenue in a generally east-west direction to the Trail.
- d. It is specifically understood that due to topographic conditions relating to the Property, the Trail will not meet ADA standards and will not be handicapped accessible.
- e. The Grantor shall place two bike racks, one on the north side of building 300 and the other near the south side of building 100 for public use.
- f. The "ADA Trail" spur immediately to the east of the parking area, as shown on the Site Plan annexed hereto at Schedule B.

2. Timing of Construction of Improvements: Prior to the issuance of a Certificate of Occupancy for the proposed office space or the proposed residential units, the Greenway Trail construction shall be completed to the satisfaction of the City Building Inspector. Upon completion, and prior to any public use, the construction of the Trail shall be inspected, approved, and accepted by the City Building Inspector in consultation with the Greenway Trail Committee, with written confirmation of such approval provided to Grantor and Grantee.

3. Grant of Easement: Grantor hereby grants, transfers and conveys to Grantee, for the benefit of the Grantee and the public, to be accepted and exercised under the terms set forth in this agreement, and subject to the further limitations set forth in Chapter 170 of the City Code and any amendments thereto adopted after this conveyance is recorded, a non-exclusive easement and right-of-way over and upon the Easement Area and walkways leading to the trail, as described herein, passive, for non-motorized pedestrian walking and hiking, including visual enjoyment of the Fishkill Creek corridor, during daylight hours (dawn to dusk), under the further limitations set forth in the following paragraphs. The trail shall be a variable width and the width of the Easement Area shall be 20 feet. All the easement rights granted herein are non-exclusive, and to be enjoyed subject to the Grantor's reserved rights, on behalf of itself, its successors, assigns and tenants, to use these improvements jointly with members of the public. Grantor and Grantee agree that public access to the Trail, shall not be permitted until

the issuance of a Certificate of Occupancy for the proposed office space or the proposed residential units, unless otherwise agreed to in writing by Grantor and Grantee.

4. Limits on Permitted Public Activities on the Property: The pedestrian uses authorized by this easement are for quiet, non-motorized, passive recreational trail hiking and walking use by members of the public who are users of the FCGHT, and subject to the further limitations set forth in Chapter 170 of the Code of the City of Beacon, and any amendments thereto adopted after this conveyance is recorded, and may include non-motorized bicycle use to the extent reasonably authorized by Grantee, all of which activities are within the coverage of New York State General Obligations Law §9-103. Without in any way limiting the generality of the foregoing, authorized uses shall not include running, skiing, snowshoeing, skateboards, roller skates or use of any all-terrain vehicles, snowmobiles, or any other motorized vehicles. Lawful construction, maintenance and emergency services activities relating to the Trail and the project site are not subject to the prohibition of motorized vehicles. There shall be no dumping of trash, garbage, or other unsightly or hazardous material within the Easement Area. No use of the Trail shall be permitted before dawn or after dusk. Rules and Regulations governing the use of the public railways in the City, including the FCGHT are set forth in Chapter 170 of the Code of the City of Beacon, as it may be amended from time to time. Grantee may make any further restrictions it deems appropriate in managing the public use of the Trail. Public access to the FCGHT does not constitute permission to enter onto private property adjoining the Trail, and entry on private property adjoining the Trail is subject to prosecution as Trespass under the New York State Penal Law, in addition to constituting a violation of Chapter 170 of the Code of the City of Beacon. No right is granted to park vehicles on Grantor's property.

5. Operation of Trail: Upon completion, including the seeding and planting of grass and trees, and prior to any public use of the Trail, the construction of the Trail shall be inspected, and approved for purposes of City acceptance of the opening of the Trail for public use by the City Building Inspector, with written confirmation of such approval provided to Grantor and Grantee. After the Grantee, through the City Building Inspector, inspects, approves and accepts the constructed Trail in consultation with the Greenway Trails Committee, the City shall have the authority to determine when and whether the Trail shall be open for public use,

and may suspend public use of the Trail at any time for any length of time, as it may deem appropriate. Operation of the Trail is further subject to the provisions of Chapter 170 of the Code of the City of Beacon as such may be amended from time to time. In view of the natural and open character of the FCGHT, and the changing nature of the natural environment, neither the Grantor nor the Grantee can make any representation that any portion of the Trail is safely passable at all times when the Trail is open. All users shall approach the Trail with caution and use it prudently and safely at the trail users own risk, in light of seasonal, weather, and other natural conditions. Neither the Grantee nor the Grantor are obligated to clear snow and ice from the Trail. Without limiting the general ability of the Grantee to suspend public use of the Trail at any time for any length of time, as it may deem appropriate, the FCGHT shall be closed during snow and ice storms.

6. Repair and maintenance obligations: Grantor shall be responsible for construction and maintenance of the Trail. Grantor shall not be obligated to clear snow from the Trail, but shall not pile cleared snow from other parts of the Property in a way that will prevent or restrict access to the Trail. Unless such obligations are superseded by City enactment of uniform standards for maintenance and repair of the City's Greenway Trail System, the Trail shall be inspected by Grantor at least once a year and after significant storm events and flooding (as determined by the Building Inspector) and Grantor shall repair any damage to the Trail as near as may be possible to its original condition after significant storm events and flooding (as determined by the Building Inspector). Grantor shall repair any damage to the Trail, however, neither Grantor nor Grantee shall be obligated to restore or replace eroded areas of the Trail abutting the Fishkill Creek. Grantee shall also have the right to seek grants for trail improvements and to make any such improvements in its sole discretion, and may assign any portion of day-to-day maintenance responsibilities for the Trail to an agency of government or a qualified not-for-profit entity, as the Grantee in its sole discretion may deem appropriate, provided that any such group shall carry liability insurance meeting the standards of this Easement Agreement.

7. Liability and Insurance: Grantee, which already maintains a municipal general liability policy, agrees to include coverage for this Greenway Trail Easement insofar as it is open for public use, in its standard policy of general commercial liability insurance, to include a

coverage limit not less than \$1,000,000 for any one occurrence and \$2,000,000 in the aggregate, such limits to be adjusted at least every five (5) years to an amount equivalent to that sum in 2020 dollars. Grantee shall cause the Grantor, as owner of the fee title of the Easement Area to be named as an additional insured on such policy of municipal liability insurance, as its interests may appear. Grantee shall indemnify and hold Grantor harmless for any claims, losses, damages or suits connected with or arising out of the use of the Trail and existence of the Greenway Trail Easement, except to the extent that such claims arise from the gross negligence or willful misconduct of Grantor. Notwithstanding the foregoing, Grantor shall also purchase liability insurance relating to the Trail, either through the Greenway Trail Program Insurance or otherwise, with the same limits of coverage, and shall, to the extent permissible, name the Grantee as an additional insured on such policy as its interest may appear.

8. Grantor Reserved Rights: Subject to the easement rights granted herein, the Grantor, for itself, and its successors and assigns, reserve all rights as the owner of their respective properties, including the right to fully use and enjoy the Easement Area herein described, including the rights of ingress and egress to, upon, over, under, through and across the Easement Area, provided same shall not eliminate or obstruct the Easement Area, or unreasonably interfere with Grantee's rights hereunder. Grantor shall not construct anything in or below the Easement Area except as authorized by any required governmental approvals, which shall not be unreasonably denied provided that the proposed use does not unreasonably interfere with Grantee's rights hereunder. In the event that any construction below the Trail is conducted, it shall be performed in a timely manner, and the Easement Area shall be returned as near as possible to its prior condition as soon as the construction is completed. Nothing herein shall be construed as limiting the right of Grantor to sell, give, transfer, or otherwise convey or encumber the Development Site, or any portion or portions of the Development Site, provided that such conveyance is subject to the terms of this Greenway Trail Easement Agreement.

9. Reliance on State Law: Grantor and Grantee agree that in creating this easement for public access, Grantor and Grantee are relying on the protection against liability contained in section 9-103 of the New York State General Obligation Law, as the same may be amended from time

to time, and that for such purposes both the Grantor and the Grantee shall be deemed "occupants" of the Easement Area. The limitation of activities permitted within the Easement Area is intended to assure that all activities are within the coverage of this provision of State Law. The parties agree, however, that any repeal or amendment of Section 9-103 that may diminish its protective effect shall not affect the validity of the Easement herein granted. Grantor and Grantee further agree that, given the City's participation as a Trail Manager, they are relying on the New York State indemnity for participating Greenway Compact Communities contained in the New York State Environmental Conservation Law Section 44-0119(7), as the same may be amended from time to time. Grantor and Grantee further agree that they will limit activities within the Easement Area, including a prohibition on motorized uses, to assure eligibility for participation by Grantor in the Hudson River Valley Greenway Trail Program Insurance program.

10. Binding Effect: The easement granted herein is permanent and non-exclusive. The terms, covenants and agreements herein contained shall inure to the benefit of, and be binding upon the parties hereto, their successors and assigns, and all covenants herein shall run with the land affected thereby and shall be perpetual in duration. Notwithstanding the foregoing, no party shall be liable for a breach of this agreement resulting from acts or conditions occurring prior to or after the period of his or her ownership.

11. Amendment/Modification: This Easement Agreement may be amended upon written consent of Grantor and Grantee by a document duly recorded in the Dutchess County Clerk's Office. Upon completion of the installation of the Trail, this Easement may be modified by recording an Amended Easement acknowledged by the Grantor and Grantee, for the purpose of providing a more specific description of the as-built location of the Easement Area, as necessary.

12. Enforcement of Easement Agreement and Resolution of Disputes Concerning the Easement: The parties may enforce this Easement Agreement in law or equity against any and all persons responsible for any violation thereof. Any failure to enforce a provision of this Easement Agreement shall in no event be deemed a waiver of a right to do so thereafter, either as to the same violation or breach or as to any other violation occurring prior or subsequent

thereto. The parties agree to attempt to mutually resolve any differences informally prior to enforcement proceedings. Any authorization of activities outside the protection of General Obligations Law 9-103, as amended, shall be subject to immediate injunctive relief, and the parties hereby consent to the issuance of preliminary injunctive relief.

13. Severability. Any invalidation of a provision of this Easement Agreement by court order or judgment, or by statute, or otherwise, shall not affect the validity of any other provision of this agreement, and all such other provisions shall remain in full force and effect.

14. Governing Law: This Easement Agreement and all disputes relating thereto shall be governed by and construed in accordance with the laws of the State of New York.

15. Notices: Any Notices to be provided pursuant to this Easement shall be in writing and addressed as follows:

To Grantor: Beacon 248 Holdings LLC, 147 Union Street, Suite 101,
Poughkeepsie, NY 12601

To Grantee: City of Beacon, 1 Municipal Plaza, Beacon NY 12505; and copy to:
Keane & Beane, P.C., 445 Hamilton Avenue, 15th Flr, White Plains, NY 10601,
Attn: Nicholas M. Ward-Willis, Esq.

IN WITNESS WHEREOF, Grantor has executed this instrument as of the date first set forth above. This conveyance is made and executed pursuant to the consent of the members of the Grantor and is made in the regular course of business of the Grantor, and the property interest conveyed does not constitute all, or substantially all, of the assets of the Grantor.

The signature of this Agreement by the Mayor or City Administrator of the City of Beacon was duly authorized by a Resolution of the City Council adopted at a duly scheduled public meeting held on December 21, 2020.

Signature page with acknowledgements follows



Civil Engineers
Land Surveyors
Planners
Environmental & Safety Professionals
Landscape Architects
Transportation Planners & Engineers

HUDSON VALLEY OFFICE

21 Fox Street

Poughkeepsie, NY 12601

P: 845.454.3980 or 888.539.9073

www.chazencompanies.com

SURVEY DESCRIPTION **LOT AS CONSOLIDATED**

ALL that plot, piece or parcel of land, situate and being in the City of Beacon, County of Dutchess, State of New York and being more particularly bounded and described as follows;

BEGINNING at the southwesterly corner of the herein described parcel, said point being the southwesterly corner of Parcel 1-B as shown on a certain map entitled "Subdivision Plat prepared for Advantage Mortgage" filed in the Dutchess County Clerk's Office on February 22, 2000 as filed map #10970, and running thence; northerly along the easterly line of lands now or formerly of Metro North Commuter R.R. Co. as described in Deed Doc. 02-2007-986, N 18°10'10" E 788.03 feet, N 70°58'28" W 25.02 feet, N 16°44'32" E 740.26 feet to the northwesterly corner of Parcel 1-B of said filed map 10970; thence continuing along said lands of Metro North Commuter R.R. Co., N 17°00'37" E 106.00 feet; along a tangent curve to the right having a radius of 1,612.28 feet an arc length of 214.01 feet and a chord bearing N 20°48'46" E 213.85 feet to a point on the southwesterly highway boundary of NYS Route 9D as shown on appropriation Map 6 Parcel 10 dated September 12, 1997; thence along the southerly highway boundary of NYS Route 9D, S 69°34'43" E 137.24 feet to a point on the westerly side of the Fishkill Creek; thence southerly along the westerly side of the Fishkill Creek, S 26°52'37" W 35.08 feet, S 25°13'37" W 175.24 feet and S 22°36'31" W 143.48 feet to the northeasterly corner of Parcel 1-B of said filed map 10970; thence continuing generally along the westerly side of the Fishkill Creek, S 10°20'10" W 167.01 feet, S 23°19'50" E 52.38 feet, S 26°30'10" W 78.00 feet, S 00°40'10" W 228.00 feet, S 15°29'50" E 71.00 feet, S 13°40'10" W 128.00 feet, S 09°39'50" E 252.00 feet, S 31°30'10" W 371.00 feet, S 00°59'50" E 100.00 feet, S 13°50'10" W 112.00 feet, N 82°59'50" W 17.00 feet and S 29°20'10" W 6.27 feet to the southeasterly corner of Parcel 1-B of said filed map 10970; thence westerly along the division line between Parcel 1-A on the south and Parcel 1-B on the north as shown on said filed map 10970, N 72°57'50" W 283.05 feet to the point or place of BEGINNING.

CONTAINING 9.179 ACRES OF LAND MORE OR LESS

November 20, 2017

BEACON 248 HOLDINGS LLC

By: _____

Bernard Kohn, Member

CITY OF BEACON

By: _____

Christopher White, City Administrator

ACKNOWLEDGMENTS

STATE OF NEW YORK)

) ss.: _____

COUNTY OF DUTCHESS)

On the 3 day of March, in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Bernard Kohn, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

FRANCES A. ALGER

NOTARY PUBLIC-STATE OF NEW YORK

No. 01AL6132619

Qualified in Ulster County

My Commission Expires August 29, 2022

Frances A. Alger
Notary Public

STATE OF NEW YORK)

) ss.: _____

COUNTY OF DUTCHESS)

On the 4th day of March, in the year 2021, before me, the undersigned, a Notary Public in and for said State, personally appeared Christopher White, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

RECORD AND RETURN TO:

KEANE & BEANE, P.C.

445 Hamilton Avenue Suite 1500

White Plains, NY 10601

Attn: Nicholas M. Ward-Willis, Esq.

Iola C. Taylor
Notary Public

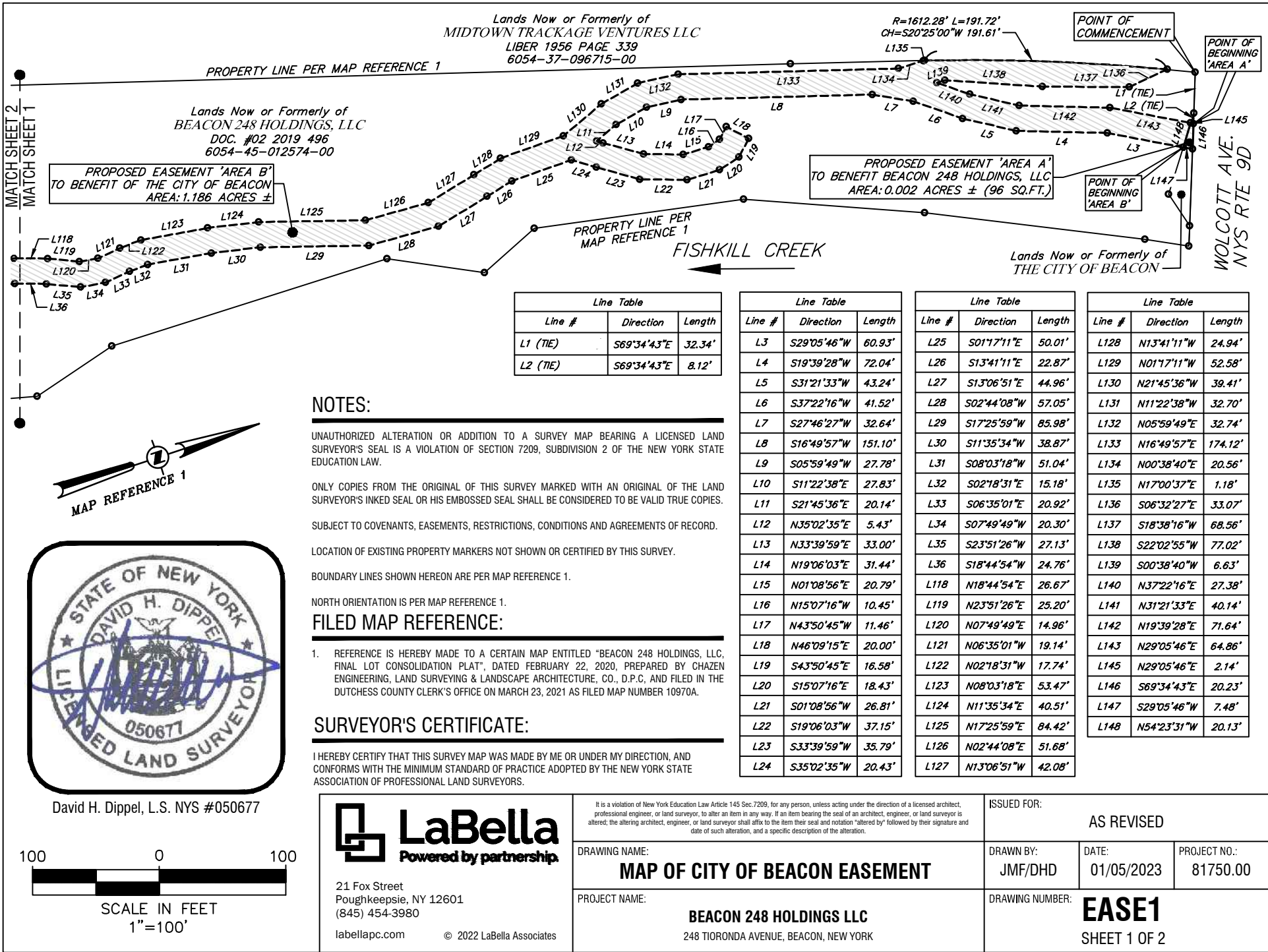
IOLA C TAYLOR

Notary Public - State of New York

NO. 011A6154600

Qualified in Dutchess County

My Commission Expires 6-23-2022



Line Table			Line Table			Line Table			Line Table			Line Table			Line Table			Line Table		
Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length	Line #	Direction	Length
L37	S13°01'06"W	30.13'	L49	N07°29'18"W	11.68'	L61	S16°41'07"W	41.20'	L73	S44°47'10"W	32.51'	L85	S08°44'57"E	46.20'	L97	N20°29'00"E	41.63'	L109	N09°23'17"E	26.86'
L38	S03°45'35"W	33.47'	L50	N22°07'06"W	16.74'	L62	S07°43'35"E	60.05'	L74	S34°29'40"W	28.45'	L86	S17°30'43"W	31.87'	L98	N39°00'27"E	32.92'	L110	N08°36'09"W	37.00'
L39	S01°14'31"W	50.93'	L51	N05°16'42"E	13.94'	L63	S08°28'16"W	41.18'	L75	S74°51'52"W	16.16'	L87	S04°55'19"W	42.05'	L99	N06°19'42"E	25.66'	L111	N21°47'25"E	43.48'
L40	S08°03'12"W	76.15'	L52	N31°17'15"E	11.02'	L64	S17°59'06"W	56.28'	L76	S26°00'56"W	29.97'	L88	S21°06'47"W	40.64'	L100	N03°59'47"W	32.82'	L112	N09°37'23"E	49.65'
L41	S16°57'39"W	24.64'	L53	N47°06'04"E	16.56'	L65	S11°51'26"W	43.47'	L77	S14°47'40"W	26.45'	L89	S33°31'06"W	25.15'	L101	N53°51'55"E	39.97'	L113	N16°57'39"E	24.37'
L42	S09°37'23"W	50.50'	L54	N33°29'39"E	9.62'	L66	S33°29'39"W	15.83'	L78	S03°14'38"W	53.54'	L90	N72°57'50"W	20.86'	L102	N03°14'38"E	46.11'	L114	N08°03'12"E	73.40'
L43	S21°47'25"W	40.18'	L55	N11°51'26"E	40.72'	L67	S47°06'04"W	16.17'	L79	S53°51'55"W	38.38'	L91	N33°31'06"E	28.89'	L103	N14°47'40"E	30.43'	L115	N01°14'31"E	50.20'
L44	S08°36'09"E	34.73'	L56	N17°59'06"E	55.68'	L68	S31°17'15"W	3.62'	L80	S03°59'47"E	23.57'	L92	N21°06'47"E	35.62'	L104	N26°00'56"E	41.01'	L116	N03°50'15"E	35.52'
L45	S09°23'17"W	21.33'	L57	N08°28'16"E	36.67'	L69	S05°16'42"W	4.45'	L81	S06°19'42"W	33.33'	L93	N04°55'19"E	41.41'	L105	N74°51'52"E	17.89'	L117	N12°56'01"E	32.73'
L46	S37°35'33"E	21.31'	L58	N07°43'35"W	61.53'	L70	S22°07'06"E	14.43'	L82	S39°00'27"W	35.52'	L94	N17°30'43"E	29.41'	L106	N34°29'40"E	22.90'			
L47	N44°47'10"E	7.65'	L59	N16°41'07"E	45.52'	L71	S07°29'18"E	20.75'	L83	S20°29'00"W	36.50'	L95	N08°44'57"W	44.80'	L107	N44°47'10"E	3.63'			
L48	N28°30'04"E	13.00'	L60	S73°18'53"E	20.00'	L72	S28°30'04"W	22.36'	L84	S09°49'42"W	39.96'	L96	N09°49'42"E	45.09'	L108	N37°35'33"W	32.68'			

NOTES:

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING A LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209, SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

SUBJECT TO COVENANTS, EASEMENTS, RESTRICTIONS, CONDITIONS AND AGREEMENTS OF RECORD.

LOCATION OF EXISTING PROPERTY MARKERS NOT SHOWN OR CERTIFIED BY THIS SURVEY.

BOUNDARY LINES SHOWN HEREON ARE PER MAP REFERENCE 1.

NORTH ORIENTATION IS PER MAP REFERENCE 1.

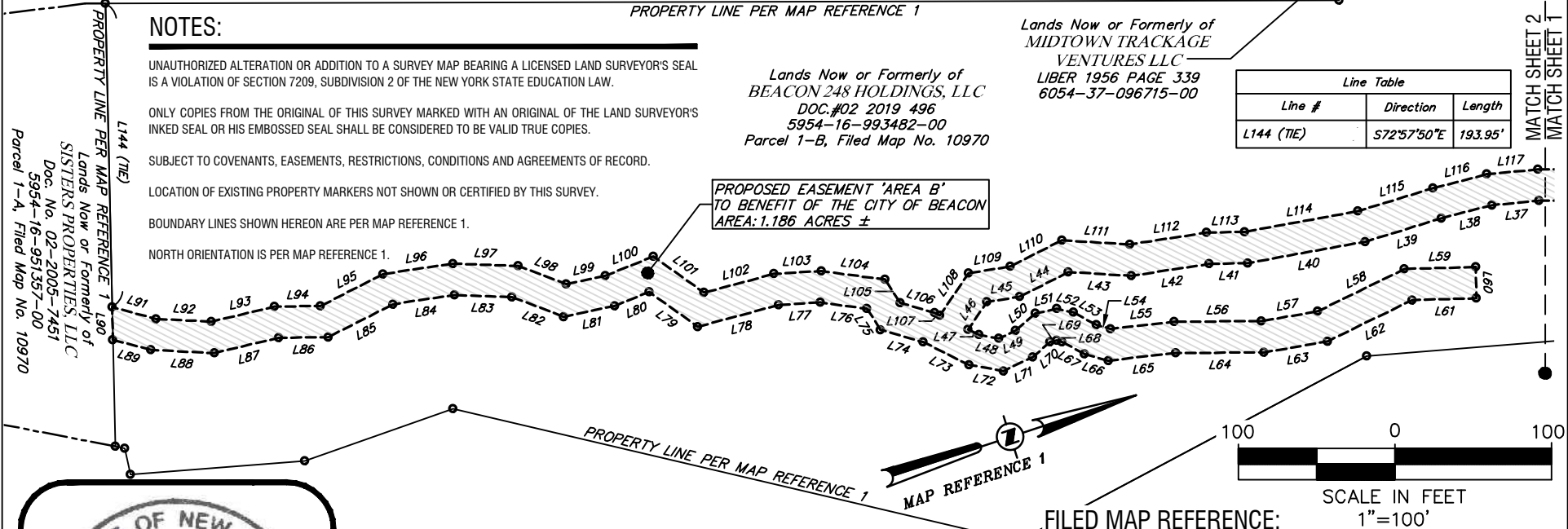
PROPERTY LINE PER MAP REFERENCE 1

Lands Now or Formerly of
MIDTOWN TRACKAGE
VENTURES LLC
LIBER 1956 PAGE 339
6054-37-096715-00

Lands Now or Formerly of
BEACON 248 HOLDINGS, LLC
DOC.#02 2019 496
5954-16-993482-00
Parcel 1-B, Filed Map No. 10970

Line Table		
Line #	Direction	Length
L144 (TIE)	S72°57'50"E	193.95'

PROPOSED EASEMENT 'AREA B'
TO BENEFIT OF THE CITY OF BEACON
AREA: 1.186 ACRES ±



SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS SURVEY MAP WAS MADE BY ME OR UNDER MY DIRECTION, AND CONFORMS WITH THE MINIMUM STANDARD OF PRACTICE ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.



David H. Dippel, L.S. NYS #050677



21 Fox Street
Poughkeepsie, NY 12601
(845) 454-3980

labellapc.com

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It is a violation of New York Education Law Article 145 Sec. 7209, for any person, unless acting under the direction of a licensed architect, professional engineer, or land surveyor, to alter an item in any way. If an item bearing the seal of an architect, engineer, or land surveyor is altered, the altering architect, engineer, or land surveyor shall affix to the item their seal and notation "altered by" followed by their signature and date of such alteration, and a specific description of the alteration.

DRAWING NAME:
MAP OF CITY OF BEACON EASEMENT

PROJECT NAME:
BEACON 248 HOLDINGS LLC
248 TIORONDA AVENUE, BEACON, NEW YORK

ISSUED FOR:

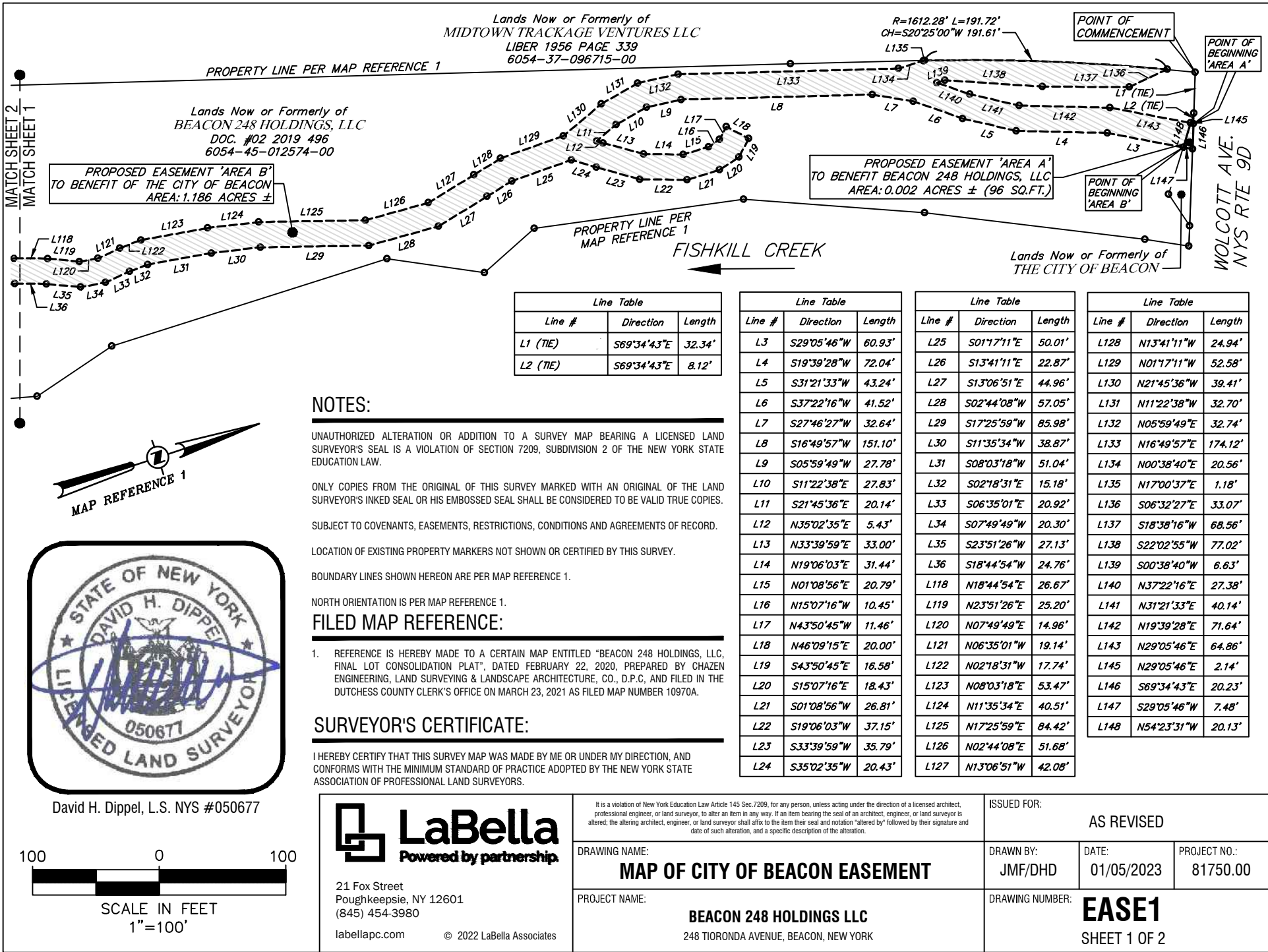
AS REVISED

DRAWN BY: JMF/DHD
DATE: 01/05/2023
PROJECT NO.: 81750.00

DRAWING NUMBER:
EASE1
SHEET 2 OF 2

FILED MAP REFERENCE:

1. REFERENCE IS HEREBY MADE TO A CERTAIN MAP ENTITLED "BEACON 248 HOLDINGS, LLC, FINAL LOT CONSOLIDATION PLAT", DATED FEBRUARY 22, 2020, PREPARED BY CHAZEN ENGINEERING, LAND SURVEYING & LANDSCAPE ARCHITECTURE, CO., D.P.C. AND FILED IN THE DUTCHESS COUNTY CLERK'S OFFICE ON MARCH 23, 2021 AS FILED MAP NUMBER 10970A.



City of Beacon City Council Agenda
11/06/2023

Title:

Minimum Parking Requirements and Unit Square Footage Amendments

ATTACHMENTS

[Draft Parking Regulation Amendments](#)

[Draft Unit Square Footage Amendments](#)

§ 223-26 Off-street parking, loading and vehicular access. DRAFT 9.28.23

A. General.

- 1) ~~All structures and land uses hereafter erected, enlarged, created or extended shall be provided with the amount of off-street automobile parking space and loading and unloading space required by the terms of this section to meet the needs of persons making use of such structures or land.~~ A permit for the erection, replacement, reconstruction, extension or substantial alteration of a structure or the development of a land use shall not be issued unless off-street automobile parking facilities and, where ~~required~~ appropriate, loading and unloading spaces ~~shall have been laid out in plan in accordance~~ are consistent with the ~~appropriate requirements for structures and uses as set forth~~ provisions in this section, ~~and such required parking and loading facilities shall be completed before a certificate of occupancy shall be issued. As used herein, "parking facilities" shall be construed to include loading and unloading spaces required by this section.~~
- ~~2) In case of exceptional difficulty or unusual hardship to such properties arising out of the requirements of this section, the Board of Appeals may reduce the parking requirements but shall require such degree of compliance as it may deem reasonable for that part of the structure or use that is legally nonconforming and shall not waive any part of the requirement for that part of the structure or use that constitutes an enlargement or expansion and shall not permit reduction or elimination of whatever quantity of parking may already exist, unless it is in excess of requirements.~~
- ~~3) 2) Required~~ Off-street parking facilities which, after development, are later dedicated to and accepted by the City shall be deemed to continue to serve the uses or structures for which they were originally provided.

B. Effect on existing uses.

- 1) ~~Structures and land uses in existence on April 20, 1964, or structures and uses for which building permits had been approved on or before said date, shall not be subject to the requirements set forth in this section, unless there shall occur an increased intensity of use, provided that any parking facilities now existing to serve such structures or uses shall not in the future be reduced, except where they exceed such requirement, in which case they may not be reduced below such requirement.~~
- 2) ~~Whenever a building or structure erected prior to or after April 20, 1964, or any land use shall undergo any increase in intensity of use in the number of dwelling units, floor area, seating capacity, number of employees or other unit of measurement specified hereinafter for required parking facilities, or from other causes, and further when said increase would result in a requirement for additional parking facilities through application of the Schedule of Off-Street Parking Requirements (Subsection F), additional parking facilities shall be provided accordingly, except that no building or structure erected prior to said date shall be required to provide parking facilities unless the aforesaid additional required facilities amount to a cumulative total increase of at least 25% over the existing use as of~~

~~said date, in which case parking spaces shall be provided on the basis of the total units of measurements of the new use or of the alteration or expansion of the existing use.~~

~~C.~~ B. Location, use, design, construction and maintenance.

[Amended 5-19-2014 by L.L. No. 6-2014; 5-15-2017 by L.L. No. 7-2017]

- 1) Location. ~~The~~ Any off-street parking facilities ~~which are required by this section~~ shall be provided on the same lot or premises with such structure or land use; except that off-street parking spaces ~~required~~ for structures or land uses on two or more adjoining lots may be provided in a single common facility on one or more of said lots, provided that a binding agreement, in a form approved by the Corporation Counsel, assuring the continued operation of said parking facility during the life of the structure or the land use the parking is designed to serve, is filed on the land records prior to approval of the plans for said parking facility.
- 2) In any residence district, no designated off-street parking facility shall be developed in any ~~required~~ front yard forward of the principal building, except as approved by the Building Inspector or Planning Board for an unusual lot configuration. Nor shall any residence district off-street parking facility be developed in any ~~required~~ minimum side or rear yard setback adjacent to a street line or in any other side or rear yard within five feet of the lot line. However, off-street parking spaces shall be permitted in residential districts as indicated in § 223-17C.
- 3) ~~(2)~~ Parking specifications.
 - a) Each parking space provided in an unenclosed area shall be at least nine feet wide and at least 18 feet long, except that the Planning Board, in approving a plan under § 223-25, may permit that portion of the total ~~required~~ parking which is specifically set aside for and limited to employee parking to have a width of at least 8 1/2 feet and a depth of at least 18 feet. This possible exception shall not be permitted in the CMS District. [Amended 6-15-2020 by L.L. No. 7-2020]
 - b) Each parking space which is bordered by walls or columns on two or more sides shall be not less than 10 feet wide nor less than 18 feet long. Enclosed or garaged parking areas shall not contain any columns, walls or other obstacles which would prevent or obstruct the use of any parking space.
 - c) The maneuvering area needed to permit parked vehicles to enter and exit off-street parking spaces shall have a width of at least 24 feet, except where the Planning Board approves a lesser distance as adequate for areas with parallel or angled parking spaces.
- 4) ~~(3)~~ Landscaping. Except for parking spaces accessory to a one-family dwelling, all off-street parking areas shall be landscaped with appropriate trees, shrubs and other plant materials and ground cover, as approved by the Planning Board based upon consideration of the adequacy of the proposed landscaping to assure the establishment of a safe,

convenient and attractive parking facility with a minimum amount of maintenance, including plant care, snowplowing and the removal of leaves and other debris.

- a) At least one tree with a minimum caliper of three inches at a height of four feet above ground level shall be provided within such parking area for each 10 parking spaces.
 - b) Wherever possible, planting islands, at least eight feet in width, shall be provided to guide vehicle movement and to separate opposing rows of parking spaces so as to provide adequate space for plant growth, pedestrian circulation and vehicle overhang. Such planting islands and the landscaping within them shall be designed and arranged in such a way as to provide vertical definition to major traffic circulation aisles, entrances and exits, to channel internal traffic flow and prevent indiscriminate diagonal movement of vehicles and to provide relief from the visual monotony and shadeless expanse of a large parking area.
 - c) The Planning Board may require curbing to facilitate surface drainage and prevent vehicles from overlapping sidewalks and damaging landscaping materials.
 - d) No obstruction to driver vision shall be erected or maintained on any lot within the triangle formed by the street line of such lot, the outer edge of the access driveway to the parking area and a line drawn between points along such street line and access drive ~~30~~ 25 feet distant from their point of intersection.
- ~~(4)~~ (5) Grades, drainage, paving and marking. All proposed and ~~required~~ approved parking facilities, regardless of size, shall be graded, surfaced, drained and maintained throughout the duration of their use so as to comply with the New York State Stormwater Management Design Manual, as amended from time to time, and/or Chapter 190, Stormwater Management and Erosion and Sediment Control, of this Code, or other acceptable stormwater management practice(s), as deemed suitable to the City Engineer to the extent necessary to avoid nuisances of dust, erosion or excessive water flow across public ways or adjacent lands. The drainage analysis for said parking facilities shall include pre- and post-development conditions as well as remediation and/or mitigation of stormwater runoff. The maximum slope within a parking area shall not exceed 5%. In RD Districts and in nonresidential developments, the Planning Board shall require the provision of suitable markings to indicate individual parking spaces, maneuvering area, entrances and exits. [Amended 6-15-2020 by L.L. No. 7-2020]
- ~~(5)~~ (6) Traffic circulation. In order to encourage safe and convenient traffic circulation, the Planning Board may require the interconnection of parking areas via access drives within and between adjacent lots. The Board shall require written assurance and/or deed restrictions, satisfactory to the Corporation Counsel, binding the owner and his heirs and assignees to permit and maintain such internal access and circulation and inter-use of parking facilities.
- ~~(6)~~ (7) Two or more uses on same lot. Where two or more different uses occur on a single lot, ~~the total amount of parking facilities to be provided shall be the sum of the requirements~~

~~of each individual use on the lot, except that~~ the Planning Board may approve the joint use of parking space by two or more establishments on the same lot or on contiguous lots, the total capacity of which is less than the sum of the spaces ~~required~~ needed for each, provided that said Board finds that the capacity to be provided will substantially meet the intent of this article by reason of variation in the probable time of maximum use by patrons or employees at such establishments and provided that such approval of such joint use shall be automatically terminated upon a change of use at any such establishment.

~~(7)~~ (8) Designed residence and multifamily residence districts. [Amended 6-15-2020 by L.L. No. 7-2020]

- a) In RD Districts, in order that some of the ~~required~~ parking spaces may be convenient for use by visitors as well as by occupants, 2/3 of the ~~required~~ car spaces for a residential building shall, whenever possible, be directly accessible to a main entrance to that building and within 100 feet of that entrance.
- b) In RD Districts, off-street parking lots shall be located behind, underneath, or to the side of the building, whenever possible. Any parking to the side of the building shall be screened from street views by a low wall, hedge, fence, and/or other landscaping and, whenever possible, it shall be located at least 40 feet from any property line that fronts on a street.

~~(8)~~ (9) Off-street parking for private passenger vehicles may be allowed by a special permit from the Planning Board on a vacant lot in a residential district which has a shared parcel line for at least 20 feet with a commercial or industrial district, provided that the off-street parking shall be on a portion of the lot within 200 feet of the commercial or industrial district and that the use shall not include fee-based parking for railroad commuters. [Added 10-3-2022 by L.L. No. 10-2022]

~~D.~~ C. Alternatives to providing parking spaces. [Amended 6-15-1992 by L.L. No. 5-1992]

- 1) Conveyance of land. Where, because of limitations of size, dimensions or topography of a lot, an applicant for a building permit in a business district finds it impractical to provide all or a portion of the off-street parking spaces required by ~~Subsection F herein~~ the Planning Board, in connection with a proposed building or addition, ~~he the applicant~~ may grant and convey to the City of Beacon, and the City Council, at its discretion, may accept, appropriately located and developed land for commercial parking as a permitted use equivalent, provided that said land is permanently dedicated to the City. [Editor's Note: Former Subsection D(2), Fee in lieu of waived parking, as amended, which immediately followed, was repealed 4-7-2008 by L.L. No. 4-2008.]
- 2) Waiver of improvement. Except within the Central Main Street District, and notwithstanding any other provision of this chapter, the City Council or Planning Board, in reviewing plans submitted in accordance with the provisions of this section or § 223-18 or 223-25, may waive the initial improvement of up to 50% of the ~~required~~ off-street

parking spaces, provided that all of the ~~required~~ spaces are shown on the proposed plan and further provided that suitable agreements, satisfactory to the City Council or Planning Board, are obtained assuring the City that the property owner(s) will be responsible for the construction of such waived spaces, or any portion thereof, within six months of the date such spaces may be deemed necessary by the City Council or Planning Board. [Amended 7-6-2004 by L.L. No. 13-2004; 2-19-2013 by L.L. No. 3-2013; 6-15-2020 by L.L. No. 7-2020]

~~F. D. Schedule of Off-Street Parking Requirements Standards. Off-street parking spaces shall be provided as follows, except that the Board of Appeals may modify these provisions as a condition of the issuance of a special permit according to the provisions of § 223-19.~~ In order to promote walkability and other transportation alternatives and to avoid excessive automobile traffic and unnecessarily large paved parking lots, no minimum number of off-street parking spaces are required, except for a minimum of one off-street parking space for each 1- or 2-family dwelling. The Planning Board shall determine the appropriate number of on-site parking spaces as part of site plan approval and based on the context of the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, especially if they are designated as historic, availability of public and street parking in the area, walkable access to public transit, a professional parking study with demand reduction strategies prepared by the applicant, and input from any public hearing. The following table indicates the maximum parking that should be allowed, but the Planning Board may require substantially fewer spaces:

Use	~~Minimum~~ <u>Maximum</u> Off-Street Parking
1- and 2-family dwelling	~~2 spaces~~ <u>3 spaces</u> for each dwelling unit
Multifamily dwelling and/or apartment or artist live/work space [Amended 8-6-2001 by L.L. No. 12-2001]	1 space for each dwelling unit, plus 1/4 space for each bedroom, plus 1/2 space for each live/work space containing retail area
Professional home office or home occupation permitted in a residential district [Amended 6-15-2020 by L.L. No. 7-2020]	2 spaces in addition to spaces ~~required~~ for the residential use, except that there shall be a maximum 4 spaces for each medical or dental practitioner in addition to spaces ~~required~~ for the residential use
Bed-and-breakfast establishment [Amended 3-18-2002 by L.L. No. 9-2002; 6-15-2020 by L.L. No. 7-2020]	1 space for each guest sleeping room, plus 2 spaces for the dwelling unit, plus 1 space for each nonresident employee
Hotel or inn [Amended 6-15-2020 by L.L. No. 7-2020]	~~Subject to § 223-14.1C~~ <u>1 for each hotel guest room, plus 1 for each employee on site at any one time</u>
Place of worship, theater, auditorium, athletic field or other place of assembly	1 space for each 4 seats or pew spaces or, ~~in places or,~~ in places without seats, 1 space for each 100 square feet of floor space used for public assembly

Use	~~Minimum~~ <u>Maximum</u> Off-Street Parking
Nursery school or day-care center [Added 3-18-2002 by L.L. No. 10-2002]	1 per employee plus 1 per classroom
Primary or secondary school [Added 3-18-2002 by L.L. No. 10-2002]	1 per employee plus 1 per 5 students in the 11th grade or above, or 1 per 4 assembly seats, whichever is greater
Dance, art, tutorial, martial arts or similar instructional school [Added 11-4-2002 by L.L. No. 29-2002]	1 space for each 150 square feet of gross floor space
Hospital, nursing home, convalescent home or home for the aged	1 space for each 3 resident persons, plus space for each employee, ~~including medical, nursing and service staff employed at the same time~~ when the building is operating at full capacity
Golf and country club	1 space for each 2 memberships
Bowling alley or other place of indoor commercial recreation or public amusement [Amended 7-6-2004 by L.L. No. 13-2004; 6-15-2020 by L.L. No. 7-2020]	5 spaces for each bowling lane; all others, 1 space for each 4 persons of maximum occupancy or 1 space for each 200 square feet of gross floor area, whichever is greater
Retail or service business, including auction gallery [Amended 2-18-1992; 6-21-1999 by L.L. No. 14-1999]	1 space for each ~~200~~ <u>250</u> square feet of gross floor area, excluding utility areas
Restaurant or coffee house [Amended 7-6-2004 by L.L. No. 13-2004; 5-2-2005 by L.L. No. 2-2005]	1 space for each 3 patron seats or 1 space for each ~~150~~ <u>200</u> square feet of gross floor area, excluding kitchen and storage areas, whichever is greater
Office for business or professional use (other than accessory to residential use) [Amended 6-21-1999 by L.L. No. 14-1999]	1 space for each ~~200~~ <u>300</u> square feet of gross floor area, excluding utility areas
Banking office [Amended 6-21-1999 by L.L. No. 14-1999]	1 space for each ~~200~~ <u>300</u> square feet of gross floor area, excluding utility areas
Funeral home or undertaking establishment [Amended 6-15-2020 by L.L. No. 7-2020]	10 spaces per establishment, plus 1 space per employee

Use	~~Minimum~~ <u>Maximum</u> Off-Street Parking
Motor vehicle sales and service	1 space per employee, plus 1 space per 150 square feet of gross floor space
Animal care facility [Amended 6-15-2020 by L.L. No. 7-2020]	1 space per employee, plus 1 space per 300 square feet of gross floor space
Car washing establishment	~~Subject to § 223-21F~~ <u>1 space per each two persons working at the same time at full capacity or 1 space for each 400 square feet of gross floor area, whichever is greater</u>
Research or development laboratory	1 space per employee, but not less than 1 space per 600 square feet of gross floor space
Manufacturing or industrial use	1 space per 2 employees but not less than 1 space per 400 square feet of gross floor space
Wholesale, warehouse storage, utility or other similar commercial use [Amended 9-19-2022 by L.L. No. 9-2022]	1 space per employee but not less than 1 space per 1,000 square feet of gross floor space
Self-storage facility [Added 9-19-2022 by L.L. No. 9-2022]	1 space per 10,000 square feet of gross floor space, plus one space per employee
Senior housing [Added 3-22-1982; amended 6-15-2020 by L.L. No. 7-2020]	2 spaces for each 3 dwelling units
Museums located within walking distance (3,000 feet) of entrance to train station [Added 2-7-2000 by L.L. No. 5-2000; amended 5-2-2005 by L.L. No. 2-2005; 6-15-2020 by L.L. No. 7-2020]	1 parking space per 3,000 feet of gross floor space
Artist studio [Added 6-16-2003 by L.L. No. 6-2003]	1 space for each 500 square feet of gross floor space
Art gallery/exhibit space [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each 250 square feet of gross floor area
Bar or brew pub [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each 3 patron seats or 1 space for each 50 square feet of gross floor area, excluding kitchen and storage areas, whichever is greater

Use	~~Minimum~~ <u>Maximum</u> Off-Street Parking
Microbrewery or microdistillery [Added 5-2-2005 by L.L. No. 2-2005; amended 5-19-2014 by L.L. No. 8-2014]	1 space for each employee on the largest shift, plus 1 space for each 3-patron sitting or standing spaces in any tasting room or other visitor facility open to the general public
Museum [Added 5-2-2005 by L.L. No. 2-2005]	1 space for each ~~300~~ <u>500</u> square feet of gross floor area
Other uses not listed Amended 5-2-2005 by L.L. No. 2-2005]	Off-street parking requirements for types of uses which do not fall within the categories listed above shall be determined by the Planning Board upon consideration of relevant factors entering into the parking needs of each such use

~~(1) Notwithstanding § 223-26F above, with respect to lots which, on the effective date of this section, are located wholly or partially within 2,500 feet of the train station platform, the City Council shall have the authority to limit the amount of parking to be provided for multifamily and nonresidential development projects on said lots having a parking requirement in accordance with § 223-26F of 25 spaces or more, in the interest of appropriately and reasonably minimizing the environmental impact of the project's vehicular traffic accessing the train station. In such cases, the City Council shall ensure that convenient pedestrian access is provided by the project, or is otherwise available between the project and the train station. Where a substantial change in elevation exists between the project and the train station, the City Council may require the project to provide, if deemed feasible by the Council, an elevator, escalator, stairs and/or other similar pedestrian conveyance or access for such purpose. [Added 6-7-2010 by L.L. No. 8-2010]~~

G. Operation and maintenance of off-street parking facilities. ~~Required~~ Approved off-street parking facilities shall be maintained as long as the use of the structure exists which the facilities are designed to serve. ~~Required~~ Designated parking areas developed for specific structures and uses shall be reserved at all times to those persons who are employed at or make use of such structures and land uses, except when dedicated to and accepted by the City as public parking areas.

H. Off-street loading requirements. Off-street loading and unloading facilities shall be located on the same site with the use to be served, except as provided in Subsection ~~C~~ B(1), and shall be provided as follows:

- 1) Size. Each off-street loading space shall be at least 14 feet in width, at least 35 feet in length and at least 14 feet in height, exclusive of access and turning areas, except that adjacent loading spaces may be each 12 feet in width.
- 2) ~~Required n~~Number of spaces. The Planning Board shall determine the appropriate number of on-site loading spaces as part of site plan approval and based on the context of

the property, including but not limited to the size of the parcel, proposed uses, existing buildings on the parcel, a professional parking study prepared by the applicant, and input from any public hearing.

- ~~a) For retail and/or service business establishments: a minimum of one space for the first 7,500 square feet or major portion thereof, plus one space for each additional 10,000 square feet of gross floor area or major portion thereof, except that no berths shall be required for buildings with a gross floor area of less than 5,000 square feet.~~
- ~~b) For office establishments: a minimum of one space for the first 20,000 square feet of gross floor area or major portion thereof, plus one space for each additional 40,000 square feet of gross floor area or major portion thereof, except that no berths are required for buildings of less than 10,000 square feet of gross floor area.~~
- ~~c) For research establishments: a minimum of one space for the first 12,000 square feet of gross floor area of building or major portion thereof, plus one space for each additional 20,000 square feet of gross floor area or major portion thereof.~~
- ~~d) For wholesale business, industry, storage, warehouses and other commercial establishments: a minimum of one space for each establishment, plus one space for each 10,000 square feet of gross floor area or major portion thereof.~~
- ~~e) For nursing homes: a minimum of one space for each establishment.
[Added 12-21-1998 by L.L. No. 17-1998[2]] Editor's Note: This local law also provided for the renumbering of former Subsection H(2)(e) as Subsection H(2)(f).~~
- ~~f) For museums, a minimum of one space for each establishment.
[Added 2-7-2000 by L.L. No. 4-2000[3]] Editor's Note: This local law also provided for the renumbering of former Subsection H(2)(f) as Subsection H(2)(g).~~
- ~~g) Other uses which do not fall within the categories listed above shall be determined by the City Council and adopted as an amendment to this section.~~

I. Driveways. For reasons of traffic and pedestrian safety, both on and off street, as well as to provide for possible future road widening or other improvements, all new driveways and sidewalk crossings entering onto any street shall comply with all requirements of Chapter 100, Driveways, and shall be subject to the approval of the Highway Superintendent, except where such are part of a use subject to special permit or site development plan approval, in accordance with §§ 223-18 and 223-25, in which case they shall be subject to approval by the Planning Board and/or City Council. [Amended 9-4-2018 by L.L. No. 16-2018]

A. Development standards.

(1) An artist live/work space may exist on the first floor of a structure only if the appearance and use of the live/work space on the street side is consistent with the nature of the permitted uses in the surrounding area. For example, if the surrounding area is retail in nature at the first-floor level, the live/work space shall be restricted to retail on the street side of the first floor, ~~and said street side space shall be large enough, in the opinion of the Building Inspector, to support a typical retail enterprise.~~

(2) Each artist live/work space and its various components shall be physically separate and distinct from other live/work spaces and other uses within a particular building. The sharing of artist live/work spaces by multiple tenancies, components thereof or utilities shall not be permitted. However, access to live/work spaces may be provided from common access areas, halls or corridors.

(3) Each artist live/work space must be individually equipped with an enclosed bathroom containing a sink, toilet, shower or tub and appropriate venting.

(4) Each artist live/work space must be individually equipped with a kitchen consisting of a sink, nonportable stove, oven and refrigerator.

~~(5) Each artist live/work space must contain a floor area of no less than 800 square feet, of which a minimum area shall be devoted to the following: 35 square feet for an enclosed bathroom, 60 square feet for a kitchen, and 120 square feet for a sleeping area.~~

~~(6)~~ (5) No more than ~~30%~~ 50% of the floor area of the artist live/work space may be devoted to residential space.

~~(7)~~ (6) Direct access between living and working areas must be provided.

~~(8)~~ (7) In order to ensure that the use is consistent with the other commercial uses, artist live/work spaces shall not be used for classroom instructional uses with more than two pupils at any one time; the storage of flammable liquids or hazardous materials; welding; or any open-flame work. Further, the work in the live/work space shall be so conducted as not to cause noise, vibration, smoke, odors, humidity, heat, cold, glare, dust, dirt or electrical disturbance which is perceptible by the average person located within any other residential or commercial unit within the structure or beyond any lot line.

~~(9)~~ (8) Not ~~more than one person who is 18 years of age or older may reside within an artist live/work space per 300 square feet of residential floor area. Further, not~~ more than two persons who are at least 18 years of age, of which at least one of whom is an artist in residence, and not more than two children of said persons who are under 22 years of age may reside within a live/work space on a year-round basis.

~~(10)~~ (9) Only one nonresident employee may be employed within an artist live/work space. This requirement may be waived for live/work spaces that provide retail space on the first floor.

~~(11)~~ (10) Other than in a first-floor retail-oriented area, articles offered for sale within a live/work space must include those produced by the artist residing in said live/work space and may be offered with other like items.

~~(12)~~ (11) One flush-mounted, nonilluminated sign, with a maximum area of two square feet, attached adjacent to or near the street entrance door to the live/work space may be used to identify the artist. This sign may list only the name of the artist with a one- or two-word description of the type of artwork or craft that is to be conducted within the live/work space. Where two or more live/work spaces occur within the same building, the signs must be placed in an orderly fashion in relation to each other and must be part of a coherent directory in which signs are ordered in a horizontal fashion. Where five or more live/work spaces are developed within one building, an interior directory sign shall be located in lieu of individual signs on the building exterior.

~~(13)~~ (12) Residential space and work space shall not be rented separately or used by persons other than those people legally residing within the artist live/work spaces and permitted nonresident employees.

~~(14)~~ (13) No artist live/work space shall serve as a place from which commercial vehicles are dispatched or operated.

~~(15)~~ (14) All live/work spaces shall conform to all applicable building codes.[1] Editor's Note: See Ch. 119, Uniform Fire Prevention and Building Code.

~~(16)~~ (15) For the purposes of this permitted use, artists shall only be those persons working exclusively with paint, paper, clay and/or other soft materials, and this use shall include photography, jewelry making, graphic arts and other similar relatively quiet endeavors as determined by the City Council in reviewing the proposed special use permit application. Tattoo applicers, body piercers and musicians shall not be considered artists for the purpose of this use.

~~(17)~~ (16) Renewal inspections. Each artist live/work space shall be inspected by the Building Department every two years in order to determine whether the artist live/work space remains in compliance with this section. Upon a satisfactory inspection report, the artist live/work space owner shall be reissued a certificate of occupancy for two additional years. If the Building Inspector determines that the artist live/work space is not in compliance, the building owner or manager shall have 60 days in which to rectify all noncomplying elements and shall apply for reinspection with the Building Department, subject to an additional fee. If all such noncomplying elements are not rectified within the above-specified time frame, the certificate of occupancy for the use shall expire and the use as authorized by the special permit shall be terminated. [Added 9-19-2005 by L.L. No. 11-2005; amended 3-18-2013 by L.L. No. 6-2013]

[2] Editor's Note: Former Subsection B, regarding procedures for special permits, which immediately followed this subsection, was repealed 3-18-2013 by L.L. No. 6-2013. Section 4 of this local law provided as follows: "Any artist live-work space that failed to comply with the prior language of § 223-24.3B shall have six months from the effective date of this local law to renew its special permit by complying with new § 223-24.3A(18) and (19) and existing Subsection A(17) and any other applicable provision of the City Code. Failure to do so shall result in the expiration of the special permit and the use as authorized by the special permit shall be terminated."

~~(18)~~ (17) The owner of the live/work space shall file a certification with the Building Department every two years, and at any point in time when there is a change in ownership or a change in the use of the space, on a form provided by said Department, which certifies that the live/work space is in conformance with the Zoning Chapter and the special permit, and that the residential portion of the space has not been expanded beyond a maximum of ~~30%~~ 50% of the floor area of the live/work space, as required by Subsection A~~(6)~~(5) above. [Added 3-18-2013 by L.L. No. 6-2013]

~~(19)~~ (18) The deed, offering plan, certificate of occupancy and/or rental agreement, as appropriate, for each artist live/work space shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is an artist live/work space as defined in § 223-63 of the Zoning Chapter of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth in said chapter and the approval resolution(s), including the requirement for a certification with the Building Department in accordance with § 223-~~24.3A~~(18) 223-14.2A(17). Proof of recording of the deed shall be provided to the Building Department within 60 days after the conveyance. [Added 3-18-2013 by L.L. No. 6-2013]

ARTICLE IVF

Senior Affordable Housing Overlay (SAHO) District

[Added 11-19-2012 by L.L. No. 23-20121]

§ 223-41.22. Specific requirements and regulations.

- A. Intent and purpose. The Senior Affordable Housing Overlay District is established to create affordable housing opportunities for seniors in the City of Beacon ~~and to provide for the adaptive reuse of older buildings in the City.~~ It is the intent and purpose of this article to establish a framework for the development of affordable housing units for seniors, to ensure that such development provides a minimum of services and facilities to accommodate resident needs, to encourage the adaptive reuse of older buildings in the City, and to minimize detrimental effects on surrounding properties.
- B. General provisions.
- (1) A Senior Affordable Housing Overlay District designation is created by legislative action of the City Council in the form of a zoning amendment including the amendment of the City's Zoning Map. Properties eligible for such a designation are those within the City's residential zoning districts as well as in the Waterfront Development (WD) and Fishkill Creek Development (FCD) Districts. ~~A senior affordable housing project must involve the adaptive reuse of an existing building which is at least 50 years old and must additionally meet the general requirements and design criteria set forth herein.~~
 - (2) A Senior Affordable Housing Overlay District designation by the City Council adds a "senior affordable housing project" as an additional use on the property, subject to all of the requirements herein. Such use is in addition to, and does not replace the other uses permitted by, the subject property's underlying zoning district.
 - (3) In a Senior Affordable Housing Overlay District, no building, structure, premises or part thereof

shall be used or occupied as a senior affordable housing project, and no building or structure shall be erected, enlarged, converted or altered for such purpose, except as provided in this article, and as specifically provided in the terms of the ~~special permit and~~ site plan approval issued for such use.

C. Permitted uses. In addition to the uses permitted in the subject property's underlying zoning district, the following uses are also permitted within a Senior Affordable Housing Overlay District:

(1) Principal uses ~~permitted by special permit. The following uses are~~ permitted in a Senior Affordable Housing Overlay District, subject to ~~special permit approval by the City Council and~~ site plan approval from the Planning Board:

(a) Senior affordable housing project, consisting of a combination of ~~affordable~~ studio/efficiency, one-bedroom and two-bedroom dwelling units for the occupancy of senior households. ~~Notwithstanding the sentence immediately above, one dwelling unit may be occupied by a project superintendent or manager and his/her family.~~

(2) Accessory uses. The following accessory uses are permitted in a senior affordable housing project:

(a) Buildings and facilities which are reasonably necessary to meet the proper maintenance, administration, security, off-street parking, storage, fencing and utility system needs of the development.

(b) The following accessory uses are permitted, provided that such facilities are restricted in their use to residents of the development and their guests:

[1] Meeting rooms, multipurpose rooms, lounges, lobby areas, laundry rooms, or other similar common spaces.

[2] Game rooms, art and craft rooms, workshops, jacuzzis, exercise rooms, libraries or other similar indoor recreation or leisure facilities.

[3] Outdoor sitting areas, game areas, walking trails or other similar outdoor recreation or leisure facilities.

[4] One dwelling unit may be occupied by a project superintendent or manager and his/her family.

(c) Such other uses as may be customarily incidental to the senior affordable housing project.

D. Density; building modifications; lot and bulk requirements.

(1) Maximum and minimum density. The maximum number of dwelling units in a senior affordable housing project shall not exceed ~~four~~ 29 units per ~~gross~~ acre of lot size, subject to the requirements in footnote "h" of the Schedule of Dimensional Regulations, Section 223-17. In addition, said project shall contain a minimum of 20 10 dwelling units. ~~[Note to the City Council: This would equate to a building having at least approximately 8,000 square feet of floor area.]~~

- (2) Building modifications. The senior affordable housing project ~~may shall consist primarily of the adaptively reuse of an existing building whose primary portion is over 50 years old.~~ The City Council, ~~either may in its zoning designation or in its special permit, may~~ authorize modifications to the existing building to enhance its adaptive reuse for senior affordable housing. ~~including, for example, modification of the roofline to better accommodate residential units, provided that in no event shall the existing height of the building be increased by more than eight feet, and modification of the line of outer walls to accommodate better layout and light and air for dwelling units, or for the inclusion of additional common spaces. Authorized additions to the building(s) shall not exceed 10% of the gross floor area of the building(s).~~ Exterior alterations shall comply with any applicable requirements for a certificate of appropriateness under Chapter 134 of the Code. ~~In no event shall a senior affordable housing project include any new freestanding buildings housing residential units. The City Council may authorize the construction of outbuildings for accessory functions, such as garages, an exterior generator, maintenance shed(s), and the like.~~
- (3) Lot and bulk requirements. ~~Except for Unless~~ building modifications are authorized by the City Council in its zoning designation ~~or special permit~~, the building, including any additions or modifications, shall meet the lot and bulk requirements in the underlying zoning district in which the property is located, except for existing noncomplying situations.

E. Supplementary site regulations.

- (1) Parking ~~ratio. Unless modified by the City Council in its zoning designation or special permit, parking spaces shall be provided at the ratio of 1.2 spaces per dwelling unit. The 0.2 fractional space shall be accumulated for staff and visitors~~ The number of parking spaces shall be based on the provisions in Section 223-26.
- (2) Outdoor recreation. Usable outdoor recreation space shall be provided at the ratio of 50 square feet per dwelling unit. Such space shall consist of both active and passive recreation amenities such as patio areas, shaded sitting areas, and walking or jogging trails.

F. Dwelling requirements.

- (1) The following requirements shall apply to multifamily dwellings located in a senior affordable housing project:
- (a) Laundry. ~~Self-service laundry~~ facilities (washers and dryers) adequate to serve the occupants of the development shall be provided and maintained.
- (b) Indoor community space. A common lobby at the building entrance and other indoor community space and related equipment shall be required to provide social and recreational opportunities for project occupants. Included may be such facilities as game rooms, meeting rooms, dining rooms, exercise rooms or other space for active or passive recreation. ~~Such space, exclusive of a common lobby, hallways and basements, shall be provided at the rate of no less than 15 square feet per studio/efficiency or one-bedroom unit and 25 square feet per two-bedroom dwelling unit.~~

- (c) Barrier-free access. All multifamily dwellings shall provide barrier-free access ~~and, at a minimum, doors shall be three feet wide, thresholds shall be flush with the floor, and ramps or elevators shall be provided~~ so that all areas of the structure are accessible ~~to the physically handicapped, consistent with the Americans with Disabilities Act.~~

~~G.~~ Unit requirements.

- ~~(1) Minimum gross floor area. Notwithstanding other provisions of this chapter, the minimum gross floor area per dwelling unit shall not be less than the following:~~

~~(a) Studio/efficiency unit: 350 square feet.~~

~~(b) One-bedroom unit: 600 square feet.~~

~~(c) Two-bedroom unit: 750 square feet.~~

- ~~(2) Unit amenities; handicap facilities.~~

~~(a) Amenities. All dwelling units shall be designed for independent living and shall contain full bathroom and kitchen facilities, including but not limited to a sink, refrigerator, stove, range or combined unit in the kitchen, and a sink, toilet, bathtub or roll-in shower in the bathroom.~~

~~(b) Handicap adaptable. Fifteen percent of all dwelling units shall be handicap adaptable.~~

~~(c) Handicap accessible. One hundred percent of all dwelling units shall be handicap accessible.~~

~~H.~~ G. Affordability.

- (1) ~~All units affordable. All~~ At least 50% of the units in a senior affordable housing project must be ~~one hundred percent designated~~ affordable as provided in this article.

- (2) Eligible households. To be eligible to buy or rent an an affordable dwelling unit in a senior affordable housing project, a household's gross annual income from all sources, inclusive of actual income from assets or imputed income from assets, whichever is higher, shall not exceed ~~100%~~ 70% of the Dutchess County median annual income for its household size [based on the United States Census and as updated by the Department of Housing and Urban Development (HUD)], and which income allows the household to meet the maximum rent and sales price standards set forth below in Subsection ~~H~~ G(3).

- (3) Maximum rent and sales price.

(a) Rent. The monthly rent including utilities for an an affordable unit in a senior affordable housing project shall not exceed 30% of a figure representing ~~100%~~ 70% of the Dutchess County annual median income for the maximum size household that may occupy such unit as set forth in Subsection ~~H~~ G(3) below.

(b) Sales price. The maximum gross sales price for a unit in a senior affordable housing project

shall not exceed a figure based upon a maximum household expense of ~~40%~~ 30% of a figure representing ~~100%~~ 90% of the Dutchess County annual median income for the maximum size household that may occupy such unit as set forth in Subsection ~~I~~ H(3) below, relating to the sum of principal, interest, taxes and insurance, based on industry-standard mortgage underwriting guidelines, prevailing interest rates, and a ~~three-percent~~ 5% down payment.

- (4) Restriction on resale or re-lease of units. The resale or re-lease of affordable housing units in the Senior Affordable Housing Overlay District shall be restricted in the same affordable manner as the initial sale or lease specified in this section.

~~I~~ H. Occupancy restrictions. Occupancy of dwelling units within a senior affordable housing project shall be for residential purposes only. Occupancy shall be limited to households as defined and described below.

- (1) Age restriction. All of the residing occupants within a senior affordable housing project shall be at least ~~62~~ 60 years of age.
- (2) Guests. Temporary occupancy by guests of households who reside in a senior affordable housing project shall be permitted, provided that such occupancy does not exceed a total of 30 days in any calendar year. Under no circumstances shall short-term rentals be allowed.
- (3) Occupancy standards. The minimum and maximum occupancy of a dwelling unit shall be as follows:

<u>Number of Bedrooms</u>	<u>Minimum Number of Persons</u>	<u>Maximum Number of Persons</u>
Studio/efficiency	1	2
1	1	2
2	1	3

- (4) Primary residence. Each dwelling unit must be the primary residence of the household.

~~J~~ I. The deed, certificate of occupancy and/or rental agreement, as appropriate, for each affordable dwelling unit in the senior affordable housing project shall contain language, satisfactory to the City Attorney in form and substance, which states that the subject dwelling is a senior affordable housing unit as defined in Article IVF of the Code of the City of Beacon, New York, and is subject to all restrictions and limitations as set forth therein. In addition, said project shall have a regulatory agreement regarding the affordable nature of the project with a state and/or federal agency which runs with the land for a thirty-year period. A copy of the annual audit(s) by the regulatory agency(ies) shall be submitted to the City.

~~K~~ J. Procedure for approvals for senior affordable housing.

- (1) Application. The application for a Senior Affordable Housing Overlay District designation shall be submitted to the City Council. The application shall consist of narrative text, drawings and/or illustrations describing the proposed project. All application materials, including plans, shall be submitted in electronic file format acceptable to the Building Department, in addition to at least five paper copies (or such other format or amount as determined by the Building Department), at least two weeks prior to the City Council meeting at which it will be considered.

Drawings shall be submitted approximately to scale, but need not be to the precision of a finished engineering drawing or a final site plan. The application shall include the following:

[Amended 4-21-2014 by L.L. No. 1-2014]

~~(a) Documentation that the primary portion of the building(s) in which the proposed senior affordable housing project will be located is at least 50 years old. A building which is at least 50 years old shall be eligible notwithstanding that such building contains modifications or additions that are less than 50 years old.~~

~~(b)~~ (a) A written description of the senior affordable housing project, and description of the manner in which such proposal meets the purposes of the Senior Affordable Housing Overlay District; how it is consistent with the City of Beacon Comprehensive Plan; and the manner in which the public interest would be served by the proposed Senior Affordable Housing Overlay District designation and project, including a description of the benefits to the City.

~~(c)~~ (b) A concept plan showing the proposed land use and its spatial arrangement, including the general location of the existing buildings, any proposed accessory buildings, parking areas, public, community and/or recreation facilities, utility and maintenance facilities and open space, including:

[1] An indication of the approximate square footage of building(s), the approximate number of dwelling units of each bedroom type and size, and the approximate amount of floor area of each type of accessory use.

[2] An indication of the appropriate number of parking and loading spaces in relation to their intended use.

[3] A general indication of any phasing of construction.

[4] The general configuration of the interior road system, connection/access to the adjoining road system, and an analysis of the need for and the feasibility of providing emergency access.

[5] A plan showing the relation of the proposed use to existing uses adjacent to the site.

[6] The general configuration of the pedestrian circulation system and the connection of such pedestrian passageways to adjoining properties.

[7] Descriptions, sketches, sections and elevations showing the general architectural treatment and design scheme contemplated for the entire development.

[8] Such additional information as the City Council may deem necessary in order to properly evaluate the application.

(2) City Council review of Senior Affordable Housing Overlay District designation application.

(a) Environmental compliance.

[1] The approval of a Senior Affordable Housing Overlay District designation, and the special permit and site plan reviews are actions subject to the State Environmental Quality Review Act (SEQRA), and all proceedings to review such approvals shall comply with the applicable requirements of SEQRA.

[2] Upon receipt of an application for a Senior Affordable Housing Overlay District, the City Council shall commence a coordinated review under SEQRA and institute lead agency procedures after identifying all involved and interested agencies, as provided by law. The coordinated SEQRA review shall address the impacts of the entire action, including the zoning designation and the potential impacts of the project development.

(b) City Council referrals.

[1] The City Council shall refer the application for a Senior Affordable Housing Overlay District designation to the Planning Board for a report and recommendation. The Planning Board shall review all documents and materials relating to the application and shall render a report to the City Council and may make any advisory recommendations it deems appropriate. The report of the Planning Board shall be due 62 days from the referral by the City Council, unless extended by the City Council.

[2] Other referrals. The City Council shall comply with any applicable provisions of General Municipal Law §§ 239-l, 239-m and 239-nn. In addition to any referrals required by law, the City Council may refer the application to any other City board, department, official, consultant or professional it deems appropriate.

(c) City Council public hearing. The City Council shall hold a public hearing, with the same notice required by law for zoning amendments on the application for a Senior Affordable Housing Overlay District designation.

(3) City Council decision on Senior Affordable Housing Overlay District. The City Council shall render a decision on the application for a Senior Affordable Housing Overlay District after it has held the required public hearing herein, and after the lead agency has made the requisite SEQRA determination of significance and, where appropriate, that appropriate findings have been made.

~~L. K. Special permit and s~~ Site plan approval. In addition to the zoning designation by the from the City Council, a senior affordable housing project requires ~~special permit approval from the City Council in accordance with § 223-18 and~~ site plan approval from the Planning Board in accordance with § 223-25 of this chapter. ~~The City Council may, in its discretion, hold its hearing(s) on the special permit application simultaneously with its hearing(s) on the overlay district designation. The Planning Board may, in its discretion, hold its hearing(s) on the site plan application simultaneously with its hearing(s) on the special permit application.~~

~~M. L.~~ Conformity to overlay district project required. The ~~City Council and the~~ Planning Board shall not approve any ~~special permit or~~ site plan, ~~respectively~~, for a senior affordable housing project unless the ~~Council and~~ Board finds that the project is in substantial conformance with the project which served as the basis for the approval of the Senior Affordable Housing Overlay District designation, and with any conditions imposed at the time of said designation. A project which is not in substantial conformance would require an amended overlay district designation.

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

~~Θ.~~ N. Implementing regulations. The City Council may, by resolution, adopt specific regulations to foster the efficient and equitable implementation of this article.