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

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Lastar Gorton, Ward 1
Councilmember Zack Smith, Ward 2
Councilmember Sergei Krasikov, Ward 3
Councilmember Carolyn Glauda, Ward 4
City Administrator Ben Swanson

August 3, 2026
7:00 PM
City Council Agenda

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Reports: Mayor, City Council, and City Administrator

Workshop

2026 Accessible Curb Ramps Bid Results

Proposed Local Law Concerning Parking, Standing, and Stopping

Amended Special Permit for Edgewater Place

Local Laws and Resolutions

1. Resolution No. 63 - Awarding a Contract for 2026 Accessible Curb Ramps
2. Resolution No. 64 - Setting a Public Hearing for a Proposed Local Law Concerning Parking, Standing, and Stopping
3. Resolution No. 65 - Setting a Public Hearing for an Amended Special Permit for Edgewater Place
4. Resolution No. 66 - Removing 331 Verplanck Avenue from Nomination as a Historic Landmark

Approval of Minutes

1. June 20, 2026 Minutes

Public Comment - Second Opportunity

Announcement of Next Meeting: August 17, 2026 at 7:00 p.m.

Executive Session

Executive Session: Personnel

Adjournment

City of Beacon City Council Agenda
08/03/2026

Title:

2026 Accessible Curb Ramps Bid Results

ATTACHMENTS

City Engineer Memorandum Regarding Beacon 2026 Accessible Curb Ramps Bid Results

LANC & TULLY
Engineering and Surveying, D.P.C.

July 30, 2026

Mr. Benjamin Swanson
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

and

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

RE: Beacon 2026 Accessible Curb Ramps
City of Beacon
Award Recommendation

Dear Mr. Swanson & Mr. Manzi:

A total of seven (7) bid proposals were submitted and opened on July 21st, 2026, for the ***Beacon 2026 Accessible Curb Ramps*** project. The seven proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. All submitted bid proposals were found to be complete.

After the bid opening, a correspondence was received from Raja Contractor's Inc. (the perspective low bidder) in which they requested that their bid be withdrawn. Based upon the correspondence received from Raja Contractor's for withdrawal of their bid proposal, the bid submitted by Raja Contractor's has not been considered.

Based upon the above, the following tabulation shows the order from lowest bidder, the name of the bidder, and total contract amount, with the bid submitted by Raja Contractor's not being included. The engineer's estimate for the project was approximately $403,000.00.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT
A-Tech Concrete Company, Inc. Edison, NJ	$348,970.00
Sun Up Construction Corp.	$387,859.00
GMC Construction Services Inc. New Hampton, NY	$399,568.00
Scape-Tech Landscape Technology, Inc. Katonah, NY	$399,990.00
Maruti Construction LLC. Moonachie, NJ	$413,642.00
Blacktop Maintenance Corp. Poughkeepsie, NY	$461,450.49

The lowest responsible bidder is A-Tech Concrete Company, with the total base bid amount of $348,970.00.

A-Tech Concrete Company has submitted information related to projects in which they have completed the work as outlined within the proposed project for several other municipalities. References supplied were called and checked to verify the work completed by the prospective low-bidder and were found to be acceptable. In our opinion, A-Tech Concrete Company, Inc. should be considered the lowest responsible bidder based upon the submitted information and Chapter 53 of the City Code. Along with the bid, the contractor has submitted a Non-Collusive Bidding Certificate, and a Bid Bond.

It is our recommendation to the City Council to award the ***Beacon 2026 Accessible Curb Ramps*** project to A-Tech Concrete Company, Inc.

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

Very truly
LANC & TULLY, P.C.

John Russo, P.E.

Cc: Nick Ward-Willis, City Attorney

RAJA CONTRACTORS INC.
OFFICE ADDRESS - 250-07 88TH ROAD,
BELLEROSE, NEW YORK 11426
EMAIL - 108rajacontractorsinc@gmail.com
TELEPHONE - 929-601-9414

07/30/2026

To:
City of Beacon
1 Municipal Plaza, Beacon, New York 12508

Subject: Bid Withdrawal – 2026 Beacon Accessible Curb Ramp

Dear Sir/Madam,

Please accept this letter as formal notice that Raja Contractors Inc. is withdrawing its bid for the 2026 Beacon Accessible Curb Ramp due to lack of the required firm experience.

We appreciate the opportunity to participate in the bidding process and thank you for your understanding. Please consider this letter as our official withdrawal of our bid from further consideration.

Sincerely,

Raja Contractors Inc.
Gurpreet Singh
Vice- President

Signature Gurpreet Singh

[redacted]

[redacted]

City of Beacon City Council Agenda
08/03/2026

Title:

Proposed Local Law Concerning Parking, Standing, and Stopping

ATTACHMENTS

Proposed Local Law Concerning Parking, Standing, and Stopping

Proposed Tioronda Parking Plans

PROPOSED LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 211 OF THE BEACON CITY CODE CONCERNING PARKING, STANDING AND STOPPING

A LOCAL LAW to amend Chapter 211 of the Beacon City Code concerning time limits for parking on West Main Street and parking restrictions on Tioronda Avenue between Main Street and Wolcott Avenue.

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

Section 1. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-14.1 entitled, "No parking, stopping or standing at intersection," Subsections A and B are hereby amended as follows:

§ 211-14.1 **No parking, stopping or standing at intersections.**

A. There shall be no parking, stopping or standing within 30 feet of every intersection throughout the City of Beacon. The Traffic Safety Committee shall be authorized to recommend to the City Council the appropriate location of signage at each intersection. The City Council shall review the recommendation of the Traffic Safety Committee and authorize the ~~Street~~ Highway Superintendent to erect the necessary signage not to exceed the distance of 30 feet from said intersection. The provisions of this section shall be effective upon the posting of the appropriate signage by the ~~Street~~ Highway Superintendent pursuant to §§ 1680 and 1683 of the Vehicle and Traffic Law.

B. There shall be no parking here to corner in the following locations.

Name of Street	Side	Location
	...	
Teller Avenue	Both	To a point 30 feet in both directions from the intersection of Rombout Avenue
Tioronda Avenue	~~North~~West	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue

DRAFT

Tioronda Avenue	West	To a point 25 feet north from the intersection of Vine Street
Van Nydeck Avenue	North	To a point 275 feet from Teller Avenue

...

Section 2. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-15 entitled, "Parking, stopping and standing prohibited at all times," Subsection B is hereby amended to add new restrictions on Tioronda Avenue as follows:

§ 211-15 **Parking, stopping and standing prohibited at all times.**

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection **A**, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
...		
Tioronda Avenue	Both	From Knevels Avenue to Wolcott Avenue
Tioronda Avenue	Both	From Main Street to a point 25 feet south
Tioronda Avenue	East	From a distance of 140 feet from Main Street to the intersection of Wolcott Avenue ~~a point 120 feet south except Sundays~~
Tioronda Avenue	West	From the intersection of Vine Street to the intersection of Wolcott Avenue
Tioronda Avenue	South	From No. 2 Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
...		

DRAFT

Section 3. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-17 entitled "Time limit parking," Subsection B is hereby amended to amend certain parking time limitations on West Main Street as follows:

§ 211-17 **Time limit parking.**

…

B. Schedule XII: Time Limit Parking. In accordance with the provisions of Subsection **A**, no person shall park a vehicle for longer than the time limit shown upon any of the following described streets or parts of streets:

Name of Street	Side	Time Limit; Hours/Days	Location
		…	
West Church Street	South	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 250 feet east of North Avenue to a point 30 feet west of Cross Street
West Main Street	North	~~30 minutes~~2 hours; all/all	To a point 270 feet west of the "no parking here to the corner" sign
West Main Street	North	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 270 feet west of the "no parking here to the corner" sign to the terminus of West Main Street
West Main Street	South	~~30 minutes~~2 hours; all/all	To a point 260 feet west of the "no parking here to the corner" sign
West Main Street	South	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 260 feet west of the "no parking here to the corner" sign to the terminus of West Main Street

…

DRAFT

Section 4. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 211 of the Beacon City Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

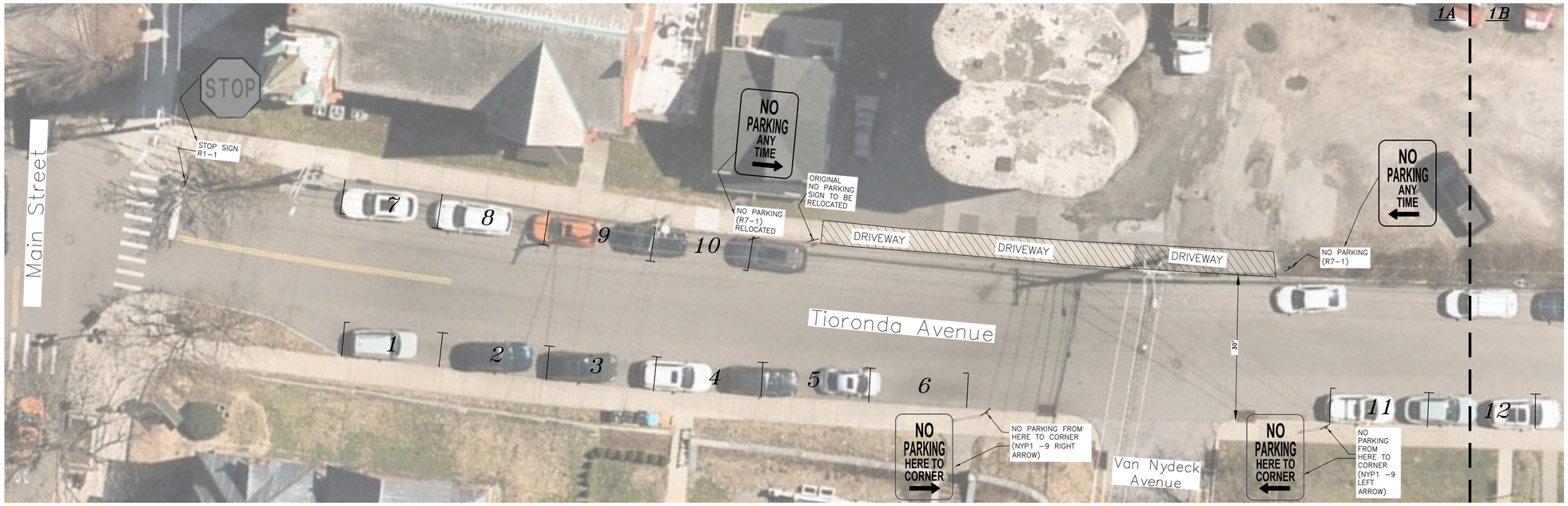
Section 6. Severability.

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

Section 7. Effective date.

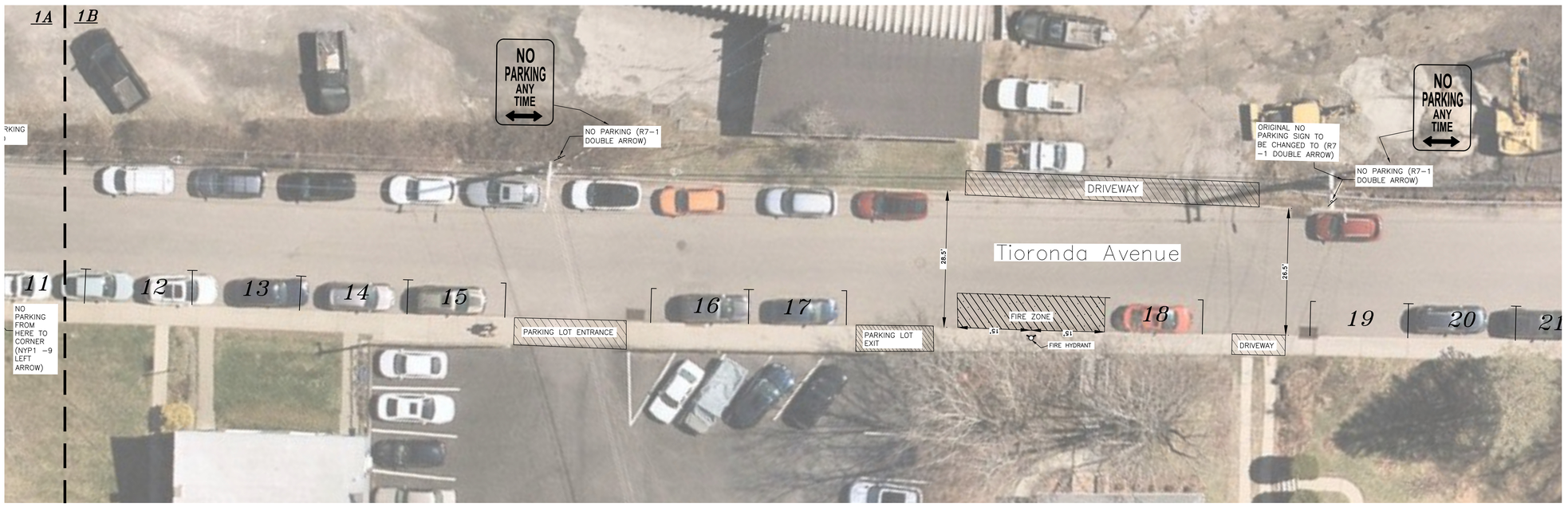
This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

DRAFT



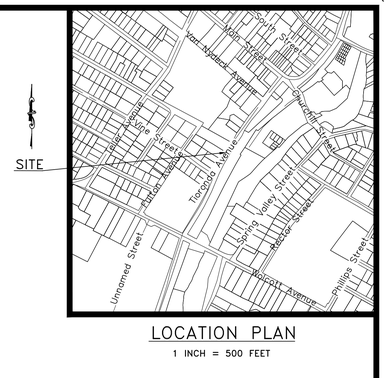
1A

SCALE: 1" = 10'



1B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

1 inch = 10 ft.

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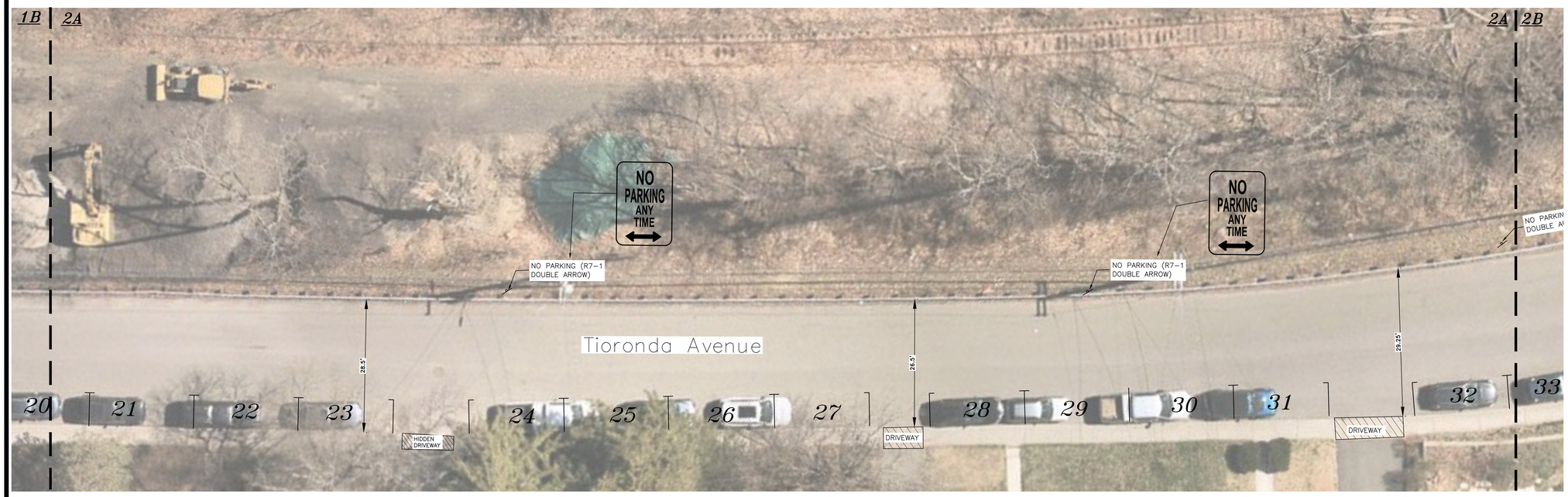
LANC & TULLY Engineering and Surveying, D.P.C.
P.O. Box 687, Rt. 207
Goshen, N.Y. 10924
(845) 294-3700

STREET PARKING PLAN PREPARED FOR

TIORONDA AVE
(MAIN ST - WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Date:	JULY 14, 2026
Revisions:	
CAD File:	666697-SITE PLAN.DWG
Layout:	PARKING PLAN
Sheet No.:	1 OF 4
Drawn By:	SEF
Checked By:	
Scale:	1" = 10'
Tax Map No.:	N/A
Drawing No.:	C3D A- 26 - 6697 - 01



2A

SCALE: 1" = 10'



2B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

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Engineering and Surveying, D.P.C.
P.O. Box 687, Rt. 207
Goshen, N.Y. 10924
(845) 294-3700

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CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

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Sheet No.:	2 OF 4
Drawn By:	SEF
Checked By:	
Scale:	1" = 10'
Tax Map No.:	N/A
Drawing No.:	C-3D
	A– 26 – 6697 – 01



LOCATION PLAN

1 INCH = 500 FEET



3A

SCALE: 1" = 10'

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

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	A– 26 – 6697 – 01

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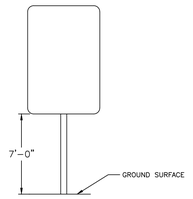
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SAFE DIGGING STARTS HERE



LOCATION PLAN

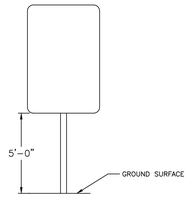
1 INCH = 500 FEET

SIGN	SIGN DESIGNATION	SIZE
STOP	R1–1	30" X 30"
NO PARKING ANY TIME ← NO PARKING ANY TIME →	R7–1	12" X 18"
NO PARKING HERE TO CORNER ← NO PARKING HERE TO CORNER →	NYP1–9	12" X 18"
NO PARKING ANY TIME ↔	R7–1(Double Arrow)	12" X 18"



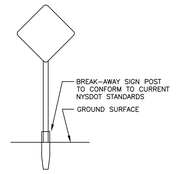
CURB/SIDEWALK SIGN HEIGHT

NOT TO SCALE



GRASS/SHOULDER/NO CURB SIGN HEIGHT

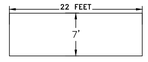
NOT TO SCALE



NOTE: SIGN TO BE MOUNTED AS REQUIRED BY NYSDOT STANDARDS

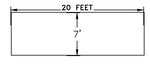
TYPICAL PERMANENT SIGN INSTALLATION

NOT TO SCALE



STANDARD PARKING STALL DETAIL

NOT TO SCALE



END PARKING STALL DETAIL

NOT TO SCALE

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GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

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LANC & TULLY
Engineering and Surveying, D.P.C.
P.O. Box 687, Rt. 207
Goshen, N.Y. 10924
(845) 294–3700

Date: JULY 14, 2026

Revisions:

STREET PARKING PLAN PREPARED FOR

TIORONDA AVE
(MAIN ST – WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

CAD File: 266697–SITE PLAN.DWG
Layout: TRAFFIC CONTROL
Sheet No.: 4 OF 4

Drawn By:	Checked By:	Scale:	Tax Map No.:	Drawing No.:
SEF		1" = 10'	N/A	C3D A– 26 – 6697 – 01

City of Beacon City Council Agenda
08/03/2026

Title:

Amended Special Permit for Edgewater Place

ATTACHMENTS

City of Beacon Referral and Recommendation for an Amended Special Permit for Edgewater Place

Edgewater Place Special Permit Application - Applicant Cover Letter

Edgewater Place Special Permit Application - Amended Site Plan

Edgewater Place Special Permit Application - Short EAF

Edgewater Place Special Permit Application - City Planner Review Memorandum

Edgewater Place Special Permit Application - City Engineer Review Memorandum

Edgewater Place Special Permit Application - City of Beacon ZBA Area Variance Approval Resolution (1/17/18)

Edgewater Place Special Permit Application - Amended Negative Declaration (7/10/18)

Edgewater Place Special Permit Application - City Council Resolution No. 116 of 2018

Edgewater Place Special Permit Application - Amended LWRP Consistency Determination (7/10/18)

Edgewater Place Special Permit Application - City of beacon Planning Board Preliminary and Final Subdivision Plat Approvals and Site Plan Approval (9/17/18)

Edgewater Place Special Permit Application - City of Beacon Planning Board Internal Property Subdivision Plat Approval Resolution (3/12/24)

Edgewater Place Special Permit Application - Colliers Parking Analysis Letter (6/30/26)

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

John Gunn, Chair

July 17, 2026

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

Subject: Recommendation for Amended Special Permit for Edgewater Place

The City of Beacon Planning Board reviewed applications for approval of an Amended Special Permit and Amended Site Plan for property located at Edgewater Place (Tax Grid Nos. 5955-19-590022, 5955-19-604016, and 5955-19-588001) for the proposed addition of two (2) dwelling units and nine (9) bedrooms, along with certain revisions to the off-street parking facilities. The application was reviewed by the Planning Board at its meeting on July 14, 2026. The Applicant and its representative from Cuddy & Feder were present and participated in the discussion with the Planning Board.

The City Council is the approval authority for the requested amendment to the approved Special Permit[1] for the multifamily use to allow the addition of two dwelling units and nine bedrooms. The Planning Board is the approval authority for the associated Amended Site Plan which includes revisions to the off-street parking facilities. Pursuant to Section 223-18.B(1), the Special Permit application was submitted to the Planning Board "as agent for the City Council."

After discussing the application, the Planning Board unanimously voted to refer the Special Permit application to the City Council with a positive recommendation noting it was good to increase the City's housing stock at an existing development without an increase in building footprint.

Sincerely,

John Gunn

John Gunn, AIA, LEED AP
Planning Board Chair

JG/mp

[1] City Council Special Use Permit Resolution (No. 116-2018).

CUDDY +FEDER LLP

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

Taylor M. Palmer
tpalmer@cuddyfeder.com

July 31, 2026
VIA E-MAIL
Hon. Lee Kyriacou, Mayor
and Members of the City Council
City of Beacon
One Municipal Plaza
Beacon, New York 12508

Re: Scenic Beacon Developments, LLC
Edgewater Project – Minor Amended Special Use Permit Approval
Property: Edgewater Place, Beacon, New York 12508

Dear Mayor Kyriacou and Members of the City Council:

On behalf of Scenic Beacon Developments, LLC (the "Applicant"), the owner of the above-referenced Property, we respectfully submit this letter and enclosures in support of an Application for Amended Special Use Permit (the "Application") relating to the Applicant's previously approved Edgewater project (the "Original Project"). The Application proposes an additional two (2) dwelling units and nine (9) bedrooms (the "Amended Project").

In accordance with City of Beacon Zoning Code (the "Zoning Code") Section 223-18.B(1), the Amended Project's Special Use Permit Application was submitted to the Planning Board as the agent for the City Council on June 30, 2026. A copy of that submission is enclosed as **Attachment 1**. That submission also includes an Amended Site Plan Application for certain site improvements, which Amended Site Plan Application is under review at the Planning Board.

For the Council's consideration, the Planning Board has since taken several actions related to the Amended Project including, most notably, issuing a referral and positive recommendation to the City Council on July 17, 2026, a copy of which is enclosed as **Attachment 2**. At the July 14, 2026 Planning Board meeting, the Board also set the public hearing on the Amended Site Plan Application for the Planning Board's August 11, 2026 meeting Agenda, and determined that the Amended Project is a Qualified Action that is exempt from the State Environmental Quality Review Act.[1] In advance of the August 11th public hearing before the Planning Board, the Applicant has provided that Board with a submission containing the latest updates to the

[1] Note: City staff coordinated a referral to the Dutchess County Department of Planning and Development (the "County") on July 20, 2026 in accordance with General Municipal Law. The County responded on July 23, 2026 with a decision that the Project is a matter of local concern. A copy of the County's response to the referral is on file with the City.

Amended Site Plan, responsive to comments from the Planning Board and its consultants. A copy of that Plan is enclosed as **Attachment 3**.

As is more fully detailed in the June 30th Planning Board submission, the Property is generally located at Edgewater Place and is classified within the RD 1.7 Zoning District, which District permits multifamily dwellings by Special Use Permit issued by the City Council. As such, the City Council previously granted Special Use Permit Approval for the Original Project on August 6, 2018. The resolution issuing this approval was conditioned upon the Applicant returning the City Council should an increase in dwelling units or bedroom count be sought.

The Original Project's building program includes the construction of seven (7) multifamily buildings comprising 246 dwelling units and 350 bedrooms. Phase 1 of construction, including three (3) buildings, is complete. Phase 2, including the remaining buildings, is now underway.

The Applicant is proposing changes to the Original Project's multifamily dwellings, specifically an additional two (2) dwelling units for a total of 248 and nine (9) bedrooms for a total of 359. The increase in units is below the maximum 252 units that are permitted on the Property pursuant to Zoning Code Section 223-17 and 223-41.10. The additional units are proposed to be studios situated within the Phase 2 buildings. The proposed nine (9) additional bedrooms are a result of both the addition of the units and a proposed change in unit mix. The number of bedrooms in the Project is not regulated by the Zoning Code. The minor additional units and bedrooms will *not* result in any changes to the Original Project's approved building height, envelope, or massing.

The Applicant respectfully requests that this matter be placed on the City Council's August 3, 2026 agenda, at which time the Applicant looks forward to introducing the Amended Project and requests that the Council set the public hearing for the Application. In the meantime, should the City Council or City Staff have any questions, please do not hesitate to contact me.

Very truly yours,

Taylor M. Palmer
Enclosures

cc: Ben Swanson, City Administrator; Nicholas Ward-Willis, Esq., City Attorney



SCHEDULE OF REGULATIONS (RD–1.7 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	PROVIDED
LOT AREA:	5,000 SQFT MIN.	±523,155 SQFT
LOT WIDTH:	50 FEET MINIMUM	±920 FEET
LOT DEPTH:	100 FEET MINIMUM	±869 FEET
YARD SETBACKS (RESIDENTIAL USE):		
FRONT YARD:	30 FEET MINIMUM	±252 FEET
SIDE YARD:	20 FEET MINIMUM	±39 FEET
REAR YARD:	25 FEET MINIMUM	±55 FEET
MIN. DIST. B/T BUILDINGS	30 FEET MINIMUM	±25 FT AVG., 12 FT MIN.
MAX. BUILDING HEIGHT:	55 FT, 4.5 STORIES	VARIES, 5 STORIES MAX.
MAX. BUILDING COVERAGE:	25% MAX.	±12%
MAX. UNITS/BUILDING:	36 MAX.	VARIES
LOT AREA/DU	1,700 SF/DU = 242 + 10 BONUS UNITS[1]	248 INCLUDING 25 BMR UNITS

NOTES:
[1]252 TOTAL UNITS (INCLUDING 10 BONUS UNITS PER § 223.41.10.M) AFTER DEDUCTING ENVIRONMENTAL CONSTRAINTS AS DEFINED IN § 223–63 – "ANY LOT AREA COVERED BY SURFACE WATER, WITHIN A FEDERAL REGULATORY FLOODWAY, WITHIN A STATE OR FEDERALLY REGULATED WETLAND, OR WITH EXISTING PREDEVELOPMENT VERY STEEP SLOPES OF 25% OR MORE AS DEFINED IN § 223–63"
[2]SEE PREVIOUSLY APPROVED VARIANCE NOTES.

OWNER/APPLICANT INFORMATION:

SCENIC BEACON DEVELOPMENTS, LLC
28 CREEK DRIVE
BEACON, NY 12508

ZONING SUMMARY:

ZONING DISTRICT: RD 1.7
TAX MAP NO.: 5955–19–590022 = 10.40 ACRES (HOA PARCEL)
5955–19–615029 = 0.23 ACRES (BUILDING 1)
5955–19–604016 = 0.23 ACRES (BUILDING 2)
5955–19–588001 = 0.46 ACRES (BUILDING 3 & 4)
5955–19–579035 = 0.19 ACRES (BUILDING 5)
5955–19–570022 = 0.23 ACRES (BUILDING 6)
5955–19–561009 = 0.19 ACRES (BUILDING 7)
TOTAL LAND AREA = 12.009 ACRES OR 523,155 SQFT
LANDS UNDERWATER = 10.035 ACRES OR 437,113 SQFT
(UNDERWATER LANDS ARE NOT INCLUDED IN THIS APPLICATION)

LOT AREA: 12,009 ACRES (523,155 SQFT)
BUILDING FOOTPRINT: 69,960 SQUARE FEET
BUILDING AREA: 286,840 SQUARE FEET
HISTORICAL OVERLAY: NO
PARKING OVERLAY DISTRICT: NO
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

LEGEND:

- EXISTING ROOF LEADER LOCATION
- SEWER MANHOLE
- UNKNOWN MANHOLE
- GUY WIRE ANCHOR
- UTILITY POLE
- ELECTRIC BOX
- HYDRANT
- WATER VALVE
- ROUND DROP INLET
- ELECTRIC METER
- UTILITY POLE WITH LIGHT
- COMMUNICATION BOX
- OVERHEAD WIRES
- FENCE
- DROP INLET
- GAS METER
- LAMP
- UNKNOWN VALVE
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE
- EXISTING WATER EDGE
- PROPOSED EASEMENT LINE
- PROPOSED CATCH BASIN WITH INLET PROTECTION
- PROPOSED CLEANOUT
- PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED SANITARY MANHOLE
- PROPOSED CLEANOUT
- PROPOSED RETAINING WALL
- PROPOSED FENCE
- IMPERVIOUS SURFACE
- PROPOSED RIP RAP
- UTILITY CROSSING LOCATION
- PROPOSED ROOF LEADER LOCATION
- PROPOSED WATER SHUT–OFF VALVE
- PREVIOUSLY APPROVED LAND BANKED PARKING SPACE ELIMINATED
- PROPOSED ADDITIONAL CONSTRUCTED PARKING SPACES

PARKING COMPLIANCE TABLE

USE & PARKING REQUIREMENTS	AREA/COUNT	PROPOSED PARKING REQUIREMENT
RESIDENTIAL: 1MIN. TO 3 MAX. PER DWELLING UNIT	248 DWELLING UNITS	248 MIN. TO 744 MAX. PARKING SPACES
TOTAL REQUIRED PARKING SPACES		248 MIN. TO 744 MAX.
TOTAL PROPOSED PARKING SPACES		321 TOTAL PARKING SPACES (267) SURFACE SPACES (54) PODIUM SPACES

ORIGINAL SITE PLAN APPROVAL REFERENCE:

1. REFERENCE IS HEREBY MADE TO APPROVED SITE PLAN SET ENTITLED "EDGEWATER", CONSISTING OF 16 SHEETS, DATED JANUARY 31, 2017, LAST REVISED APRIL 20, 2019, APPROVED BY THE CITY OF BEACON PLANNING BOARD ON SEPTEMBER 11, 2018 AND SIGNED BY THE PLANNING BOARD CHAIRMAN ON AUGUST 8, 2020.
2. REFER TO ORIGINAL APPROVED SITE PLAN FOR ADDITIONAL INFORMATION.

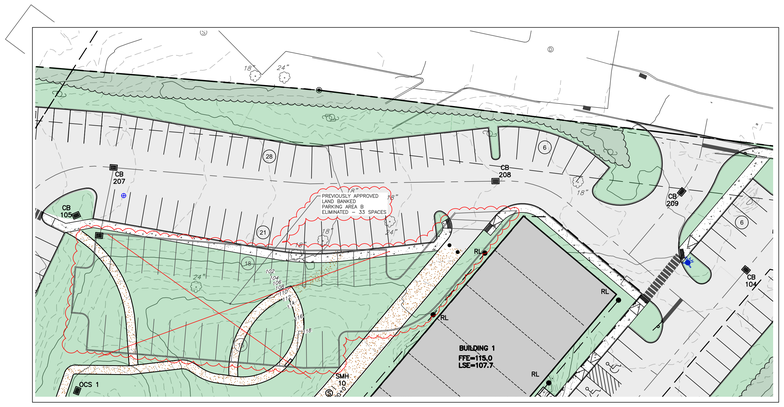
PREVIOUSLY APPROVED VARIANCE NOTES:

1. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF STORIES FROM 4½ STORIES TO 5 STORIES HAS BEEN GRANTED BY THE ZONING BOARD OF APPEALS FOR BUILDINGS 3, 4, AND 6. VARIANCE #2018–01, DATED JANUARY 17, 2018.
2. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF UNITS IN A BUILDING WAS GRANTED BY THE ZONING BOARD OF APPEALS FOR BUILDINGS 1, 2, 3, AND 6. VARIANCE #2018–01, DATED JANUARY 17, 2018.
3. A VARIANCE TO ALLOW LESS THAN 30 FEET BETWEEN BUILDINGS HAS BEEN GRANTED BY THE ZONING BOARD OF APPEALS. VARIANCE #2018–01, DATED JANUARY 17, 2018.

AMENDED PARKING NOTES:

1. THE SITE PLAN WAS ORIGINALLY APPROVED WITH 238 SURFACES SPACES, 46 PODIUM SPACES, 33 LAND BANKED PARKING SPACES LOCATED TO THE WEST OF BUILDING 1, 46 PODIUM SPACE BENEATH BUILDINGS 2 AND 3 AND 12 LAND BANKED SPACES ON THE NORTH SIDE OF THE NORTHERLY PARKING LOT FOR A TOTAL OF 329 SPACES.
2. THE AREA WHERE THE 33 APPROVED LAND BANKED SPACES IS SOLID BEDROCK AT AN ELEVATION APPROXIMATELY 17 FEET HIGHER THAN PROPOSED GRADE. THEREFORE, OTHER AREAS ON THE SITE HAVE BEEN IDENTIFIED FOR ADDITIONAL PARKING SPACES TO BE LOCATED.
3. TWENTY NINE ADDITIONAL (29) CONSTRUCTED SURFACE PARKING SPACES ARE PROPOSED, AND EIGHT (8) ADDITIONAL PODIUM PARKING SPACES ARE PROPOSED. THIS INCLUDES TWELVE (12) SURFACE SPACES IN THE GENERAL VICINITY OF THE LAND BANKED PARKING SPACES ON THE NORTH SIDE OF THE NORTHERLY PARKING LOT, TWELVE (12) SURFACE SPACES IN THE NORTHEAST CORNER OF THE EASTERLY PARKING LOT, AND FIVE (5) GRASS PAVER SPACES IN THE SOUTHEAST CORNER OF THE EASTERLY PARKING LOT, IN ADDITION TO EIGHT (8) NEW SUBSURFACE SPACES IN BUILDING 2 AND 3. THESE SPACES WILL BE CONSTRUCTED AND NOT LAND BANKED.
4. THE TOTAL PARKING SPACES PROVIDED ARE;

267 CONSTRUCTED SURFACE SPACES
+ 54 CONSTRUCTED PODIUM SPACES
321 TOTAL CONSTRUCTED PARKING SPACES



PREVIOUSLY APPROVED LAND BANKED PARKING AREA B DETAIL
SCALE: 1"=30

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20_____ SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS _____ DAY OF _____, 20_____ BY

_____ CHAIRMAN

_____ SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

DRAWN BY: CMB				CHECKED BY: MAB			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

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HUDSON LAND DESIGN

SEAL

HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845–440–6926

AMENDED SITE PLAN
EDGEWATER
15–30 EDGEWATER PLACE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955–19–590022

JOB #:	2016:015
DATE:	JUNE 30, 2026
SCALE:	1" = 30'
TITLE:	SP–1
SHEET:	1 OF 1

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209.2 OF THE NEW YORK EDUCATION LAW

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 – Project and Sponsor Information

Name of Action or Project:

Edgewater

Project Location (describe, and attach a location map):

15-30 Edgewater Place, Beacon, NY 12508

Brief Description of Proposed Action:

The overall Project entails the construction of seven residential apartment buildings consisting of 246 dwelling units located at 15-30 Edgewater Place in the City of Beacon. The Project received Site Plan, Special Use Permit and Subdivision approval by the City of Beacon on September 11, 2018.
The current amended Site Plan proposal calls for two additional residential studio apartments which will increase the total dwelling units from 246 to 248. Bedrock was encountered where 33 land banked parking spaces were located on the approved plan. To avoid extensive rock removal, alternate locations for 17 of the 33 land banked parking spaces have been identified in areas on the premises that will not require extensive earthwork to construct. The new location of the 17 relocated land banked parking spaces will be constructed.

Name of Applicant or Sponsor:	Telephone: [redacted]
Scenic Beacon Developments	E-Mail: [redacted]

Address:

28 Creek Drive

City/PO:	State:	Zip Code:
Beacon	New York	12508

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Beacon Planning Board-Amended Site Plan Approval	☐	☑

3. a. Total acreage of the site of the proposed action?	+/- 12.009 acres	*Represents the total disturbance for the project. Approximately 3.0 acres of project site remain to be developed.
b. Total acreage to be physically disturbed?	+/- 6.58* acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	+/- 12.009 acres	

4. Check all land uses that occur on, are adjoining or near the proposed action:

☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☑ Forest ☐ Agriculture ☑ Aquatic ☐ Other(Specify):
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify:	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:		
All apartments will conform with the latest building and energy codes.	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☐	☑

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☐	☑
See footnote * below.		
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

* A Phase IA Archaeological study was conducted as part of the original approval. A findings letter of no impact was received by the State Historic Preservation Office on October 10, 2017. The no impact letter is attached.

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ■ Urban ■ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnos...	☐	☑
16. Is the project site located in the 100-year or 500-year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	☐	☑
a. Will storm water discharges flow to adjacent properties?	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: Stormwater runoff from the project site is conveyed to post-construction stormwater control practices within the site, including infiltration basins, bioretention areas, hydrodynamic separators (for water quality control) and on-site catch basins. A portion of the on-site system connects and conveys treated stormwater runoff to the City of Beacon stormwater sewer system on Branch Street. The northerly portion of the on-site system discharges treated stormwater runoff to an existing drainage ditch at the north portion of the property.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: There are two bioretention basins and one infiltration basin for treatment of stormwater runoff. Bioretention Basin 1 has 0.57 acre-feet, Bioretrention Basin 2 has 1.49 acre-feet and Infiltration Basin 3 has 0.48 acre-feet of capacity to the highest outlets.	☐	☑
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: Site V00293: Status- Completed (C); Site 546031: Status- Monitored (02); Site 314069: Status- No Further Action (N); Site C314112: Status- Completed (C); DEC Site V00096 Status- No Further Action (N). Refer to annexed reports from the NYSDE Remediation Database.	☐	☑
21. Is the project located within, or within ½ mile of, a disadvantaged community?	☐	☑
If No, could impacts from the project affect a disadvantaged community?	☐	☐
If Yes to either question in 21, answer the following question.		
a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management): Potential impacts could include temporary noise pollution during construction. The area where project is located is an established residential area with adjacent multi-family residential apartment complexes and single-family houses. The project is also adjacent to the Beacon train station.		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael A. Bodendorf, P.E. Date: 6/30/2026

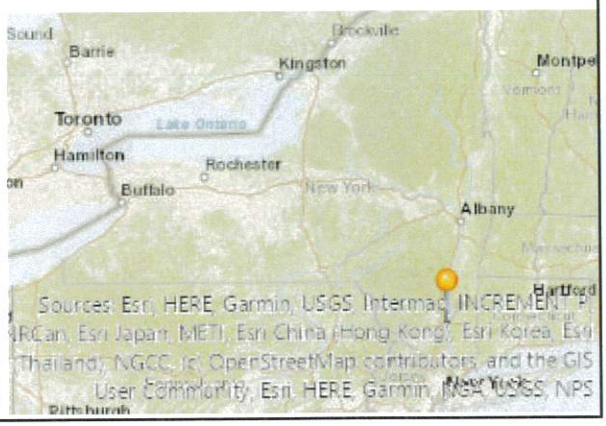
Signature: Title: Engineer for Applicant

EAF Mapper Summary Report

Tuesday, June 23, 2026 8:56 PM



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



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat
Part 1 / Question 16 [100 or 500 Year Floodplain]	No
Part 1 / Question 20 [Remediation Site]	Yes
Part 1 / Question 21 [Disadvantaged Community]	Yes

NEW YORK
STATE OF
OPPORTUNITY.

Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

October 10, 2017

Mr. Michael Bodendorf
Principal
Hudson Land Design
174 Main Street
Beacon, NY 12508

Re: DEC
Edgewater Residential Development
22 Edgewater Place, Beacon, NY 12508
17PR06370

Dear Mr. Bodendorf:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA

Director, Division for Historic Preservation

3.0 ESTIMATED WATER & WASTEWATER QUANTITIES

At full build-out, the project is expected to generate ~~38,500~~ 39,490 gallons of wastewater per day. Based on previous conversations with the City of Beacon Sewer Superintendent, the City's existing sewer infrastructure and sewer treatment plant have sufficient capacity to handle the anticipated increase in daily sewage load. The site currently contains an apartment building, and a single family residence. Both structures will be demolished and removed; thereby eliminating any current inflow and infiltration (I&I) entering the City sewer system from the site. The following table provides estimated water usage/wastewater generation at full buildout of the project, according to the NYSDEC Design Standards for Wastewater Treatment Works, 2014.

Water and wastewater quantities for the project are based on the following:

Flow Component	# of Units	Flow Rate per Unit - gallons per day (gpd)	Total Component Flow (gpd)
Residential	~~350 bedrooms~~* 359 bedrooms	110 per bedroom	~~38,500~~ 39,490

*The current bedroom breakdown is as follows: ~~25~~ 30 studio, ~~126~~ 111 one-bedroom, ~~86~~ 103 two-bedroom, and ~~9~~ 4 three-bedroom apartments.

Total Flow: ~~38,500~~ 39,490 gpd

The bedroom count and projected flows from each building are provided in Appendix A.

4.0 WATER SUPPLY

At full build-out, the project is expected to require ~~38,500~~ 39,490 gallons of water per day. Based on previous conversations with the City of Beacon Water and Sewer Superintendent, the anticipated increase in daily water demand is readily available for this project. There is a 6" cast iron (CI) water main that runs beneath Tompkins Terrace, and an 8" CIP main that runs beneath Bank Street. An 8" CI spur that runs into the site beneath Branch Street from Bank Street to an existing hydrant. It is proposed to connect to the 8" CIP on Bank Street with 8" ductile iron pipe (DIP). The 8" DIP will be brought through the site to provide water supply to the new buildings which will continue down to Branch Street and connect to the 8" CIP forming a looped connection to the City water system. The new 8" water main will be dedicated to the City once installed and certified. New fire hydrants and periodic isolation valves will be provided within the site. A blanket utility easement will be granted to the City for maintenance purposes. Flow and pressure tests have been conducted on existing hydrants near the site to confirm that adequate flow and pressure are available for the project.

Approximately 2,280 lf of 8" diameter class 52 ductile iron water main extension will be installed to serve the project. The water man is proposed to be dedicated to the City of Beacon. New 6" class 52 ductile iron service lines will be provided to each building and then split to

Search Details from Environmental Remediation Databases

Site Record

Document Repository

Site Name: Doral Hat Property
Site Code: V00293
Program: Voluntary Cleanup Program
Classification: C
EPA ID Number:

Administrative Information

An official website of New York State.
Here's how you know

NEW YORK STATE

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Site Type:
Estimated Size: 3.11 Acres
Distance of site to the nearest points of community interest:

- School: 1,815.03 Ft
- Daycare Facility: 457.72 Ft
- Medical Facility: 3,737.66 Ft
- Senior Care Facility: 2,799.41 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

Site Location:
The CHGE Beacon Manufactured Gas Plant (MGP) Dorel Hat property is located in a suburban area in the City of Beacon, Dutchess County, N.Y. The site is approximately 4 acres in size, and is bounded by West Main St. to the north, River St. to the east, an open field owned by the Metropolitan Transportation Authority (MTA)to the south and by Railroad Drive and the Beacon Railroad station to the west.

Site Features:
The main site features include: an approximately 32,000 square foot building surrounded by a grass covered area in the southern portion of the property and an asphalt paved parking lot in the northern half.

Current Zoning/Uses:
The site is currently used for storage and office space and is zoned commercial. The surrounding parcels are commercial and residential. The nearest residential area is comprised of townhouses located approximately 100 feet to the east on River St.

Past Uses of the Site:
The 1 Main Street site is adjacent to a former MGP located on River Street, which operated from 1871 to approximately 1946.

Operable Units (OU)
The site was divided into 2 Operable Units.
An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately to investigate, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination

Operable Unit 1 (OU1) consists of the MGP site itself, which has since been redeveloped for residential use. It appears that all contaminated soils were removed prior to redevelopment. No significant amounts of MGP contamination were found to remain at the former MGP site, and it was determined that no further action was required. A release letter for the Beacon MGP was issued under the VCA on January 31, 2002.

Operable Unit 2 (OU2) consists of the property across the street from the MGP, known as the Dorel Hat property. The majority of MGP contaminated soil on OU2 was removed during an IRM conducted in 2007.

On September 12, 2007 the Dorel Hat property was transferred to the MTA. On July 15, 2011 the MTA filed a Deed Restriction by which it is required to comply with the Department approved Site Management Plan.

Site Geology/Hydrogeology:
The site is underlain by unconsolidated sand and silt deposits to a depth of approximately 8 feet. Below these, a 4 foot thick clay layer lies above the slate bedrock. Groundwater on the site flows toward the Hudson River, to the west.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Other
Coal tar

Site Environmental Assessment

Remediation of accessible contaminated soil at this site has been completed. The primary contaminant is coal tar which contains PAHs and BTEX compounds.

The majority of coal tar contaminated soil was removed during an IRM conducted in 2007. Due to the presence of the Dorel Hat building, a force sewer Main and a gas line on the site, some of the coal tar contaminated soil was not removed and remains in the subsurface under the building and to the east of the building. The coal tar is located at a depth of approximately 5 to 10 feet below the ground surface.

Levels of sub-slab soil vapor beneath the building exceed DOH guidance values for indoor air. A sub-slab depressurization vapor mitigation system was installed to prevent sub-slab vapor from entering the building.

Groundwater on the site exceeds Groundwater Quality Standards for VOCs, SVOC's, Metals and Pesticides. The area is supplied by a public water supply.

DER Environmental Remediation Databases Privacy Policy Terms of Service

Site Health Assessment

STATE

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NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Hudson River PCB Sediments
Site Code: 546031
Program: State Superfund Program
Classification: 02
EPA ID Number: NYD980763841

Location

DEC Region: 5
Address: Hudson River, Hudson Falls-NYC Battery
City:
Zip: 12180
County: Saratoga
Latitude: 43.286475666
Longitude: -73.595363441
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 129.78 Ft
- Daycare Facility: 174.02 Ft
- Medical Facility: 0.00 Ft
- Senior Care Facility: 285.15 Ft
- Disadvantaged Community Boundary: 1,615.14 Ft (Not located within a DAC)
- Potential Environmental Justice Area: 1,615.14 Ft (Not located within a PEJ)

Hazardous Waste Disposal Period

From: 1946
To: present

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: New York State
Current Owner(s) Address:
, ZZ,

Current Owner Name: STATE OF NEW YORK
Current Owner(s) Address:
, ZZ,

Current Owner Name: New York State
Current Owner(s) Address:
, ZZ,

Owner(s) During Disposal: STATE OF NEW YORK

Current On-Site Operator: NYS Department of Transportation
Stated Operator(s) Address: State Campus - Building 5
Albany, NY, 12233

Site Document Repository

Name: US Epa
Address: 187 Wolf road
colonie, NY,

Site Description

Site Location:

This National Priorities List site includes the nearly 200-mile stretch of the Hudson River that extends from Hudson Falls in Washington County to the Battery in New York City. The river is part of the Champlain Canal between Fort Edward and Waterford. EPA is the lead agency for the investigation and cleanup of the site.

Site Features:

The site includes the main stem of the Hudson River, as well as the associated flood plains, river banks, riverene fringing wetlands, and backwater areas.

Current zoning / uses:

The river is currently used for recreation, transportation, and as a source of water for

drinking and other purposes. The river floodplain areas include all types of land uses, from passive / recreational to residential to commercial / industrial.

Historical uses:

The General Electric Company (GE) discharged PCBs into the river from two capacitor manufacturing plants located in Hudson Falls and Fort Edward starting sometime in 1946.

Previous investigations identified 40 areas or 'hot spots' in the upper Hudson that had sediments contaminated with greater than 50 ppm of PCBs. Also included in the definition of this site are five Remnant Deposits or river sediment areas that were exposed when the level of the river was lowered when the Fort Edward Dam was removed in 1973.

EPA issued a Record of Decision (ROD) for this National Priorities List site on September 25, 1984 which included: in-place containment of the Remnant Deposits; evaluation of downstream domestic water quality at Waterford, New York; and interim "No Action" as to the PCB-contaminated river sediment. The 1984 ROD indicated that both the No Action decision for the river sediments and the containment remedy for the Remnant Deposits might be reexamined by EPA in the future. The containment remedy for the Remnant Deposits was performed by GE under a 1990 Consent Decree with EPA. In addition, in 1990, NYSDEC completed the evaluation of downstream domestic water quality at Waterford, New York, which concluded that PCB concentrations were below analytical detection limits after treatment and met standards applicable to public water supplies.

In December 1989, EPA announced its decision to initiate a detailed Reassessment Remedial Investigation/Feasibility Study (RI/FS) of the September 1984 decision concerning the PCB contaminated Hudson River sediments. The Reassessment culminated with EPA's issuance of a second ROD for the site in February 2002 which included the dredging of an estimated 2.65 million cubic yards of PCB contaminated sediments from the Upper Hudson River (between Fort Edward and Troy), which was estimated in the ROD to contain about 66,300 kilograms of total PCBs (approximately 65% of the total PCB mass estimated to be present within the Upper Hudson River). The ROD also identified further evaluation of PCB contamination in the flood plains concurrent with the design phase of the project.

EPA issued a series of Orders to GE for performance of the engineering design for the project. Phase 1 dredging commenced in May 2009, and was completed in October 2009.

After completion of Phase 1, EPA reviewed the environmental monitoring and operational data to determine the changes to the project standards and to project design specifications for Phase 2.

The changes to the project for Phase 2 were provided to GE in December 2010. GE, in accordance with the Consent Decree for the site, opted to implement Phase 2 of the remedy on 12/31/10.

Construction work for Phase 2 of the remedial project started in 2011, and was completed in 2016. Dredging was completed in fall 2015; habitat reconstruction was completed in 2016. Facility decommissioning was performed in 2016.

Operable Units:

The site was divided into five operable units.

An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately in investigation, eliminate or mitigate release, threat of release or exposure pathway resulting from the site contamination.

Operable Unit 1 (OU1) consists of the capping of the remnant deposits.

OU 2 consists of the dredging of the Upper Hudson River.

OU 3 consists of the removal of soils on Rogers Island.

OU 4 consists of the Upper Hudson River Floodplains Investigation (EPA tracks as OU4).

OU 5 consists of the Lower Hudson River Sediments (from the Federal Dam in Troy to the Battery in New York City).

For more information on the Hudson River Fish advisory, copy and paste this link into a web browser:
https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
PCB aroclor 1254

Contaminant Name/Type
Polychlorinated biphenyls (PCB)
Cadmium
Lead
PCB aroclor 1242
PCB aroclor 1016

Site Environmental Assessment

Nature and extent of contamination:

Contaminants:

The primary constituent of concern is PCBs, discharged from two GE capacitor plants in Hudson Falls and Fort Edward. The upstream extent of contamination is the portion of the river immediately above the Bakers Falls Dam at the GE Hudson Falls plant site. The downstream extent of contamination is the Atlantic Ocean.

The commercial mixtures of PCBs discharged from the two GE plant sites changed over time; initially aroclor 1254, changing to aroclor 1242 and then to aroclor 1016.

Contaminant Concentrations:

PCBs have been found in excess of standards, criteria and guidance concentrations (SCGs) in sediments, surface water, biota, air, and soils at the Hudson River PCBs site. The primary sources at the plant sites have been almost completely abated through remedial work at the plant sites; as a result, the primary source of PCB to the surface water and biota of the river are the remaining contaminated sediments in the river south of the plant sites.

Prior to remediation of the Upper Hudson River from 2009 to 2016, PCB concentrations in sediment range from non-detect to greater than one percent PCB (> 10,000 parts per million). In surface water typically concentrations range from 2 nanograms per liter (ng/l or parts per trillion) to 100 ng/l, except at times of high flow when scour-driven remobilization

of contaminated sediments can cause much higher concentrations in excess of 1 microgram per liter (1 ug/l or part per billion).

Floodplains - Investigations are underway to determine the extent of floodplain impacts. To date, PCB concentrations in excess of 500 milligrams per kilogram (mg/kg or part per million) have been found in limited areas. Those areas have been addressed over the past 15 years with various interim remedies (soil covers). The nature and extent of floodplain soil contamination has not yet been established. Remedial investigations are currently underway.

Lower Hudson River - The Lower Hudson River portion of the NPL site (from the Federal Dam in Troy to the Battery in New York City) has not been fully investigated to date. Preliminary sampling of sediment started in 2023 under an order between EPA and GE. Annual fish monitoring for PCBs occurs in certain locations in the lower Hudson.

Significant threat:
PCB contamination in the Hudson River sediments continue to pose a significant threat to human health and/or the environment. Concentrations in PCBs in biota directly attributable to the waste disposal at the site have led the Department of Health to recommend that human consumption of biota be limited over a substantial portion of the Hudson River between Hudson Falls and the Battery in New York City. In the upper Hudson, the fishery is catch and release only, and the NYSDOH advisory is to eat none.

To see the fish consumption advisories, go to:

https://www.health.ny.gov/publications/2794.pdf

and

https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/

The disposal of PCB into the Hudson River has also led to significant environmental damage as defined in 6 NYCRR Part 375.

This site has been included in the Federal National Priorities List (NPL).

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Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: CH - MGP - Beacon Street
Site Code: 314069
Program: State Superfund Program
Classification: N *
EPA ID Number: NYD980531792

Location

DEC Region: 3
Address: River Street
City: Beacon
Zip: 12508
County: Dutchess
Latitude: 41.5062354
Longitude: -73.98241136
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 1,599.63 Ft
- Daycare Facility: 494.79 Ft
- Medical Facility: 3,490.44 Ft
- Senior Care Facility: 2,613.19 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Jeffrey L. Boetign
Current Owner(s) Address: 424 RIVER STREET
BEACON, NY, 12508

Current Owner Name: CITY OF BEACON
Current Owner(s) Address: 1 MUNICIPAL PLAZA, SUITE 1
BEACON, NY, 12508

Current Owner Name: Robert Harrington
Current Owner(s) Address: 426 RIVER STREET
BEACON, NY, 12508

Current Owner Name: GARY BLUM
Current Owner(s) Address: 418 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Gurmukh Singh
Current Owner(s) Address: 428 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Hassan Toy
Current Owner(s) Address: 422 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Jeffrey Staten
Current Owner(s) Address: 420 RIVER STREET
BEACON, NY, 12508

Current Owner Name: JOSEPH HARNEY
Current Owner(s) Address: 416 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Joseph Stezel
Current Owner(s) Address: 430 RIVER STREET
BEACON, NY, 12508

Current On-Site Operator: 7-11

Stated Operator(s) Address:

, NY,

Current On-Site Operator: CENTRAL HUDSON GAS & ELECTRIC CORP.

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- 中文
- 繁體中文
- Contaminants of Concern (Including Materials Disposed)
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- 한국어
- Site Environmental Assessment
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* Class N Sites: "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Long Dock Beacon
Site Code: C314112
Program: Brownfield Cleanup Program
Classification: C
EPA ID Number:

Location

DEC Region: 3
Address: 8 and 23 Long Dock Beacon Road
City: Beacon
Zip: 12508-
County: Dutchess
Latitude: 41.50436724
Longitude: -73.98681499
Site Type:
Estimated Size: 6.44 Acres
Distance of site to the nearest points of community interest:

- School: 2,104.26 Ft
- Daycare Facility: 1,122.59 Ft
- Medical Facility: 4,187.38 Ft
- Senior Care Facility: 2,816.22 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

Control Type:
Environmental Easement

Control Elements:
Landuse Restriction
Site Management Plan
Cover System

Soil Management Plan
Monitoring Plan
IC/EC Plan
Ground Water Use Restriction

Site Owner(s) and Operator(s)

Current Owner Name: The Scenic Hudson Land Trust, Inc.
Current Owner(s) Address: One Civic Center Plaza, Suite 200
Poughkeepsie, NY, 12601

Site Document Repository

Name: The Beacon Institute
Address: 199 Main Street
Beacon, NY, 12508

Name: Howland Public Library
Address: 313 Main Street
Beacon, NY, 12508

Name: Beacon City Hall
Address: Municipal Plaza, Lower Level
Beacon, NY, 12508

Site Description

Location: The Long Dock Beacon Site is located on a peninsula adjacent to the Hudson River on Long Dock Road in the City of Beacon, Dutchess County, New York. The site is bordered by the Hudson River to the west, Red Flynn Drive to the east, land owned by Scenic Hudson to the south and the Hudson River and the Metro North Railroad station to the north.

Site Features: A rehabilitated red barn which serves as an art gallery and a parking area are located in the northeast corner of the site. The remainder of the site is a passive recreational park.

Current Zoning/Use: The site is zoned for commercial/recreational use. A portion of the site is currently a park which extends from the site to the south. The surrounding area has a combination of residential, commercial, and light industrial land uses.

Past Use of the Site: Prior uses of the site included a salvage yard, which operated on the northeastern portion of the site from approximately 1962 to 1983 and a Major Oil Storage Facility (MOSF), which operated on the southern portion of the site from approximately 1936 to 1994. In addition unregulated filling of the site may have also led to site contamination. The site is comprised of two former Voluntary Cleanup Program (VCP) sites, the Beacon Salvage site (V00444) and the Garret Storm site (V00096).

Site Geology and Hydrogeology: Shallow subsurface soils at the site generally consist of historic fill material consisting of sand, gravel, coal, ash, wood, and brick fragments. Fill is underlain by silt and clay at a depth of 5-10 feet in the northern portion of the site. A dense clay layer is generally present beneath the site at depths of 10 feet on the northern portion of the site and 15-17 feet on the southern portion of the site. Overburden soils extend several hundred feet beneath the site.

Overburden groundwater is present at depths of 0 to 5 feet beneath the ground surface. The overall direction of groundwater flow is tidally influenced (to the east at high tide, to the southwest at low tide).

Summary of Project Completion Date

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Polychlorinated biphenyls (PCB)
Lead
Arsenic

Contaminant Name/Type
Benzo(a)pyrene

Site Environmental Assessment

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Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Ferry Road Waterfront Site
Site Code: V00096
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 3
Address: West End of Ferry Street
City: Beacon
Zip: 12508
County: Dutchess
Latitude: 41.504367438
Longitude: -73.986838475
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 2,030.78 Ft
- Daycare Facility: 1,054.40 Ft
- Medical Facility: 4,113.89 Ft
- Senior Care Facility: 2,747.58 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

This site is a former mulitple oil storage facility. This site along with Site #V00444 (Beacon Salvage) have been combined into Long Dock Beacon BCP Site. See site # C314112 for further information.

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KARC
PLANNING CONSULTANTS, INC.

TO: John Gunn, Chair, and the City of Beacon Planning Board

FR: KARC Planning Consultants, Inc.

DATE: July 14, 2026

RE: 15-30 Edgewater Place (Phase 2) Site Plan Amendment, Scenic Beacon Developments, LLC

I have reviewed the following materials regarding the proposed site plan amendments to Phase 2 of the Edgewater development:

- Cover letter by Taylor M. Palmer, Cuddy + Feder LLP, dated June 30, 2026
- Application for Special Use Permit, dated June 29, 2026
- Application for Site Plan Approval, dated June 29, 2026
- Amended Site Plan (Sheet SP-1, 1 Sheet) prepared by Hudson Land Design, dated June 30, 2026
- Parking and Traffic Letter prepared by Colliers Engineering & Design, dated June 30, 2026
- Short EAF and attachments prepared by Michael Bodendorf, dated June 30, 2026
- Copy of Amended Negative Declaration, dated July 10, 2018
- Copy of Amended LWRP Consistency Determination, dated July 12, 2018
- Copy of City Council Special Use Permit Approval Resolution, dated August 6, 2018
- Copy of Subdivision and Site Plan Approval Resolution, dated September 17, 2018
- Copy of Internal Property Subdivision Approval Resolution, dated March 12, 2024
- Copy of ZBA Area variance Approval Resolution, dated January 17, 2018

Project Description:
The Applicant is proposing to amend the previously approved site plan to allow for the construction of two (2) additional dwelling units and nine (9) additional bedrooms throughout the four Phase 2 residential buildings (Buildings 1, 2, 3, and 4). This increases the total unit count from 246 to 248 units and the bedroom count from 350 to 359 bedrooms. The applicant is also proposing modifications to the previously approved land-banked parking, including construction of twenty-nine (29) land-banked parking spaces. Seventeen (17) of those spaces are proposed to be relocated from an approved land-banked parking area due to the presence of bedrock.

Comments & Recommendations:

1. **Short EAF.** The project description in the Short EAF should be revised to fully describe the proposed action, including the addition of nine (9) bedrooms, relocation of a trash enclosure, and construction of twenty-nine (29) land-banked parking spaces, seventeen (17) of which are proposed to be relocated due to bedrock.

    a. The 2018 approvals contemplated a total of forty-five (45) land-banked parking spaces to minimize initial land disturbance and impervious coverage. The current application should

clarify how many land-banked spaces will remain following this amendment and explain how the proposed revisions continue to minimize land disturbance and impervious coverage.

2. **Maximum Density.** Based upon the previously approved net buildable area calculations, the proposed increase from 246 to 248 dwelling units remains below the maximum permitted density of 252 dwelling units.

3. **Parking Compliance.** The applicant's parking analysis indicates that the proposed amendment will result in 321 parking spaces, whereas 329 spaces were previously approved. The application materials state that thirty-three (33) approved land-banked parking spaces are being eliminated, while only seventeen (17) are proposed to be relocated. The applicant should clarify the parking calculations and reconcile the apparent discrepancy between the narrative and the stated reduction in total parking.

    a. Although the proposed parking supply complies with the City's current parking regulations, the Planning Board retains discretion to determine whether the proposed parking supply is appropriate for this development. Because 106 dwelling units are currently occupied, the applicant could provide more detailed parking utilization data or other information regarding actual parking demand for this particular development, location, and unit style (luxury) to assist the Board in evaluating the proposed reduction in approved parking.

4. **Relocated trash enclosure.** A note on the site plan indicates that a trash enclosure within the parking area is to be relocated. Details regarding enclosure design, screening, and landscaping should also be provided.

5. **Plan Coordination.** Any sheets from the previously approved plan set affected by the proposed parking modifications, including landscaping and lighting, should be updated to reflect the proposed amendments.

The above comments are intended to assist the Planning Board in its initial review of the proposed amendment and to identify items requiring clarification or additional information. Additional comments may be provided upon review of revised or supplemental submission materials.



Natalie Quinn
Beacon Planning Consultant

Cc: Bryan Murphy, Building Inspector
Jennifer L. Gray, Esq., City Attorney
John Russo, P.E., City Engineer

LANC & TULLY
Engineering and Surveying, D.P.C.

July 10, 2026

Mr. John Gunn
Beacon Planning Board Chair
City of Beacon
1 Municipal Plaza
Beacon, NY 12508

RE: Edgewater
Site Plan Amendment
City of Beacon, NY

Dear Mr. Gunn:

My office has received the following regarding the proposed site plan amendments to the Edgewater project:

- Correspondence dated June 30, 2026, from Cuddy & Feder.
- Application for Special Use Permit dated June 29, 2026.
- Application for Site Plan Approval dated June 29, 2026.
- Copy of Preliminary and Final Subdivision Plat Approval and Site Plan Approval Resolution dated September 17, 2018.
- Copy of Amended Negative Declaration dated July 10, 2018.
- Copy of Amended Local Waterfront Revitalization Program Consistency Determination dated July 12, 2018.
- Copy of Preliminary and Final Internal Property subdivision Plat Approval Resolution dated March 12, 2024.
- Copy of City of Beacon City Council Special Use Permit Approval resolution dated August 6, 2018.
- Copy of City of Beacon Zoning Board of Appeals Area Variance Approval Resolution for the Edgewater Project dated January 17, 2018.
- Parking and Traffic letter prepared by Colliers Engineering & Design, dated June 30, 2026.
- Short Environmental Assessment Form.
- Plan titled "Amended Site Plan – Edgewater", dated June 30, 2026, as prepared by Hudson Land Design.

The applicant is requesting to amend the previously approved site plan to allow for the construction of two (2) additional dwelling units and nine (9) bedrooms in the 4 buildings (Buildings 1, 2, 3, and 4) to be constructed in Phase 2. The applicant is also proposing to build out the land banked parking with some modifications as to the location of the proposed parking to be constructed.

Based on our review of the above documents and plans, we would like to offer the following comments:

General Comments:

1. As the applicant is proposing to amend the approved site plan to allow for additional units and bedrooms, Sheet 6 of 16 of the original approved plan set should also be included as part of the amendment application, as this sheet included the total count of apartments and bedrooms for the project.

2. Sheet 11 of 16 of the original plan set included the proposed grading of the site. This plan shall be revised to reflect the proposed grading in the areas of the proposed alternate parking areas to be constructed as part of this amendment.

3. As the applicant is proposing extending the parking lot in the north-east corner to allow for the construction of additional parking stalls, we would recommend that additional landscaping be provided in this area to further screen the parking lot from the intersection of Tompkins Avenue and Bank Street.

4. The sizing of Infiltration Basin 3 should be reviewed, as the extension of the parking lot in the north-east corner, and that of the additional 5 parking stalls along the access road, will create additional impervious areas that will flow to this basin that was not originally accounted for in the original design.

This completes our review at this time. Further comments may be provided based on future submissions. **A written response letter addressing each of the above comments should be provided with the next submission.** If you have any questions, or require any additional information, please do not hesitate to contact our office.

Respectfully,

LANC & TULLY, P.C.

John Russo, P.E.

cc: Natalie Quinn, Planner
Jennifer Gray, Esq.
Bryan Murphy, Building Inspector

2018-01

City of Beacon
Zoning Board of Appeals

RESOLUTION

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by **Scenic Beacon Developments**, LLC (the "Applicant") to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6, in connection with the construction of seven apartment buildings containing a total of 307 units (413 bedrooms) on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District. Said premise being known and designated on the City Tax Map as Pace IDs **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979**; and

WHEREAS, the Applicant is proposing to demolish two existing buildings, construct seven (7) apartment buildings containing 307 units on 12.009 acres in the RD-1.7 Zoning District (the "Proposed Project"); and

WHEREAS, the Proposed Project requires variance approvals from the Zoning Board of Appeals, Special Permit approval from the City Council and Site Plan approval from the Planning Board; and

WHEREAS, the Proposed Action is a Type I action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the (SEQRA) public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, the Planning Board determined that the Proposed Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Project; and

WHEREAS, the Zoning Board of Appeals held a duly advertised public hearing on

the application on March 21, 2017 and continued the public hearing to December 19, 2017, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on December 19, 2017; and

WHEREAS, pursuant to New York State General City Law § 81-b(4) and Zoning Code Section 223.55(C)(2)(b), when deciding the request for an area variance:

> In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such a determination, the board shall also consider:
>
> [1] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
>
> [2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
>
> [3] Whether the requested area variance is substantial;
>
> [4] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
>
> [5] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

WHEREAS, pursuant to Zoning Code Section 223.55(C)(2)(c) "the Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community."

WHEREAS, based upon the Record before it and after viewing the premises and neighborhood concerned and upon considering each of the factors set forth in Section 223.55(C)(2)(b)[1]-[5] of the City of Beacon Code, the Zoning Board finds with respect to each of the requested variances as follows:

1. The variances will not produce an undesirable change in the character of the neighborhood and there will not be a detriment to nearby properties created by the granting of the area variances.

A. Maximum Building Height- Number of Stories

The City's Zoning Code Section 223-17.C/223 Attachment 1:6 permits a building height to be no greater than fifty-five (55) feet or 4 ½ stories. Each of the seven proposed buildings will comply with the maximum height of 55 feet permitted by the Zoning Code Section 223-17.C. A height variance of half a story is required for three buildings designed with gabled roofs.

The Board find that no undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of the area variance of half a story permitting a maximum height of 5 stories for three of the seven buildings where the maximum amount of stories permitted by the code is 4 ½ stories. Under the Zoning Code Section 223-63, the "height of building" is measured as the "vertical distance from the average established grade in front of the lot or from the average natural grade at the building line, whichever is higher, to the level of the highest point of the roof, if the roof is flat, or to the mean level between the eaves and the highest point of the roof, if the roof is of any other type." Under this definition, gabled roofs and angled roofs are measured differently. The gabled roofs are measured with an extra half story because of its design. The three buildings for which variances are required are not as tall at the peak of the angled roofs as the other four buildings that comply with the 4 ½ story height requirement. Furthermore, the roofs of the buildings are all accessible by the Beacon Fire Department apparatuses. As all seven buildings are within the permitted height of 55 feet, the granting of a half story variance for three of the seven buildings does not create a detriment to nearby properties.

B. Maximum Number of Dwelling Units Per Building

No undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of an area variance permitting more than 36 dwelling units. The Zoning Code Section 223-17.C states that the maximum number of dwelling units per building shall not exceed 36. The Applicant proposes to construct a total of 307 dwelling units, to be distributed among seven buildings, as permitted on the 12-acre parcel by right. The buildings are proposed to contain the following number of units:

- Building 1- 48 units;
- Building 2- 52 units;

- Building 3- 59 units
- Building 4- 32 units (no variance required)
- Building 5- 32 units (no variance required)
- Buildings 6- 51 units; and
- Building 7- 32 units (no variance required)

Three (3) of the buildings are proposed to contain 32 residential dwelling units, this is four less units than permitted. All the buildings will look similar from the exterior, and the total number of units (307 units) proposed for the 12-acre property is permitted. Under the density regulation in 223 Attachment 1:6, the lot area required per dwelling unit is 1,700 square feet. Therefore, on a 12 acre lot, approximately 522,720 square feet, 307 dwelling units may be constructed. The proposed development will not result in any adverse impacts to the neighborhood character because by permitting the Applicant to have more dwelling units per building, the Applicant is able to preserve more open space and decrease overall lot coverage and impervious surface. Otherwise, the Applicant could construct the same number of units (307), but in more buildings which would have greater impacts.

C. Minimum Separation Between Buildings

No undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of a variance to permit a minimum distance of less than 36 feet between buildings. There are a total of five openings between the proposed seven buildings on the premises. The closest minimum distance between the buildings is 12 feet. By reducing the distance between buildings the Applicant is able to cluster the buildings to preserve a maximum amount of open space. In addition, the buildings include additional fire suppression systems and will utilize fire suppression materials to ensure fire safety and further preserve the welfare of the neighborhood and ensure the safety of all residents. The Fire Department received the plans and had no objection to the reduced separation distance between buildings. Overall, the proposed project enhances the character of the neighborhood, and will not have a detrimental impact to either the neighborhood or adjacent properties.

2. The benefit sought by the Applicant cannot be achieved by some method feasible for the Applicant to pursue, other than the requested area variances.

A. Maximum Building Height- Number of Stories

The benefit sought by the Applicant cannot be achieved by some other method feasible for the Applicant to pursue. The Applicant may construct 307 dwelling units on the premises by right. The Applicant has presented two other alternatives. Such alternatives require the Applicant to construct eight buildings (providing 288 dwelling units) or nine buildings (providing 307 units). Both alternatives create higher development impacts. The Applicant wants to pursue a sustainable development to maximize open space. Under the

proposed project there is 35% impervious coverage. Both alternatives require at least 40% impervious coverage.

The premises is located in the Coastal Management Zone as defined by the City's Local Water Front Revitalization Program (LWRP). The proposed project condenses and clusters the footprint of the buildings and decreases impervious surfaces to achieve the clustered effect recommended by the LWRP. Specifically the LWRP provides that "the scenic qualities of Beacon results from the combination of clustered buildings (many historic) and wooded hillsides against the backdrop of the Hudson Highlands." On December 12, 2017, the Planning Board issued a Local Waterfront Revitalization (LWRP) Consistency Determination, which provides in part that the proposed Project is consistent with the policies in the LWRP because it condenses and clusters the footprint of the buildings and impervious surfaces to achieve the clustered effected by the LWRP. The proposed alternatives do not achieve the same effect.

B. Maximum Number of Dwelling Units Per Building

The Applicant is proposing 31 dwelling units as below-market rate units, in accordance with the City's Affordable-Workforce Housing Laws. By granting the variance and permitting more than 36 dwelling units in a building, the Applicant can create a better mix of unit types and overall diversity in unit counts to better achieve the goals of the Affordable-Workforce Housing Law.

The Applicant is permitted to build 307 units on the premises pursuant to the density requirements of the RD-1.7 Zoning District on a 12 acre parcel, subject to special use permit approval by the City Council to approve multifamily complexes. Without the variances, the Applicant will need to construct one or two extra buildings, increasing lot coverage and impervious surface. The Applicant's goal to preserve 65% green space, create diversity in buildings and unit types and provide common gathering space for residents cannot be achieved without the requested variance.

If each building contained the same number of units it would necessitate more buildings, and would therefore create a much higher-impact development. Therefore, there is no other feasible means to achieve the required number of units but for the granting of the variance to permit more than 36 dwelling units per building.

C. Minimum Separation Between Buildings

As discussed above, the relative clustering of the buildings contributes to maximizing the amount of open space provided onsite. The proposed layout allows for the preservation of the maximum amount of green space (65%) and will overall enhance the community. Thus, the benefit the Applicant seeks, to develop 307 residential dwelling units and preserve 65% open space, cannot be achieved without the requested variance.

3. The requested variances are mathematically substantial; however, this does not outweigh the other factors meriting the granting of the variance.

The requested variances are mathematically substantial. However, in considering whether a variance is substantial, the Board must examine the totality of the circumstances within the application and the overall effect of granting the requested relief. Here, the variances are not substantial in their effect. The project design provides a variety of units, both market-rate and below-market rate units, while preserving the most amount of open space. Moreover, even though the requested variances are mathematically substantial, this factor alone does not preclude the granting of the variances.

The Board reviewed the overall effect of the requested variances to permit the clustering of units on this 12 acre parcel requiring (1) a half story height variance for three buildings, (2) a variance to permit more than 36 residential dwelling units per building and (3) a variance to allow less than 30 feet between the proposed buildings. While the requested variance is mathematically substantial, the variance will result in minimal impacts to the surrounding neighborhood and environment. Therefore, the Board finds that the requested variance is not substantial.

4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. There will be no adverse effects of noise, vibrations, odor, traffic, or impact on public services caused by the requested variances. As part of the Coordinated SEQRA review conducted by the Planning Board as Lead Agency, the Planning Board has determined that the entire action, including the required variances, will have no potential significant adverse environmental impacts. As mentioned above, the Planning Board also granted a LWRP Consistency Determination which provides that the proposed Project is consistent with polices and guidance of the LWRP. The proposed project will preserve 65% open space and utilize green infrastructure practices to reduce runoff, minimize grading and soil disturbance, and minimize impervious surface areas. The proposed project will also incorporate soil conservation and dust control best management practices and utilize native vegetation in all proposed landscaping to enhance wildlife habitat.

5. The alleged difficulty was self-created but this factor does not preclude the granting of the area variances.

The need for the variances is self-created since it is presumed the Applicant selected the Property as the location for its proposed development knowing the zoning requirements pertaining to the maximum height of buildings permitted, the maximum number of residential dwelling units per building and the minimum distance required between buildings. However, this does not preclude the granting of the area variance.

NOW THEREFORE, BE IT RESOLVED, that, for the reasons set forth above, the application of Scenic Beacon Developments, LLC (the "Applicant") to allow Building 3, Building 4, and Building 6, as identified on the proposed Site Plan dated January 31, 2017, to have 5 stories where the maximum building height is 4.5 stories pursuant to City § 223-17.C/223 Attachment 1:6, is hereby GRANTED.

BE IT FURTHER RESOLVED, that for the reasons set forth above, the application of Scenic Beacon Developments, LLC, to allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6, is hereby GRANTED subject to the following conditions:

1. If the Applicant builds less than 252 units (7 buildings x 36 dwelling units= 252 untis), this variance is void. The Applicant will be required to comply with the Zoning Code requirements restricting the number of units per building and may not exceed 36 residential dwelling units per building.

2. The Applicant is permitted to construct a maximum number of four buildings with more than 36 residential dwelling units. The maximum number of dwelling units for any one building may not exceed 59 residential dwelling units per building.

BE IT FURTHER RESOLVED, that for the reasons set forth above, the application of Scenic Beacon Developments, LLC, to allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6, is hereby GRANTED subject to the following conditions:

1. The Applicant shall maintain at least 65% of the 12-acre parcel as open space, but for Planning Board approval of impervious infrastructure including, but not limited to, sidewalks, development of land banked parking, roads, and decks. The total amount of open space land preserved after Planning Board approval of said impervious infrastructure shall not be less than 60% of the 12-acre parcel.

2. Impervious surface shall not exceed 35% of the 12-acre parcel, but for Planning Board approval of impervious infrastructure, including, but not limited to, sidewalks, development of land banked parking, roads, and decks. The total impervious surface area, including any additional approved impervious surfaces, shall not to exceed 40% of the 12-acre parcel.

3. The distance between any of the proposed buildings shall not be less than 12 feet.

BE IT FURTHER RESOLVED, that all the variances granted herein are subject to the following conditions:

1. No permit or Certificate of Occupancy shall be issued until the Applicants have paid in full all application and consultant fees incurred by the City of Beacon in connection with the review of this application.

2. The Applicant shall obtain a building permit within twelve months from the date of obtaining the last land use approval.

3. The variance shall terminate unless the Proposed Project, as defined herein, has been substantially completed within five years from the date of obtaining the last land use approval or the Applicant appears before the Board for an extension.

Dated: January 17, 2018

Mr. John Dunne, Chairman

2018-01

Height Variance

Mr. Dunne called the roll							
Motion	**Second**	**Zoning Board Member**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
		Jordan Haug	X				
	X	Robert Lanier	X				
X		Judy Smith	X				
		David Jensen		X			
		Motion Carried	**4**	**1**			

Maximum Number of Dwelling Units Variance

Mr. Dunne called the roll:							
Motion	**Second**	**Zoning Board Members**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
X		Jordan Haug	X				
		Robert Lanier	X				
	X	Judy Smith	X				
		David Jensen		X			
		Motion Carried:	**4**	**1**			

Maximum Distance Between Buildings Variance

Mr. Dunne called the roll:							
Motion	**Second**	**Zoning Board Members**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
X		Jordan Haug	X				
	X	Robert Lanier	X				
		Judy Smith	X				
		David Jensen		X			
		Motion Carried:	4	1			

Agency Use Only [IfApplicable]

Project : Edgewater

Date : 7/10/18

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached for the reasons supporting this Amended Negative Declaration.**

**As a result of the project changes, the Proposed Action has been reclassified from a Type I Action to an Unlisted Action because the Proposed Action now includes the development of less than 250 dwelling units.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
All application materials submitted by the Applicant, memoranda from City staff and Consultants, agency and public comment, and testimony from meetings held on the application.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City of Beacon Planning Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Edgewater

Name of Lead Agency: City of Beacon Planning Board

Name of Responsible Officer in Lead Agency: John Gunn

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency: Date: 7/10/2018

Signature of Preparer (if different from Responsible Officer) Date: 7/10/18

For Further Information:

Contact Person: Etha Grogan, Planning Secretary

Address: 1 Municipal Plaza, Beacon NY 12508

Telephone Number: 845-838-5002

E-mail: egrogan@cityofbeacon.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

ATTACHMENT TO
AMENDED
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION

APPLICATION FOR SITE PLAN, SPECIAL USE PERMIT AND SUBDIVISION APPROVAL FOR EDGEWATER

22 Edgewater Place:
Tax Grid Nos. 5954-25-581985, 5954-25-574979, 5954-25-566983, 5955-19-59002

CONCLUSIONS

On December 12, 2017, the Beacon Planning Board adopted a Negative Declaration finding that the Proposed Action would not result in any significant adverse environmental impacts.

On June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the site plan, in part to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. The revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms), a reduction in the number of parking spaces, a reduction in the amount of impervious surface coverage, and approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River ("Amended Project" or "Amended Proposed Action"). Additional application materials submitted with the revised plans included an updated Part 1 of the Environmental Assessment Form (EAF), dated June 11, 2018.

At the time of the Planning Board's adoption of the Negative Declaration on December 12, 2017, the Proposed Action was a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because the project proposes the construction of more than 250 new residential units to be connected to, public water and sewer in a city having a population of less than 150,000. The Amended Proposed Action is no longer a Type I action because it proposes a total of 246 dwelling units which falls below the threshold for Type I actions. Therefore, the Amended Proposed Action is an Unlisted action.

The Planning Board, as Lead Agency, previously held a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the State Environmental Quality Review Act (SEQRA) public hearing was closed.

Based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Proposed Action and the Amended Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board, acting as Lead Agency, makes the following conclusions.

The Proposed Action will not result in any significant adverse impacts on the environment. In summary:

- **Impact on Land: The Proposed Action will not have a significant adverse environmental impact as a result of any physical change to the project site.**

  Much of the analyses regarding impacts to land remain the same in the Amended Proposed Action as were analyzed for the Proposed Action in December 2017.

  The Project Site continues to consists of four (4) parcels which are proposed to be merged into one development parcel of approximately 12 acres. Approximately 10 acres of the Site will be disturbed for development of the Project. The Site is currently developed with two buildings and is characterized by prior soil disturbance across much of the Site. Several stockpiles of aggregate and topsoil are currently located within the central portion of the Site on either side of the remnants of an asphalt road that extends across the central portion of the Site.

  The Site is located within the RD-1.7 Zoning District. The Amended Project proposes 246 dwelling units (350 bedrooms) in seven (7) apartment buildings with associated infrastructure including utility lines, stormwater facilities, and a below-grade parking garage and on-grade parking. The number of proposed units was reduced from the 307 units (413 bedrooms) analyzed as part of the Planning Board SEQRA Negative Declaration adopted on December 12, 2017. The reduction in proposed units was required to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. Local Law No. 9-2018 generally requires that areas containing "Very Steep Slopes" must be deducted from the total net buildable area for the purposes of determining a property's allowable density. "Very Steep Slopes" are defined by Local Law No. 9-2018 to include slopes of 25% or more extending over a contiguous land area of at least 10,000 square feet. Based on this formula, a total area of 110,533 square feet was deducted from the lot area to determine the Property's net buildable area. This calculation resulted in a total unit count of 242 prior to adding the 10 bonus units as per the City's Affordable Work Force Housing Law, bringing the total allowable units to 252. The Amended Proposed Action proposes 246 units comprised of 25 studios, 126 1-bedroom units, 86 2-bedroom units, and 9 3-bedroom units.

Land banked parking will continue to be utilized for a portion of the proposed parking spaces to minimize land disturbance and impervious coverage. The prior plans proposed to land bank 33 parking spaces, whereas the Amended Proposed Action proposes to land bank 45 parking spaces. A total of 328 parking spaces are required pursuant to the City Zoning Code and 329 parking spaces are proposed through a mix of 238 surface parking spaces, 46 podium parking spaces and 45 land banked parking spaces.

The Project will continue to require the removal of approximately 3.2 acres of woods, which generally involves smaller trees located on the interior of the site. No wetlands or wetland buffer areas will be disturbed as a result of the Project. As described in the June 12, 2018 memorandum from Hudson Land Design, P.C. entitled, "Reduced Density Proposal – Avoidance of Newly Defined Very Steep Slopes Wherever Possible," disturbance of slopes will be avoided, minimized and stabilized using best management practices during construction and post-construction.

The revised site plan features several changes to reduce the impacts on Very Steep Slopes compared to the previous December 12, 2017 plans, including a retaining wall along the eastern parking area to maintain existing slopes near Bank Street, elimination of the parking areas behind Building 7 and along the lower access driveway, and the relocation of the western trail route to avoid slopes along the bluff overlooking the Hudson River. Due to proposed development on Very Steep Slopes, compliance with Section 223-16.B will be required for any final approvals for the Amended Project.

- **Impact on Geological Features: The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms on the site.**

  There continue to be no unique geological features on the Property.

- **Impacts on Surface Water and Groundwater: The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity.**

  Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Amended Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

Site disturbance will still exceed 1-acre. Therefore the full Stormwater Pollution Prevention Plan (SWPPP) that was prepared to obtain coverage under NYSDEC SPDES General Permit GP-0-15-002 will be updated to reflect the reduction in site disturbance and impervious surface coverage. The proposed stormwater practices shown on the plans and described in the SWPPP are designed in accordance with the NYSDEC Stormwater Management Design Manual, including design of an underground site stormwater conveyance system and three infiltration basins.

The Amended Project will be connected to the existing public water distribution system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 gallons of water per day at full build out based on 246 dwelling units (350 bedrooms). This represents a reduction of 6,930 gallons per day. Based on a recent study completed by the City of Beacon, there is sufficient public water supply for the Amended Proposed Action.

A 6" ductile iron (DI) water main runs beneath Tompkins Terrace and an 8" DI main runs beneath Bank Street. An 8" DI spur runs into the Site beneath Branch Street from Bank Street to an existing hydrant. The Amended Project continues to propose that the Site will connect to the 8" DI pipe (DIP) on Bank Street through a 8" DIP. The 8" DIP will be brought through the Site to provide water supply to the new buildings and continue to Branch Street and connect to the 8" DIP forming a looped connection to the City water system. The Applicant continues to propose to dedicate the new 8" water main to the City, along with a 20' wide utility easement for maintenance purposes. Flow and pressure tests have confirmed adequate flow and pressure are available for the Project. New fire hydrants and periodic isolation valves are proposed within the Site. In the event the City does not accept dedication of the 8" water main and easement, the infrastructure will remain privately owned and maintained but will need to be modified to include backflow prevention devices and meters. Notably, the Amended Project does not propose to use public water for irrigation purposes. Rather, the Amended Project includes an underground cistern for harvesting roof runoff for irrigation purposes. This is consistent with the original Project that was the subject of the December 2017 Negative Declaration.

The Amended Project will be connected to the existing public sanitary sewer system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 galls of water per day at full build out based on 246 dwelling units (350 bedrooms x 110 gpd/bedroom). This represents a reduction of 6,930 gallons per day. Under normal operating conditions the public sanitary sewer system is

sufficient for the Project; however the West Main Street sewer pump station may require upgrades. If it is determined that upgrades are necessary as the City's hydraulic model of the sewer system is updated, the upgrades will be implemented as necessary. The Site currently contains an existing apartment building, and a single family residence. Both structures will be demolished thereby eliminating any current inflow and infiltration (I&I) entering the City sanitary sewer system (North interceptor) from the Site.

- **Impact on Flooding: The Proposed Action will not have a significant adverse environmental impact on or alter drainage flows or patterns, or surface water runoff.**

For the Amended Proposed Action, the treatment of stormwater will continue to be provided for the new impervious area. The Planning Board noted in its December 2017 Negative Declaration that a Stormwater Pollution Prevention Plan (SWPPP) had been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The final stormwater management system was proposed to consist of minimal conveyance systems which included culverts and grass-lined swales/dikes where required. It was anticipated that most, if not all perimeter diversion swales/dikes will be unnecessary and removed after installation; however, there may be a need for some as site conditions warrant. The remainder of the drainage area would remain undisturbed with natural vegetation remaining.

The Amended Project includes a reduction in impervious surface coverage. Based on this reduction, the SWPPP will be updated to include the reduction in impervious area which was contributing to each stormwater management facility (Bioretention Areas 1 &2 and Infiltration Basin 3). The reduction in impervious surface coverage will reduce overall stormwater impacts.

Further, the Amended Project continues to propose the implementation of green infrastructure practices to the greatest extent possible to reduce runoff, including avoidance of sensitive areas, minimizing grading and soil disturbance, minimizing impervious areas on internal access ways, driveways and parking areas, and use of meadow as permanent final groundcover to provide better water quality. The Amended Project continues to propose parking spaces and drive aisles that were reduced in size from 9'x20' with a 25' drive aisle to 9'x18' with a 24' drive aisle, to comply with the newly amended City Code requirements and consistency with the "Greenway Connections" and NYSDEC stormwater objectives to reduce impervious surfaces. Infiltration/bioretention practices, use of open channel

vegetated conveyance systems, and an underground cistern for roof runoff will also continue to be implemented.

As in December 2017, pretreatment practices proposed for the Amended Project include overland flow, vegetated swales, stone check dams, hydrodynamic devices, treatment practices, bioretention areas, infiltration basins and grass filter strips.

In December 2017, the proposed Bioretention areas 1 and 2 did not meet 100% Runoff Reduction Volume (RRV) due to shallow bedrock constraints. The January 2015 NYSDEC Stormwater Design Manual describes acceptable site limitations to include shall depth to bedrock. It was proposed at that time that Bioretention Area 1 will be supplemented with cisterns for roof runoff, and Bioretention Area 2 will be supplemented with a vegetated swale to maximize the Runoff Reduction Volume. As the SWPPP is updated by the Applicant to include the reduced impervious surface coverage, the City Engineer will review to confirm whether these practices remain applicable and issue his recommendations to the Planning Board. Moreover, temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP.

- **Impact on Air: The Proposed Action will not have a significant adverse environmental impact on air quality.**

Impacts on air resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Construction activities associated with grading and excavation could result in temporary air quality impacts. Air quality in the area, however, is not expected to be significantly impacted by project construction because the construction activities will be temporary and confined to the Site. Construction vehicles will emit certain air pollutants through engine exhaust. There is also the potential for fugitive dust to be created during the construction period from site preparation activities, including removal of existing impervious surfaces and vegetation, and site grading. Fugitive dust emissions will be mitigated by wetting and stabilizing soils to suppress dust generation. Other dust suppression methods will include the spraying of soil stockpiles during dry periods and covering trucks carrying solid and other dry materials. These unavoidable short term impacts to air quality will cease upon project completion. Construction will be conducted in accordance with the final filed site plan and in accordance with all applicable federal, state and local codes. It is anticipated that nearby properties will experience temporary fugitive dust and an elevation in vehicle emissions from construction vehicles throughout occasional

periods during construction of the proposed project. This is a temporary, construction-related, unavoidable impact that is not significant.

- **Impact on Plants and Animals: The Proposed Action will not have a significant adverse environmental impact on flora or fauna.**

  Impacts on plants and animals resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  Pursuant to a March 30, 2017 letter from NYSDEC, the only state-listed species recorded within or near the Project Site is the Indiana Bat (NYS Listing: Endangered). The main impact of concern for bats is the removal of potential roost trees. The Applicant submitted a Threatened and Endangered Species Habitat Suitability Assessment Report, dated September 15, 2017, prepared by Ecological Solutions, LLC, Southbury, CT. The Report concluded "The proposed project will require the removal of approximately 3.2 acres of woods for the proposed project, which generally involves smaller trees located on the interior of the site that consist of opportunistic trees that are not prime for Indiana bat habitat." Pursuant to NYSDEC recommendations, removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and April 1 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees. The Amended Proposed Action also includes shielded, cut-off light fixtures that direct light down to minimize light pollution and not interfere with potential bat foraging activities. Lastly, the Amended Proposed Action includes implementation of soil conservation and dust control best management practices, such as watering dry disturbed soil to keep dust down, and using staked, recessed silt fence and anti-tracking pads to prevent erosion and sedimentation in surface waters on the site. Also, native vegetation is proposed to enhance wildlife habitat.

- **Impact on Agricultural Resources: The Proposed Action will not have a significant adverse environmental impact on agricultural resources.**

  There continue to be no agricultural resources in the vicinity of the Site.

- **Impact on Aesthetic Resources: The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.**

  Impacts on aesthetic resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  The Amended Proposed Action will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views, or visible from any publicly accessible vantage points either seasonally nor year around.

The Local Waterfront Revitalization Program (LWRP) does not list viewsheds from the Site, or viewsheds that would be obscured by the Project. Seasonal views of the Amended Project will be experienced from the Metro North train station and from the Hudson River. The Applicant submitted an updated LWRP Consistency Statement, prepared by Aryeh Siegel, Architect, which was reviewed by the City Planner. Photo renderings of the Amended Project were also submitted by the Applicant demonstrating the possible seasonal views from these vantage points. The views remain unchanged from the December 2017 Negative Declaration. The renderings demonstrate that the tops of the buildings will be visible to some degree and the level of visibility will change with the seasonal leaf coverage. Architectural review of the proposed building roofs includes attention to the roof materials and finishes to harmonize with the existing landscape. The buildings have been designed to be set back from the property lines to allow for the maintenance of the existing wooded hillsides around the proposed development areas. The seasonal views of the Amended Project are consistent with the existing viewshed and will not result in a significant adverse environmental impact.

It is noted that the height of the proposed buildings complies with the maximum building height permitted in the RD-1.7 District. However, due to the method in which the buildings are measured under the City of Beacon Zoning Code three (3) of the seven (7) proposed buildings received a variance from the maximum number of stories permitted. Buildings 3, 4 and 6 will be 55 feet in height, consistent with the limitations in the Zoning Code, but are measured as 5 stories where a maximum of 4.5 stories is permitted.

Although there are no officially designated scenic views affected by the Amended Project, it should be noted that views of the Amended Project from publically accessible areas such as public streets, will be improved in the Amended Project as compared to the original Project reviewed for the December 2017 Negative Declaration. The reduced unit count requires 58 fewer parking spaces which resulted in additional green space, particularly at the most visible portion of the Property near the Bank Street/Tompkins Avenue intersection. Also, the parking areas behind Building 7 and along the lower driveway south of Building 4 have been eliminated.

- **Impact on Historic and Archeological Resources: The Proposed Action will not have a significant adverse environmental impact on historic or archeological resources.**

Impacts on historic and archeological resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Pursuant to a March 30, 2017 letter from NYSDEC, the records of the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) state that the Proposed Action is located within an area considered to be sensitive with regard to archaeological resources.

A Phase 1A Archeological Investigation for the Project Site dated September 2017 was submitted for the Board's review. The Phase 1A Report provides the following conclusion:

"The project area has experienced extensive soil disturbance, initially the result of historic development followed by excavation related to the removal of the historic buildings that once occupied the site. The recent use of the property for aggregate and topsoil stockpiling have also affected the landscape. A significant portion of the property, especially along the eastern, southern and western perimeters, have slopes exceeding 12%. With the high level of disturbance and the presence of slopes greater than 12%, no further archeological investigation is recommended."

Additionally, based on its review of the Project (OPRHP Project Review #17PR06370), in a letter dated October 10, 2017, the NYS OPRHP provided the following opinion: "...[the] project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State Register of Historic Places."

- **Impact on Open Space and Recreation: The Proposed Action will not have a significant adverse environmental impact on open space and recreation.**

  Impacts on open space and recreation resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  The area of the Proposed Action is not designated as open space by the City of Beacon. The Proposed Action will not result in the loss of a current or future recreational resource, eliminate significant open space, or result in loss of an area now used informally by the community as an open space resource, as the Site is primarily a vacant lot, with improvements limited to an existing apartment building and a single family residence. If a park of adequate size and practical location does not address the need for additional recreation/parkland within the City, a recreation fee will be required which will be used for the future need for park and recreational opportunities in the City of Beacon.

- **Impact on Critical Environmental Areas: The Proposed Action will not have a significant adverse environmental impact on Critical Environmental Areas.**

The Amended Proposed Action is not located in a Critical Environmental Area.

- **Impact on Transportation: The Proposed Action will not have a significant adverse environmental impact on transportation.**

A Traffic Impact Study, dated January 18, 2017, revised February 27, 2017, (the "Study") was prepared by Maser Consulting, P.A., Hawthorne, N.Y. for review by the Planning Board. The Study was prepared to identify current and future traffic operating conditions on the surrounding roadway network and to assess the potential traffic impacts of the Project. The Study was based on the prior proposal of 307 dwelling units. The Study was subject to review and comment by the Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y.

The Amended Project continues to propose access to the Site at a reconstructed driveway connection to Tompkins Avenue located between Tompkins Terrace and Bank Street. The Amended Project also continues to include an extension at the southern end of the Site to Branch Street, providing access directly to Bank Street, which connects to West Main Street to the south.

The Study established Year 2017 Existing Traffic Volumes and then projected a 2022 Design Year which took into account background traffic growth and traffic from other potential or approved developments in the area. Estimated volume from the Project during peak hours was added to the Study and the Existing, No-Build and Build Traffic Volumes were compared to roadway capacities based on procedures from the Highway Capacity Manual to determine existing and future Levels of Service (LOS) and operating conditions.

The following intersections were studied:

Wolcott Avenue (NYS Route 9D)/Tompkins Avenue/Ralph Street
Tompkins Avenue/Bank Street
Beekman Street/W.Main Street
W.Main Street/Bank Street
Wolcott Avenue (NYS Route 9D)/Verplanck Avenue
Wolcott Avenue (NYS Route 9D)/Beekman Street/West Church Street
Wolcott Avenue (NYS Route 9D)/Main Street/Municipal Place
Tompkins Avenue/Site Access
Branch Street/Bank Street

The Study concluded and the Planning Board's Traffic Consultant concurred that similar levels of service and delays will be experienced at the area intersections

under the future No-Build and Build Conditions. The majority of the intersections studied will experience a traffic volume increase of 7% or less as a result of Edgewater or the West End Lofts project recently approved by the Planning Board. The traffic projections do not take any credits for the anticipated use of Metro North and/or pedestrian trips to the train by residents of the new developments, which will likely reduce the actual peak vehicular traffic generated given the walking distance to the train station. The Applicant's traffic consultant prepared analyses for the Project as a transit-oriented development, based on the Site's proximity to the Metro-North train station. Where a mass transit credit is applied to the Project, which the Applicant's traffic consultant identified could be obtainable for the Site, the Applicant's traffic consultant concluded: "...the expected delays would be less at the study area intersections as a result of the lower vehicular traffic generation from the project."

Notwithstanding, due to anticipated delays at the Wolcott Avenue/Verplanck Avenue and Wolcott Avenue/Beekman Street intersections, traffic signal timing modifications are proposed during the AM Peak Hour for the Wolcott Avenue/Verplanck Avenue intersection and during the PM Peak Hours for the Wolcott Avenue/Beekman Street intersection, to address the project related delay increases. With these traffic signal timing modifications, the intersections will operate similar to No-Build conditions without the Project. Additionally, the intersections of Wolcott Avenue/Tompkins Avenue and Beekman Street/West Main Street are proposed to be monitored after occupancy of the Project to assess whether traffic signal warrants will be satisfied at these locations.

Related to transportation, the Amended Project also continues to propose improved pedestrian access to and from the Amended Project, upgraded pedestrian facilities along Branch Street, Bank Street and West Main Street, and pedestrian striping and signing improvements at the intersection of Bank Street and West Main Street. The Amended Project also continues to propose ample bicycle storage and a car share program for its residents.

An updated review of traffic conditions was prepared by the Applicant's consultant, Maser Consultanting, P.A. in a letter dated June 5, 2018 ("Updated Traffic Analysis"). The Updated Traffic Analysis includes the AM Peak Hour and PM Peak Hour trip generated projected for the Amended Proposed Action with 246 dwelling units instead of 307 dwelling units. As expected, the reduced density proposal results in a reduction in traffic generation. The net reduction in trip generation at the AM Peak Hour is 31 (307 units: 155 trips vs. 246 units: 124 trips) and the net reduction in trip generation at the PM Peak Hour is 35 (307 units: 188 vs. 246 units: 153). Notwithstanding the reduction in projected trip generation, the Applicant continues to propose all previously proposed traffic mitigation measures, as described above.

As with the original Study, these projections do not account for any mass transit usage by residents of the development. However, due to the Property's proximity to the Metro-North Train Station it is likely that a portion of residents will utilize mass transit thus reducing the actual trip generation.

The Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y., reviewed the Updated Traffic Analysis and in a memorandum to the Planning Board dated July 3, 2018 concurred that the Amended Project will result in fewer trips than that originally studied.

- **Impact on Energy: The Proposed Action will not have a significant adverse environmental impact on energy.**

Impacts on energy resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

It is anticipated that existing energy infrastructure will continue to serve the Amended Proposed Action and that enough surplus exists to meet potential demand. The Amended Proposed Action does not require a new, or an upgrade to any existing substation.

Several green building techniques have been incorporated into the Amended Project. The building design will allow for the ability to utilize solar energy in the future if and when it becomes feasible.

- **Impact on Noise, Odor and Light: The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise or light.**

Impacts on noise, odor and light resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended Proposed Action is not anticipated to generate any noxious odors.

Noise impacts associated with the proposed Amended Project will be limited to temporary impacts generated during construction. Temporary noise impacts associated with construction will be mitigated by limiting construction activities to the hours between 7:00 a.m. and 7:00 p.m. Soil testing was conducted onsite to investigate the depth of the soil and rock conditions. In the area of Bioretention area 1, shale bedrock was found less than 5 feet from the existing grade. In the area of Bioretention area 2, bedrock depths were found to be slightly deeper than 4 feet. If blasting becomes necessary, it will be performed in accordance with all

applicable state and local requirements. In addition, there will be no significant noise impacts post-construction.

All proposed lighting will be fully shielded and dark sky compliant. Lighting levels along the access drive will generally be low (within 0.0 – 1.0 footcandles along the majority of the access drive, with discrete areas of increased intensity under lighting fixtures (up to about 3.0 footcandles). The proposed Lighting Plan shows minimal to no light spillage over property lines. Lighting at the perimeter of the site is negligible.

- **Impact on Human Health: The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.**

Impacts on human health resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

According to information available on the NYS DEC Site Remediation Database, the off-site contamination under the following Site Codes identified in the EAF has either completed a remediation program or does not pose a threat to development on the Edgewater Site: V00293, C314112, V00096, 314069, 546031.

- **Consistency with Community Plans and Community Character: The Proposed Action is not inconsistent with adopted community plans and community character.**

Impacts on community plans and community character resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended Project is consistent with the recommendations and goals identified in the 2007 Comprehensive Plan and 2017 Comprehensive Plan Updates regarding density of developments. The Site is the only property in the City classified in the RD-1.7 Zoning District and the number of proposed dwelling units complies with the provisions of the RD-1.7 District. The transit oriented nature of the Amended Project is consistent with the Comprehensive Plan which seeks to encourage development and allow for increased density of housing in the waterfront/train station area of the City. (2007 Comprehensive Plan, pp. 7 & 17; 2017 Comprehensive Plan Update, p. 10). The density of the Amended Project is also consistent with the surrounding neighborhood which includes the existing Tompkins Terrace and Colonial Springs residential developments.

The Amended Project will create an increased demand for community services such as emergency services and the Beacon City School District. The application was previously referred to the City of Beacon Police and Fire Departments and the general layout has not substantially changed since that time, except to create a "No Parking, Fire Zone" in front of Building 4 to address comments from the Fire Department. The Amended Project will be constructed in accordance with all applicable state and local emergency and fire safety requirements.

The December 2017 Negative Declaration adopted by the Planning Board contains a lengthy discussion of impacts to the Beacon City School District (BCSD). At that time, the Planning Board concluded that based on the information provided the Planning Board's professional planning consultant, the Applicant's professional planning consultant and the BCSD, the addition of 42 school-age children represents the most accurate application of the Rutger's ratios. The Planning Board also considered the instruction budget vs. the total budget of the BCSD in determining the impacts of the Project on the BCSD. The following chart was provided in the December 2017 Negative Declaration to show the net fiscal impacts of 42 school-age children:

	Cost/Student	*# Students*	*Add'l. Costs*	*Revenue*	*Net Impacts*
Instructional Budget	*$17,102*	*42*	*$718,284*	*$810,300*	*+ $92,016*
Total Budget	*$23,116*	*42*	*$970,872*	*$810,300*	*-$160,572*

After considering all testimony and written submissions to the Planning Board on this subject, the Planning Board determined that the addition of 42 school-age children as a result of the Project will not create a significant increased demand on the School District.

The Applicant has submitted revised analysis of the generation of school-age children resulting from the Amended Proposed Action which includes 246 dwelling units instead of 307 dwelling units. The Amended Proposed Action will produce fewer school-age children than the previously studied Proposed Action. According to the City Planner's review of the Applicant's analysis, application of the Rutgers demographic multipliers results in an estimated 36 public school-age children, compared to 42 in the former projection.

Further, based on a July 3, 2018 memorandum from the Beacon City Assessor, the estimated valuation of the Amended Proposed Action remains $34-40 million due to the overall square footage of the development remaining relatively constant despite the reduction in the number of units. Therefore, the fiscal impacts to the BCSD will similarly be less than that which was previously studied for the December 2017 Negative Declaration.

Thus, for the reasons set forth in the December 2017 Negative Declaration and updated herein, the Planning Board finds that the Amended Proposed Action will not have a significant adverse impact on community services including the BSCD.

Based upon all information before the Planning Board to-date, including the revised Full EAF, the Planning Board finds that the Amended Proposed Action will not have any significant adverse impacts upon the environment. This Amended Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.

Received in the Office of the
City Clerk
July 12, 2018

CITY OF BEACON
CITY COUNCIL

Resolution No. 116 of 2018

RESOLUTION GRANTING A SPECIAL USE PERMIT FOR EDGEWATER (22 EDGEWATER PLACE)

WHEREAS, Scenic Beacon Developments, LLC (the "Applicant") submitted an application for a Special Use Permit to construct multifamily housing on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District. Said premise being known and designated on the City Tax Map as Parcel IDs **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979**; and

WHEREAS, the City Council is the approval authority for the Special Use Permit pursuant to City of Beacon Zoning Code §223-18; and

WHEREAS, the Special Use Permit application was submitted by the Applicant in conjunction with its application for Preliminary and Final Subdivision Plat approvals (lot merger) and Site Plan approval for the construction of seven (7) apartment buildings originally containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Project" or "Proposed Action"); and

WHEREAS, the Subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated March 6, 2017, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings entitled, "Site Plan Edgewater," Sheets 1-15, dated January 31, 2017, last revised June 26, 2018, prepared by Aryeh Siegal, Architect; and

WHEREAS, the original Proposed Action was a Type I action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the (SEQRA)

public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, the Planning Board determined that the Proposed Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Project; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals opened and closed a public hearing on the Applicant's variance application to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City Code § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals granted the Applicant's variance requests, with conditions; and

WHEREAS, on May 21, 2018, the City Council adopted Law No. 9-2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts;

WHEREAS, Local Law No. 9-2018 provides that for all development proposals involving a total lot area of more than three acres within the R1, RD and Fishkill Creek Development Districts, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more; and

WHEREAS, application of Local Law No. 9-2018 resulted in a total area of 110,533 square feet being deducted prior to determining the net buildable area for the Project.

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the Site Plan, in part to comply with Local Law No. 9-2018; and

WHEREAS, the revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms) which is a reduction of 61 units or approximately 20%, a reduction in the number of parking spaces by approximately 15%, reduction in water usage by 15%, a reduction in school age children by 13%, a reduction in the amount of impervious surface coverage, while increasing the area to remain as green space and not developed and

providing approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River, beyond what was originally proposed ("Amended Project" or "Amended Proposed Action"); and

WHEREAS, the Project will provide twenty five (25) Below Market Rate Housing as per the City Code; and

WHEREAS, the Amended Project is no longer a Type I action because it was amended to include 246 total dwelling units which falls below the threshold for Type I actions; and

WHEREAS, the Amended Project is therefore an Unlisted Action pursuant to SEQRA; and

WHEREAS, based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Proposed Action and the Amended Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board adopted an Amended Negative Declaration on July 10, 2018 and determined that the Amended Proposed Action will not have any significant adverse impacts upon the environment; and

WHEREAS, on July 10, 2018 the Planning Board also determined that the Amended Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Amended Project; and

WHEREAS, on July 16, 2018, the City Council opened a public hearing on the Special Use Permit application in connection with the Amended Project, at which time all interested persons were given the opportunity to be heard and the public hearing was closed on July 16, 2018; and

WHEREAS, the City Council has reviewed the application for a Special Use Permit against the standards for a Special Use Permit set forth in the City of Beacon Zoning Code Sections 223-18 and finds the proposal complies with this section of the Zoning Law, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds pursuant to Sections 223-18 of the City Zoning Code:

1. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The project is within walking distance of the Beacon Train Station and will provide economic benefits of pedestrian traffic to Main Street, while not significantly increasing vehicular impacts on City streets.

3. The Project includes a balanced mix of housing types and sizes, including 25 below-market-rate units in accordance with the City's Affordable Workforce Housing Law.

4. The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the appropriate development use of adjacent land and buildings.

5. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristic than would be the operations of any permitted use, not requiring a special permit.

6. The proposed Amended Project is compatible with other multifamily developments in the surrounding neighborhood, which include the existing Tompkins Terrace and Colonial Springs residential developments.

7. Parking areas will be of adequate size for the particular use and property located and suitably screened from the adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.

BE IT FURTHER RESOLVED, that the City Council grants a Special Use Permit to Scenic Beacon Developments, LLC to construct 246 units of multifamily housing on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District, and designated on the City Tax Map as Parcel IDs 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979, upon the following conditions:

1. Prior to the issuance of a Building Permit, the Applicant shall obtain Subdivision and Site Plan approval from the City of Beacon Planning Board.

2. No permits shall be issued until the Applicant has paid to the City all applicable fees and professional review fees incurred in connection with review of this Application.

3. Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit and Site Plan, respectively.

4. The Applicant has agreed that the trail depicted on the western side of the property which connects to Tompkins Terrace to the North and is generally adjacent to the Bluff as depicted on the Amended Site Plan and the sidewalks south of Building 5 and along the Branch Street entry that connect to Bank Street (the "Connection Trail")are open to the public, dawn to dusk, weather dependent, and that such trail may be connected, at the City's sole cost and expense, in the future to the City's proposed Greenway Trail to the west along the Metro North property (the "Greenway Trail"). Regulations regarding public

use of the Connection Trail will be determined during Site Plan review. The specific location of the connection between the Greenway Trail and the Connection Trail cannot presently be identified by the City. Therefore, the Amended Site Plan shall be designed to accommodate a pedestrian connection to the Metro-North northern parking lot immediately to the west or any proposed development on such property (City Tax Map as Parcel IDs 5954-25-549980 and 5954-33-549777), and thereby also more directly connect to Train Station and any future northern extension of the Hudson River Greenway Trail through the Metro-North parking area. The Subdivision shall contain language satisfactory to the City Attorney offering for dedication to the City an easement, without a legal description, to locate, construct and maintain said Greenway Trail connection.

5. A copy of this Resolution shall be attached to the Certificate of Occupancy.

6. As used herein, the term "Applicant" shall include its heirs, successors and assigns.

7. In accordance with Section 223-18.F(1)(b)(2) of the Zoning Law, this Special Permit approval authorizes only the particular use specified in the permit and shall expire if:

   a. A bona fide application for a Building Permit is not filed within one (1) year of the issuances of this Special Permit approval; or

   b. If all required improvements are not made within two (2) years from the date of issuance of the Building Permit; or

   c. If said use ceases for more than six (6) months for any reason.

8. In accordance with Section 223-18.F(2) of the Zoning Law, the City Council may grant one (1) or more extensions of up to six (6) months each, to (a) complete the conditions of approval for the special permit use, upon a finding that the applicant is working toward completion of such conditions with due diligence and has offered a reasonable explanation of its inability to complete such improvements and file a bona fide application for a building permit, and (b) to complete construction of the improvements, upon a finding that the Applicant is prosecuting construction with due diligence and has offered a reasonable explanation of its inability to complete the Project. The City Council may impose such conditions as it deems appropriate upon the grant of any extension. The granting of an extension of time shall not require a public hearing.

9. The Building Inspector may revoke this Special Permit approval where it is found that the use of the premises does not conform with the limitations and conditions contained in the Special Permit approval.

10. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

11. The approvals granted by this resolution do not supersede the authority of any other entity.

Dated: August 6, 2018

Resolution No. 116 of 2018			**Date: August 6, 2018**				
☐ **Amendments**						☐ **2/3 Required.**	
☐ **Not on roll call.**			☐ **On roll call**			☐ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson	x				
		Jodi McCredo		x			
x		**George Mansfield**	x				
		Lee Kyriacou	x				
	x	**John Rembert**		x			
		Amber Grant					x
		Mayor Randy J. Casale	x				
		Motion Carried	x				

Received In the Office of the
City Clerk
August 7, 2018

5102/11/640091v1 8/3/18

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

AMENDED
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
CONSISTENCY DETERMINATION
EDGEWATER (22 EDGEWATER PLACE)

WHEREAS, the Beacon Planning Board received applications for Preliminary and Final Subdivision Plat Approvals (lot merger) and Site Plan Approval from Scenic Beacon Developments LLC (the "Applicant") for the construction of seven (7) apartment buildings containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Project" or "Proposed Action"); and

WHEREAS, the Site is located in the Coastal Management Zone as defined by the City's Local Waterfront Revitalization Program (LWRP) and the Proposed Action includes a request for an LWRP Consistency Determination; and

WHEREAS, the subject property is located at 22 Edgewater Place and designated on the City tax maps as Parcel Nos. 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979; and

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the site plan, in part to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts; and

WHEREAS, the revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms), a reduction in the number of parking spaces, a reduction in the amount of impervious surface coverage, and approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River ("Amended Project" or "Amended Proposed Action"); and

WHEREAS, the Planning Board has reviewed the Amended Project to determine whether the revisions affect its determination of consistency with the Local Waterfront

Revitalization Program ("LWRP") as set forth in its Resolution dated December 12, 2017 and its findings are set forth herein; and

WHEREAS, the subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated March 6, 2017, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings entitled, "Site Plan Edgewater," Sheets 1-15, dated January 31, 2017, last revised June 26, 2018, prepared by Aryeh Siegal, Architect; and

WHEREAS, the application also consists of application forms, the Environmental Assessment Form (EAF) and professional studies and reports submitted to the Planning Board; and

WHEREAS, the application was referred to the Dutchess County Planning Department pursuant to New York State General Municipal Law and responses dated March 16, 2017 and June 12, 2017 were received; and

WHEREAS, on May 9, 2017, the Planning Board opened a public hearing for the purpose of soliciting comments regarding the relevant areas of environmental impact, and the SEQRA public hearing was closed on December 12, 2017; and

WHEREAS, on August 8, 2017, the Planning Board opened a public hearing on the application for Site Plan Approval, at which time all those interested were given an opportunity to be heard and the public hearing remains open; and

WHEREAS, in accordance with Section 220-6 of Chapter 220, Waterfront Consistency Review, of the City Code, all "actions to be undertaken within the City's Coastal Management Zone shall be evaluated for consistency in accordance with the.....LWRP policy standards....;" and

WHEREAS, in accordance with Section 220-5 of the Waterfront Consistency Review chapter of the City Code, it is the Lead Agency's responsibility to make the Determination of Consistency based upon the Applicant's LWRP Consistency Statement, the SEQRA documents, the application and Project documentation, and all other information that has been submitted by the Applicant, City staff, Planning Board consultants, involved and interested agencies, and the public; and

WHEREAS, the Site was rezoned to RD-1.7 after the adoption of the LWRP and therefore several references to an RD-6 zoning designation for the Site (known as the Prizzi property) are no longer applicable, however, it is noted that the LWRP identifies a potential for development of the property as townhouses;

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

WHEREAS, the Planning Board adopted a Negative Declaration pursuant to SEQRA on December 12, 2017; and

WHEREAS, on July 10, 2018 after taking a "hard look" at each of the relevant areas of environmental concern through review of the Revised Environmental Assessment Form and all associated materials prepared in connection with the Amended Proposed Action the Planning Board adopted an Amended Negative Declaration pursuant to SEQRA finding that the Amended Proposed Action does not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that there are a number of LWRP policies which do not apply to the Amended Project which policies are those that are contained in the LWRP but not listed below, and the Planning Board hereby makes the following consistency findings with respect to the LWRP policies which apply to the Amended Project:

POLICY 5

Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.

As noted in the SEQRA Amended Negative Declaration for the Project, the Project will be connected to the existing public water distribution system and public sanitary sewer system.

POLICY 13

The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

There will be no measurable increase erosion or flooding generated by the Amended Project. In December 2017, the Planning Board noted in its LWRP Consistency Determination that the proposed stormwater practices shown on the plans and described in the SWPPP have been designed in accordance with the NYSDEC Stormwater Management Design Manual. The Planning Board further noted that a Stormwater Pollution Prevention Plan (SWPPP) had been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The final stormwater management system was proposed to consist of minimal conveyance systems which included culverts and grass-lined swales/dikes where required. It was anticipated that most, if not all perimeter diversion swales/dikes will be unnecessary and removed after installation;

however, there may be a need for some as site conditions warrant. The remainder of the drainage area would remain undisturbed with natural vegetation remaining.

The Amended Project includes a reduction in impervious surface coverage. Based on this reduction, the SWPPP will be updated to include the reduction in impervious area which was contributing to each stormwater management facility (Bioretention Areas 1 &2 and Infiltration Basin 3). The reduction in impervious surface coverage will reduce overall stormwater impacts.

Further, the Amended Project continues to propose the implementation of green infrastructure practices to the greatest extent possible to reduce runoff, including avoidance of sensitive areas, minimizing grading and soil disturbance, minimizing impervious areas on internal access ways, driveways and parking areas, and use of meadow as permanent final groundcover to provide better water quality. The Amended Project continues to propose parking spaces and drive aisles that were reduced in size from 9'x20' with a 25' drive aisle to 9'x18' with a 24' drive aisle, to comply with the newly amended City Code requirements and consistency with the "Greenway Connections" and NYSDEC stormwater objectives to reduce impervious surfaces.

Infiltration/bioretention practices, use of open channel vegetated conveyance systems, and an underground cistern for roof runoff will also continue to be implemented.

As in December 2017, pretreatment practices proposed for the project include overland flow, vegetated swales, stone check dams, hydrodynamic devices, treatment practices, bioretention areas, infiltration basins and grass filter strips.

In December 2017, the proposed bioretention areas 1 and 2 did not meet 100% Runoff Reduction Volume due to shallow bedrock constraints. The January 2015 NYSDEC Stormwater Design Manual describes acceptable site limitations to include shall depth to bedrock. It was proposed at that time that Bioretention Area 1 will be supplemented with cisterns for roof runoff, and Bioretention Area 2 will be supplemented with a vegetated swale to maximize the Runoff Reduction Volume. As the SWPPP is updated by the Applicant to include the reduced impervious surface coverage, the City Engineer will review to confirm whether these practices remain applicable and issue his recommendations to the Planning Board. Moreover, temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP.

POLICY 14

Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development or at other locations.

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

The location of the proposed buildings has not changed from that which was reviewed for the December 2017 LWRP Consistency Determination. The proposed buildings have been sited on the flattest area of the Site and slopes and disturbed soils will be appropriately stabilized as described in the SWPPP both during and post-construction.

POLICY 25
Protect, restore and enhance natural and manmade resources which are not identified as being of state-wide significance, but which contribute to the scenic quality of the coastal area.

The explanation of Policy 25 in the LWRP states that "the scenic qualities of Beacon results from the combination of clustered buildings (many historic) and wooded hillsides against the backdrop of the Hudson Highlands. The height, bulk, scale of future buildings will be important factors in maintaining the character of the City, as will the preservation of the wooded hillsides that intersperse the developed areas."

There is no physical change to the overall layout, massing and exterior design of the proposed buildings in the Amended Project as compared to that reviewed by the Planning Board in issuing its December 2017 LWRP Consistency Determination.

The Amended Project remains consistent with Policy 25 in its condensing and clustering of the footprint of the buildings and impervious surfaces to achieve the clustered effected recommended by the LWRP. The buildings are setback from the property lines, which allows for the maintenance of the existing wooded hillsides around the proposed developed areas.

POLICY 33
Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

See Policy 13.

POLICY 33A
Regulate construction in steeply sloped and high erosion areas to control excessive stormwater runoff.

See Policy 13.

POLICY 37
Best management practices will be utilized to minimize the nonpoint discharge of excess nutrients, nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

See Policy 13.

POLICY 38
The quality and quantity of surface water and groundwater supplies will be conserved and protected particularly where such waters constitute the primary or sole source of water supply.

Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Amended Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

The Amended Project will be connected to the existing public water distribution system. The Project reviewed for the Planning Board's December 2017 LWRP Consistency Determination was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 gallons of water per day at full build out based on 246 dwelling units (350 bedrooms x 110 gpd/bedroom).

Notably, the Amended Project does not propose to use public water for irrigation purposes. Rather, the Amended Project includes an underground cistern for harvesting roof runoff for irrigation purposes. This is consistent with the original Project that was the subject of the December 2017 LWRP Consistency Determination.

BE IT FURTHER RESOLVED, that the Planning Board hereby determines that the Amended Project is entirely consistent with the LWRP policies which apply to the Project.

Resolution Adopted: July 10, 2018
Beacon, New York

John Gunn, Chairman
City ~~of Beacon~~ Planning Board

7/10/2018, 2018
Dated

motion by P. Lambert, seconded by R. Muscat:

Gary Barrack AYE
David Burke EXCUSED
Patrick Lambert AYE
Rick Muscat AYE
Jill Reynolds NO
Randall Williams AYE
John Gunn AYE

Received in the Office of the City Clerk
July 12, 2018

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

PRELIMINARY & FINAL SUBDIVISION PLAT APPROVALS AND SITE PLAN APPROVAL FOR EDGEWATER PROJECT (22 EDGEWATER PLACE)

WHEREAS, the Beacon Planning Board received applications for Preliminary and Final Subdivision Plat Approvals (lot merger), Site Plan Approval and Special Use Permit Approval from Scenic Beacon Developments, LLC (the "Applicant"), to demolish two existing buildings and construct seven buildings, containing 246 apartments including 25 workforce housing units (350 bedrooms[1]), on 12.009 acres on property located and collectively known as 22 Edgewater Place and designated on the Tax Map of the City of Beacon as **Parcel IDs 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979** (the "Property") in the RD-1.7 Zoning District, within the within the Local Waterfront Revitalization Program ("LWRP") boundary, (the "Amended Project" or "Amended Proposed Action"); and

WHEREAS, the City Council is the approval authority for the Special Use Permit to permit multifamily housing on the Property pursuant to City of Beacon Zoning Code § 223-18; and

WHEREAS, the Planning Board is the approval authority for the Subdivision and Site Plan pursuant to City of Beacon Code §§ 195-2 and 223-25; and

WHEREAS, the Amended Proposed Action also includes a request for a determination of consistency with the LWRP; and

WHEREAS, the application consists of application forms, correspondence, the Full Environmental Assessment Form ("Full EAF") and professional studies and reports submitted to the Planning Board; and

WHEREAS, the Subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated August 27, 2018, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings, entitled "Special Use Permit Application," Sheets 1-15 last revised August 28, 2018, as prepared by Hudson Land Design; TEC Land Surveying; and Aryeh Siegel, Architect; and

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[1] The Amended Proposed Action proposes 246 units comprised of 25 studios, 126 1-bedroom units, 86 2-bedroom units, and 9 3-bedroom units.

WHEREAS, the Applicant originally submitted an application for Preliminary and Final Subdivision Plat approvals (lot merger) and Site Plan approval for the construction of seven (7) apartment buildings containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Original Proposed Action"); and

WHEREAS, the Original Proposed Action was a Type I Action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Original Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the SEQRA public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Full EAF and all associated materials prepared in connection with the Original Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, on December 12, 2017 the Planning Board adopted a Resolution finding the Original Proposed Action to be consistent with the relevant policies of the LWRP; and

WHEREAS, the Zoning Board of Appeals opened a duly advertised public hearing on the Applicant's variance application on March 21, 2017 and continued the public hearing to December 19, 2017, at which time all those wishing to be heard were given such opportunity on the Applicant's variance application to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; and

WHEREAS, on December 19, 2017 the Zoning Board of Appeals closed the public hearing; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals granted the Applicant's variance requests, with conditions; and

WHEREAS, on May 21, 2018, the City Council adopted Law No. 9-2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts; and

WHEREAS, Local Law No. 9-2018 provides that for all development proposals involving a total lot area of more than three acres within the R1, RD and Fishkill Creek Development Districts, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more; and

WHEREAS, application of Local Law No. 9-2018 resulted in a total area of 110,284[2] square feet being deducted prior to determining the net buildable area for the Project, as shown on the Steep Slopes Analysis Map, dated June 8, 2018, as prepared by Hudson Land Design; and

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans which included revisions to the Site Plan, in part to comply with Local Law No. 9-2018; and

WHEREAS, the revisions provided in the Amended Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms) which is a reduction of 61 units or approximately 20%, a reduction in the number of parking spaces by approximately 15%, reduction in water usage by 15%, a reduction in school age children by 13%, a reduction in the amount of impervious surface coverage while increasing the area to remain as green space and not developed, adjustments to a retaining wall along the eastern parking lot and relocation of the pathway on the western side of the Property to avoid Very Steep Slopes, and providing approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River, beyond what was originally proposed; and

WHEREAS, the Amended Project is no longer a Type I Action because it was amended to include 246 total dwelling units, which falls below the threshold for Type I Actions, and accordingly the Amended Project is an Unlisted Action pursuant to SEQRA; and

WHEREAS, based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Original Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board adopted an Amended Negative Declaration on July 10, 2018 and determined that the Amended Proposed Action will not have any significant adverse impacts upon the environment; and

WHEREAS, on July 10, 2018 the Planning Board also determined that the Amended Project is entirely consistent with the LWRP policies which apply to the Amended Project; and

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[2] The Applicant's representatives calculated the deduction of total lot area as 110,284 square feet whereas the City Engineer calculated the deduction of total lot area as 110,533 square feet. The Special Permit Resolution by the City Council references 110,284 square feet. Both figures result in a maximum density of 252 units.

WHEREAS, on July 16, 2018, the City Council opened and closed a public hearing on the Special Use Permit application in connection with the Amended Project and approved the Special Use Permit application by Resolution 116-2018 (the "Special Permit Resolution") after finding the Amended Proposed Action complies with City of Beacon Zoning Code § 223-18; and

WHEREAS, on August 8, 2017 the Planning Board opened a duly noticed public hearing on the application for Site Plan approval concerning the Original Proposed Action, at which time all those interested were given an opportunity to be heard and the public hearing was continued to September 12, 2017, October 11, 2017, November 14, 2017, December 12, 2017 and thereafter adjourned month to month to June 12, 2018; and

WHEREAS, on August 14, 2018 the Planning Board re-opened a duly re-noticed public hearing on the application for Site Plan approval and opened a duly noticed public hearing pursuant to City of Beacon Zoning Code § 223-16.C regarding impacts to very steep slopes, at which time all those interested were given an opportunity to be heard and the public hearings were closed on September 11, 2018; and

WHEREAS, on September 11, 2018 the Planning Board opened a public hearing on the application for Subdivision approval, at which time all those interested were given an opportunity to be heard and the public hearings were closed on September 11, 2018; and

WHEREAS, the Planning Board has reviewed the proposed Site Plan in accordance with City of Beacon Zoning Code §223-16.B concerning impacts to Very Steep Slopes; and

WHEREAS, on September 7, 2017, the Planning Board's Architectural and Community Appearance Board of Review (the "ARB") reviewed the Original Proposed Action and recommended approval of the design, basing its criteria on City Code §86-6, such that no building or structure is so detrimental to the desirability, property values or development of the surrounding area as to provoke one or more harmful effects set forth in City Code §86-2, and the Amended Project does not materially change the design of the proposed seven buildings; and

WHEREAS, the Planning Board is fully familiar with the Amended Project and has reviewed the Amended Project relative to all applicable provisions of the City of Beacon Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board has reviewed the proposed Site Plan in accordance with City of Beacon Zoning Code §223-16.B concerning impacts to Very Steep Slopes and finds that the Project avoids construction on Very Steep Slopes, as defined by the City of Beacon Zoning Code, to the extent practicable and further finds that to the extent there are impacts to Very Steep Slopes:

(1) There is no other suitable alternative area within the lot available for the proposed development. Disturbing a small portion of Very Steep Slopes is necessary for

almost any type of reasonable development of the Property. A looped road with two points of ingress and egress is recommended for safety purposes and would likely be required for any type of multifamily development on the Property, which is evidenced by the prior disturbance of Very Steep Slopes for previous development on the Property. Further, moving the interior drives to avoid disturbance to Very Steep Slopes would decrease ADA accessibility. Most of the Very Steep Slopes on the Property with the exception of the Bluff on the west side appear to be man-made from previous development of the Property and construction of Bank Street.

(2) The proposed development is the minimum necessary to make reasonable use of the land. The density of the Project has been reduced from 307 units to 246 units which is six fewer units that the maximum permitted on the Property. In addition, clustering the development reduces the need for a larger footprint which would disturb additional land. Several site design elements have been proposed to further reduce disturbance to the minimum necessary to make reasonable use of the Property, including (i) reduction of parking areas and travel lanes, (ii) landbanked parking and parking under buildings, (iii) retaining wall along the parking area along Buildings 1 and 2 to minimize impacts to Very Steep Slopes along Bank Street and maintain existing vegetation, (iv) relocation of the trail along the Bluff further from the ridgeline, (v) elimination of parallel parking spaces from the access road to reduce impacts to fragmented interior Very Steep Slopes, and (vi) relocation of the retaining wall along the west side of the site entrance off Branch Street to minimize impacts to Very Steep Slopes;

(3) All feasible construction standards and precautions will be taken to assure that environmental impacts are minimized. Temporary erosion and sediment control (E&SC) measures will be implemented during construction, and permanent E&SC measures are incorporated into the project design. Weekly inspections of the temporary E&SC measures by a qualified professional will be required; and

(4) The purpose and intent of Section 223-16.B of the Zoning Code are satisfied to the maximum extent feasible. As stated above, most of the Very Steep Slopes on the Property appear to be man-made as a result of previous development of the Property, with the exception of the Bluff at the western edge of the Property. The Bluff will remain largely undisturbed as a result the Project. Thus, the purpose and intent of the Code in preventing erosion, minimizing stormwater runoff, preserving the City's underground water resources, and protecting the City's character and property values, is satisfied by the Project's avoidance of disturbance to Very Steep Slopes, particularly those that are natural and not man-made, to the maximum extent feasible.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Preliminary Subdivision Plat Approval for the Amended Project, as shown on the application materials referenced above.

BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the Final Subdivision Plat will not be substantively changed from the Preliminary Subdivision Plat and hereby determines that a public hearing on the Final Plat is not required.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Subdivision Plat Approval, as shown on the application materials referenced above, subject to the conditions and modifications set forth herein, and also hereby grants Site Plan Approval for the Property located and collectively known as 22 Edgewater Place, as shown on the application materials enumerated above, subject to the following conditions:

A. The following conditions shall be fulfilled prior to the signing of the Final Subdivision Plat by the Chairman of the Planning Board:

1. All application review fees shall be paid in full.

2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Amended Project, including but not necessarily limited to approval from the Dutchess County Department of Health, and shall meet all conditions contained in such approvals, as required therein.

3. The comments contained in the City Engineer's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, pertaining to the Subdivision Plat shall be fulfilled to the satisfaction of the City Engineer.

4. The comments contained in the City Planner's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, pertaining to the Subdivision Plat shall be fulfilled to the satisfaction of the City Planner.

5. The Applicant has agreed that the trail depicted on the western side of the Property which connects to Tompkins Terrace to the North and is generally adjacent to the Bluff as depicted on the Amended Site Plan and the sidewalks south of Building 5 and along the Branch Street entry that connect to Bank Street (the "Connection Trail") are open to the public, dawn to dusk, weather dependent. A note shall be added to the plat to this effect.

6. The Applicant has further agreed that the Connection Trail may be connected, at the City's sole cost and expense, in the future to the City's proposed Greenway Trail to the west along the Metro North property (the "Greenway Trail"). The note on the plat regarding the future trail linking the future Greenway Trail to the Connection Trail shall be revised to replace the reference to a reservation of rights by the City of Beacon with a grant of easement rights to the City of Beacon and otherwise clarify the scope of the

easement to the satisfaction of the City Attorney, consistent with the Special Permit Resolution adopted by the City Council, which provides the Final Subdivision Plat shall contain language satisfactory to the City Attorney offering for dedication to the City an easement, without a legal description, for the City to locate, construct and maintain said Greenway Trail connection.

7. As per the Special Permit Resolution adopted by the City Council for this Project, regulations regarding public use of the Connection Trail were directed to be determined during Site Plan review. Accordingly, the Connection Trail is subject to the following regulations:

   i. The Connection Trail shall be open to the public from dawn to dusk, subject to weather conditions.

   ii. The Applicant has the right to close the Connection Trail due to weather conditions or other unsafe or hazardous conditions, including but not limited to construction activity on the Property.

   iii. The Connection Trail shall be used for purposes of pedestrian recreation or otherwise traveling to and from the Metro North Train Station.

   iv. The Applicant shall keep the Connection Trail in good working order for the purposes described above.

   v. The Applicant shall be solely responsible for the construction, maintenance, repair and replacement of the Connection Trail.

8. All easements shall be shown on the Final Subdivision Plat to the satisfaction of the City Engineer and City Attorney.

9. The following easement agreements, declarations of restrictive covenants or other appropriate documents shall be prepared and submitted to the City Attorney for review and shall be recorded in the Dutchess County Clerk's Office simultaneously with the Subdivision Plat, with a copy of the recorded documents submitted to the City Clerk for filing:

   i. Stormwater Easement and Maintenance Agreement

   ii. "Connection Trail" Easement Agreement or Declaration for the purpose of authorizing public access over the "Connection Trail" from Tompkins Terrace to Branch Street.

   iii. Declaration or Easement Agreement granting to the City of Beacon a 20-foot right-of-way for the construction and maintenance of a trail linking the off-site Greenway Trail to the "Connection Trail" within

the area depicted on the Final Subdivision Plat as "Limits of 'Connection Trail' Connection Area," with the exact location of the 20-foot right-of-way to be determined at a future date. The easement shall include reference to the "Limits of the 'Connection Trail' Connection Area" as shown on the Final Subdivision Plat. As per Special Permit Resolution #116-2018 adopted by the City Council for the Project, construction of the trail linkage shall be at the City of Beacon's sole cost and expense.

10. An Offer of Dedication with a description of the area to be dedicated as shown on the subdivision plat to the north of the Branch Street right-of-way shall be submitted to the City Council.

11. The proposed water lines serving the Project are being offered for dedication to the City of Beacon. An Offer of Dedication shall be submitted to the City Council along with a draft Water Line Easement Agreement. In the event the City Council does not accept dedication of the installed water lines, the Applicant shall be solely responsible for the maintenance, repair and replacement of such lines.

12. The Applicant shall post a performance bond with the City of Beacon for the public improvements which include, but are not limited to, the proposed water system, Branch Street improvements, and traffic signal timing modifications. The Applicant's engineer shall prepare a cost estimate for the work and provide to the City Engineer for review.

When the conditions above have been satisfied, four (4) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairman. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

B. Prior to the signing of the Site Plan Drawings by the Planning Board Chairman, the following conditions shall be fulfilled:

1. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Amended Project, including but not necessarily limited to approval from the Dutchess County Department of Health, and shall meet all conditions contained in such approvals, as required therein.

2. The comments contained in the City Engineer's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.

3. The comments contained in the City Planner's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner.

C. Prior to the issuance of a Building Permit, the following conditions shall be fulfilled:

1. The Applicant shall submit a Maintenance Agreement, License Agreement or other similar document to the City Council for review concerning the Applicant's agreement to maintain the approximately 155 foot section of the Branch Street public right-of-way which extends from the intersection of Bank Street and Branch Street westward to the point where Branch Street becomes a private right-of-way, due its use as the primary access to the Project with only one other private user (Bobbit, Parcel ID 5954-25-569966).

2. The Applicant shall establish an escrow with the City of Beacon for the inspection of the water main installation.

3. The Applicant shall establish an escrow for stormwater inspections by the City Engineer on behalf of the City of Beacon.

4. Pursuant to Section 223-41.10.A, the Applicant shall submit floor plans which provide a mix of unit types in the same proportion as all other units in the development, subject to approval by the Planning Board. The floor plans should indicate the location of each BMR unit to be provided.

5. Pursuant to Section 223-26.E of the Zoning Code, the Applicant shall be responsible for the construction of the forty-five (45) landbanked parking spaces as shown on the approved site plan referenced herein within six (6) months of the date such spaces may be deemed necessary by the Planning Board. A landbanked parking agreement shall be submitted to the City Attorney for review and approval.

D. Prior to the issuance of a Certificate of Occupancy, the following conditions shall be fulfilled:

1. The Applicant shall perform the traffic signal timing modifications, including adaptive software technology if required, for the AM Peak Hour for the Wolcott Avenue/Verplanck Avenue intersection and for the PM Peak Hour for the Wolcott Avenue/Beekman Street intersection, as set forth in the Traffic Impact Study, dated January 18, 2017, revised February 27, 2017, including any subsequent revisions thereto, as prepared by Maser Consulting, P.A, Hawthorne, N.Y., to the satisfaction of the Building Inspector, City Engineer, City Traffic Consultant and NYSDOT.

E. The following are general conditions which shall be fulfilled:

1. Within 6-12 months following completion and full occupancy of the Amended Project, the following intersections will be monitored by the Applicant to assess whether traffic signal warrants are satisfied at these locations:

   a. Wolcott Avenue/Tompkins Avenue

   b. Beekman Street/West Main Street

   Prior to monitoring, the Applicant shall submit a Monitoring Protocol for review and approval of the City Traffic Consultant and NYSDOT, which shall include pedestrian and bicyclist counts. If a traffic signal is warranted, the Applicant shall contribute its fair share toward the installation of a traffic signal based on the level of traffic volume the Project contributes to the intersection or other reasonable basis consistent with best practices in the industry.

2. Pursuant to NYSDEC recommendations, removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and April 1 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees.

3. Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit and Site Plan, respectively.

4. Based on the current and anticipated future need for park and recreational opportunities in the City of Beacon, as set forth in the analysis provided by BFJ Planning, and the demands of the future population of the Amended Project, the Planning Board hereby finds that additional recreation/parkland should be created as a condition of approval. However, the Planning Board hereby determines that recreation/parkland of adequate size and location cannot be provided on the Project Site or is otherwise impractical. Therefore, that Applicant shall pay a Recreation Fee as prescribed under Section 225-25.H of the City Code. The Planning Board hereby requires that, prior to the issuance of the first Certificate of Occupancy for each building, the Applicant shall pay a Recreation Fee for the number of units located in the subject building, as per the City's Fee Schedule in effect at the time of payment.

5. Rock removal operations shall be limited to 8 a.m. to 5 p.m., Monday through Friday. Rock removal shall not occur on any federal holidays or weekends.

6. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.

7. This approval is conditioned upon compliance with all of the mitigation measures specified in the Applicant's Full EAF and related application documents, including the SEQRA Negative Declaration. The Applicant shall be responsible for the funding and/or implementation of all such identified mitigation measures. Where the terms of this resolution may be inconsistent with the Full EAF, the terms of this resolution shall be controlling.

8. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this Amended Project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.

9. As used herein, the term "Applicant" shall include Scenic Beacon Developments, LLC, and its heirs, successors and assigns.

10. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

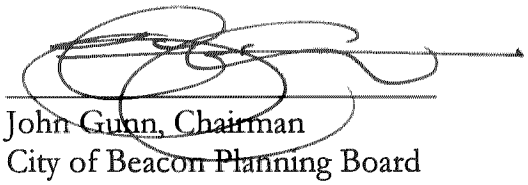
11. The approvals granted by this resolution do not supersede the authority of any other entity.

12. Conditional approval of the Final Subdivision Plat shall expire one hundred eighty (180) days from the date of the adoption of this resolution unless all items in Condition A above have been certified as completed and the Final Plat has been submitted for endorsement by the Planning Board Chairman, or unless a written request for an extension of Final Subdivision Plat Approval is granted. The Planning Board may grant ninety (90) day extensions to said time period.

13. Once the Final Subdivision Plat has been endorsed by the Planning Board Chairman, said plat must be filed in the Dutchess County Clerk's Office within sixty-two (62) days. After said filing, two (2) copies of the Final Plat certified by Dutchess County shall be submitted to the Planning Board Secretary. One (1) certified copy of the Final Plat shall be retained by the Planning Board and the other certified copy shall be transmitted to the City Clerk along with a signed copy of this resolution and proof of recording of the easement documents described above.

14. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer.

Resolution Adopted: September 11, 2018
Beacon, New York



John Gunn, Chairman
City of Beacon Planning Board

9/17, 2018
Dated

Motion by R.Williams, seconded by P.Lambert:

Gary Barrack	Voting: Excused	Jill Reynolds	Voting: AYE
David Burke	Voting: AYE	Randall Williams	Voting: AYE
Patrick Lambert	Voting: AYE	John Gunn, Chairman	Voting: AYE
Rick Muscat	Voting: Excused		

Approved: 5-0

Received in the Office of the
City Clerk
on September 17, 2018

Received by office of the City Clerk 3/13/2024

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

PRELIMINARY AND FINAL INTERNAL PROPERTY SUBDIVISION PLAT APPROVAL
FOR SCENIC BEACON DEVELOPMENTS, LLC (18-30 Edgewater Place)

Parcel ID# 5955-19-590022

WHEREAS, the Beacon Planning Board received from Scenic Beacon Developments, LLC ("Applicant") an application for Internal Property Subdivision Approval pursuant to City of Beacon Zoning Code §223-25.C(3) (the "Applicant"), for a 7-lot internal property subdivision ("Project"), on property located at 18-30 Edgewater Place in the Designed Residence Zoning District ("RD-1.7") and designated on the Tax Map of the City of Beacon as Parcel ID# **5955-19-590022** (the "Property"); and

WHEREAS, by Resolution dated September 11, 2018 the Applicant received Site Plan and Subdivision (lot merger) approvals for the construction of seven buildings containing 246 apartments including 25 workforce housing units (350 bedrooms total) (the "Approvals"); and

WHEREAS, the Approvals were preceded by the Planning Board's issuance of a consistency determination pursuant to the Local Waterfront Revitalization Program ("LWRP") on July 10, 2018, the Planning Board's adoption of an Amended Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA") on July 10, 2018, the City Council's approval of a Special Use Permit to allow multifamily housing, and the approval of several area variances by the Zoning Board of Appeals; and

WHEREAS, pursuant to Zoning Code §223-25.C(3), the Applicant now proposes to place Buildings 1, 2, 5, 6, and 7 on individual lots, and Buildings 3 and 4 would be on a single lot because the buildings are integrated structures; and

WHEREAS, Proposed Lot 1 would consist of 453,387 square feet (10.408 acres) consisting of common and/or shared areas, facilities, and amenities, Proposed Lot 2 would consist of 10,200 square feet (0.234 acres) containing one building, Proposed Lot 3 would consist of 10,200 square feet (0.234 acres) containing one building, Proposed Lot 4 would consist of 20,195 square feet (0.464 acres) containing Buildings 3 and 4 which are integrated structures, Proposed Lot 5 would consist of 8,500 square feet (0.195 acres) containing one building, Proposed Lot 6 would consist of 10,200 square feet (0.234 acres) containing one building, and Proposed Lot 7 would consist of 8,500 square feet (0.195 acres) containing one building; and

WHEREAS, the Planning Board is the approval authority for the Internal Property Subdivision pursuant to the City of Beacon Code §195-2 and Zoning Code §223-25.C(3); and

WHEREAS, Zoning Code §223-25.C(3) authorizes the Planning Board, after completion of Site Plan review, to subdivide one or more of the lots or buildings within a project that will continue to be controlled by an approved Site Plan; and

WHEREAS, the proposed Internal Property Subdivision will not change the scope of development on the Property which will continue to be controlled by the Approved Site Plan, which was approved by the Planning Board by Resolution dated September 11, 2018; and

WHEREAS, informal comments received from the Dutchess County Department of Behavioral & Community Health ("DCDOH") note that due to the proposed subdivision the sewage collection system for the property which was previously proposed to remain private will now be required to be public (i.e. dedicated to the City of Beacon) or a transportation corporation will need to be formed by the Applicant pursuant to the provisions of the NYS Transportation Corporation Law; and

WHEREAS, the application consists of application forms, correspondence and plans submitted to the Planning Board; and

WHEREAS, the proposed Internal Property Subdivision is shown on the drawings entitled "Edgewater – Preliminary Subdivision Plat prepared for Edgewater," prepared by Brendan Johnson, PLS, Johnson Surveying, LLC, dated January 24, 2024, and "Preliminary Subdivision Plat Edgewater," prepared by Hudson Land Design Professional Engineering, P.C., dated December 27, 2023; and

WHEREAS, the development of the Property as set forth on the approved Site Plan was the subject of an environmental review conducted by the Planning Board as Lead Agency pursuant to the New York State Environmental Quality Review Act ("SEQRA") which concluded with the Planning Board's adoption of a Negative Declaration on December 12, 2017, amended July 10, 2018; and

WHEREAS, the requested Internal Property Subdivision is an additional permit/approval sought as part of the Proposed Action previously evaluated by the Planning Board under SEQRA, and does not create new or different adverse environmental impacts, therefore the Planning Board's Amended Negative Declaration dated July 10, 2018 fully addresses the whole action, including the proposed subdivision approval, and no further SEQRA review is required; and

WHEREAS, the Planning Board reviewed the application at its meetings on February 14, 2024 and March 12, 2024 and considered comments by its consulting engineer and planner; and

WHEREAS, on March 12, 2024 the Planning Board opened a duly noticed public hearing on the application for Subdivision approval concerning the Proposed Action, at which time all those interested were given an opportunity to be heard and the public hearing was closed on March 12, 2024; and

WHEREAS, the Planning Board is fully familiar with the Proposed Action and has reviewed the Proposed Action relative to all applicable provisions of the City of Beacon Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants Preliminary Internal Property Subdivision Plat Approval for the Project, as shown on the application materials enumerated above.

BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the Final Internal Property Subdivision Plat will not be substantively changed from the Preliminary Subdivision Plat and hereby determines that a public hearing on the Final Plat is not required.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Internal Property Subdivision Plat Approval to the Project, as shown on the application materials enumerated above, subject to the following conditions and modifications set forth below and any other requirements which must be met by law:

A. The following conditions shall be fulfilled prior to the signing of the Final Internal Property Subdivision Plat by the Chairperson of the Planning Board:

1. All application review fees shall be paid in full.

2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Project, including but not necessarily limited to approval from the Dutchess County Department of Behavioral & Community Health, and shall meet all conditions contained in such approvals, as required therein.

3. The comments contained in the City Engineer's letter to the Planning Board dated March 8, 2024, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.

4. The Applicant shall either (i) form a Transportation Corporation for sewer works pursuant to the provisions of the NYS Transportation Law, or (ii) submit to the City an Offer of Cession and Dedication for the sewer infrastructure in a form acceptable to the City Attorney, to be recorded in the Dutchess County Clerk's Office, and satisfactory assurance delivered to the City Attorney that those documents shall be recorded in the Dutchess County Clerk's Office in appropriate order in relationship to the timing of the filing of the Internal Property Subdivision Plat, and that a copy of the

documents with proof of their recording will be promptly submitted to the Planning Board Secretary for filing with a copy to the City Attorney. In the event the City of Beacon City Council declines to accept dedication of the sewer infrastructure, the Applicant shall form a Transportation Corporation, unless otherwise required by the DCDOH.

5. All existing and proposed easements, restrictive covenants and related notes, as applicable, shall be shown on the Final Internal Property Subdivision Plat to the satisfaction of the City Engineer and City Attorney. Proposed easement agreements, declarations of restrictive covenants or other appropriate documents corresponding with the easements and notes shown on the Final Internal Property Subdivision Plat shall be prepared, as applicable, and submitted to the City Attorney for review as to form, and satisfactory assurance delivered to the City Attorney that those documents shall be recorded in the Dutchess County Clerk's Office in appropriate order in relationship to the timing of the filing of the Internal Property Subdivision Plat, and that a copy of the documents with proof of their recording will be promptly submitted to the Planning Board Secretary for filing with a copy to the City Attorney.

6. The Applicant shall post a performance guaranty with the City of Beacon for any public sanitary sewer improvements. The Applicant's engineer shall prepare a cost estimate for the work and provide to the City Engineer for review.

7. The Applicant shall establish an escrow with the City of Beacon for the City's construction inspection of any public sanitary sewer installation.

When the conditions above have been satisfied, six (6) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairperson. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

B. The following are general conditions which shall be fulfilled:

1. All conditions, set forth in the any previous Planning Board Resolution related to the Property, and not explicitly superseded herein, shall remain in full force and effect. Proposed Lots 1 through 7 shall continue to be controlled by the Site Plan approved by the Planning Board on September 11, 2018 and any approved amendment thereof. The approval granted herein does not authorize any development within any Lot other than what is shown on the Approved Site Plan.

2. Pursuant to Zoning Code §223-25.C(3), the Zoning Code's Schedule of Dimensional Regulations shall apply to the overall site area covered by the Approved Site Plan, whether or not the same is or will continue to be under one ownership.

3. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.

4. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.

5. As used herein, the term "Applicant" shall include the Applicant and the Applicant's heirs, successors and assigns, and where applicable its contractors and employees.

6. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

7. The approval granted by this resolution does not supersede the authority of any other entity.

8. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer. The Planning Board, in its discretion, shall determine the appropriate procedures for consideration of the proposed revision, and whether such revision is material enough to require further environmental analysis and/or further project review, as the Board may deem appropriate.

9. Conditional approval of the Final Internal Property Subdivision Plat shall expire one hundred eighty (180) days from the date of the adoption of this Resolution unless all items in Condition A above have been certified as completed and the Final Plat has been submitted for endorsement by the Planning Board Chairperson, or unless a written request for an extension of

Final Internal Property Subdivision Plat Approval is granted. The Planning Board may grant ninety (90) day extensions to said time period.

10. Once the Final Internal Property Subdivision Plat has been endorsed by the Planning Board Chairperson, said Plat must be filed in the Dutchess County Clerk's Office within sixty-two (62) days. After said filing, two (2) copies of the Final Plat certified by Dutchess County and showing the assigned Filed Map number shall be submitted by the Applicant to the Planning Board Secretary. One (1) certified copy of the Final Plat shall be retained by the Planning Board and the other certified copy shall be transmitted to the City Clerk along with a signed copy of this Resolution and proof of recording of the easement(s) and other documents described above.

Resolution Adopted: March 12, 2024
Beacon, New York

John Gunn, Chairperson
City of Beacon Planning Board

MARCH 12th, 2024
Dated

Motion by Mr. Warner, seconded by Ms. Quiana:

Kevin Byrne	Voting AYE	Leonard Warner	Voting AYE
Karen Quiana	Voting AYE	J. Randall Williams	Voting EXCUSED
Donna Francis	Voting AYE	John Gunn, Chairperson	Voting AYE
David Jensen	Voting AYE		

Approved: 6-0
Denied:

Doc not in DMS

400 Columbus Avenue Suite 180E
Valhalla, New York 10595
Main: 877 627 3772

Colliers Engineering & Design

June 30, 2026

Mr. John Gunn. Chair
City of Beacon Planning Board
1 Municipal Plaza
Beacon, NY 12508

Edgewater Project – Parking & Traffic Letter
City of Beacon, Dutchess County, New York
Project No. 16003078A

Dear Chairman Gunn and Members of the Planning Board,

We are writing on behalf of the Applicant, Scenic Beacon Developments LLC, in connection with the Edgewater apartment development ("the Project") located at Edgewater Place in the City of Beacon, Dutchess County, New York (the "Property"). The Property is classified within the City of Beacon RD-1.7 (Designed Residence District, 1,700 square feet per dwelling unit – minimum lot size of 5,000 square feet) zoning district. As you are aware, this Project was previously approved by your Board to include a total of 246 apartment units with a mixture of studio, one (1)-bedroom, two (2)-bedroom and three (3)-bedroom units, in addition to 284 parking spaces and 45 land banked parking spaces, for a total of 329 parking spaces on the Property, where 328 parking spaces were required under the then-existing City parking regulations. ("Approved Project"). The land banked parking spaces were to remain as set aside grassed area for future parking should parking demand warrant the construction of these additional parking spaces.

The Applicant is now proposing two (2) additional studio apartment units, thus increasing the total number of apartments on the Property to 248 units and revisions to the off-street parking facilities ("Modified Project"). Based on the Applicant's recent experience at the site, along with their experience managing other similar apartment complexes in the City, the Applicant has identified a need to construct a certain potion of the land bank parking spaces at this time in slightly different areas on the Property (i.e., 37 additional spaces). With the additional spaces the total number of spaces provided on the site will be 321 parking spaces.

The City of Beacon Zoning Code (the "Zoning Code") provides specific off-street parking requirements in Section 223-26 – Off Street Parking, Loading and Vehicular Access. Since the time of the original approvals for the Project, the Zoning Code has been modified to change the parking standards. The Zoning Code now specifies both minimum and maximum parking standards. Exhibit No. 1 below summarizes the minimum and maximum parking standards, and the resulting minimum required and maximum allowable parking spaces for both the Approved Project and the Modified Project based on the current Zoning Code parking standards.

Colliers Engineering & Design

Exhibit No. 1 – City of Beacon Code Required Parking

	Size	Code Minimum Parking Standard		Code Maximum Parking Standard	
Approved Project	246 Units	1.0 Space/ Dwelling Unit	246 Spaces	3.0 Space/ Dwelling Unit	738 Spaces
Modified Project	248 Units	1.0 Space/ Dwelling Unit	248 Spaces	3.0 Space/ Dwelling Unit	744 Spaces

Notes:

1. City of Beacon Code Minimum and Maximum Parking Standards are based on Section 223-26.D of the City Code.

The 321 parking spaces proposed to be provided by the Modified Project are considered Zoning Code compliant since they fall between the 248-space minimum and 744-space maximum allowable parking spaces identified by the Zoning Code.

With the additional two (2) apartment units, for a total of 248 units, and the implementation of the land bank parking spaces, the provided parking ratio on the site will be 1.29 spaces per dwelling unit. The Applicant's recent experience at the Edgewater site as well as their experience at other locations int the City, the Applicant has identified a need for a parking ratio of 1.25 spaces per dwelling unit at the site, which the proposed parking will exceed with the implementation of the land bank parking spaces.

Furthermore, parking demand data provided by the Institute of Transportation Engineers (ITE) as contained in the ***Parking Generation Manual, 6th Edition (2023)*** was reviewed. ITE provides parking demand data for Land Use 220 – Multifamily Housing (Low-Rise) which was referenced to identify an anticipated parking demand for the modified project. The ITE data, which is attached to this letter for reference indicates that a Weekday parking demand of 304 parking spaces and a Saturday Parking demand of 290 parking spaces can be expected for the 248 unit Modified Project. This parking demand would be accommodated by the proposed 321 parking spaces.

In addition to the review of the prosed parking, it should be noted that the addition of the two (2)-studio apartments is anticipated to result in a negligible increase in traffic generation associated with the Project. In fact, ITE data indicates that the two (2) additional studio apartments would result in peak hour traffic volume increase of just one (1) vehicle during the Weekday AM and Weekday PM Peak hours.

Sincerely,

Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C.

Richard D'Andrea, PE, PTOE
Department Manager

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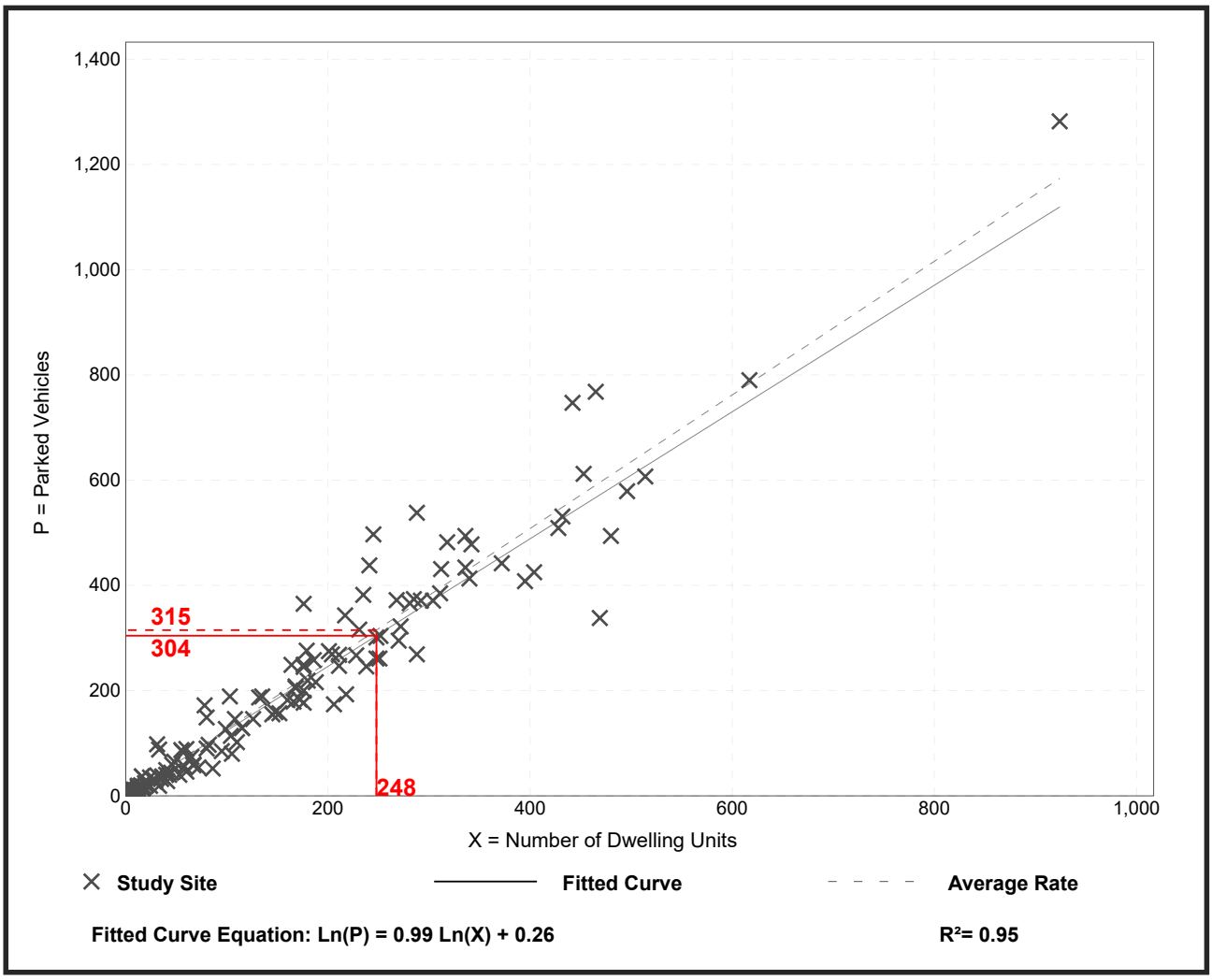
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Number of Studies: 143
Avg. Num. of Dwelling Units: 154

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.27	0.58 - 3.16	1.07 / 1.59	1.22 - 1.32	0.29 (23%)

Data Plot and Equation



Parking Generation Manual, 6th Edition ● Institute of Transportation Engineers

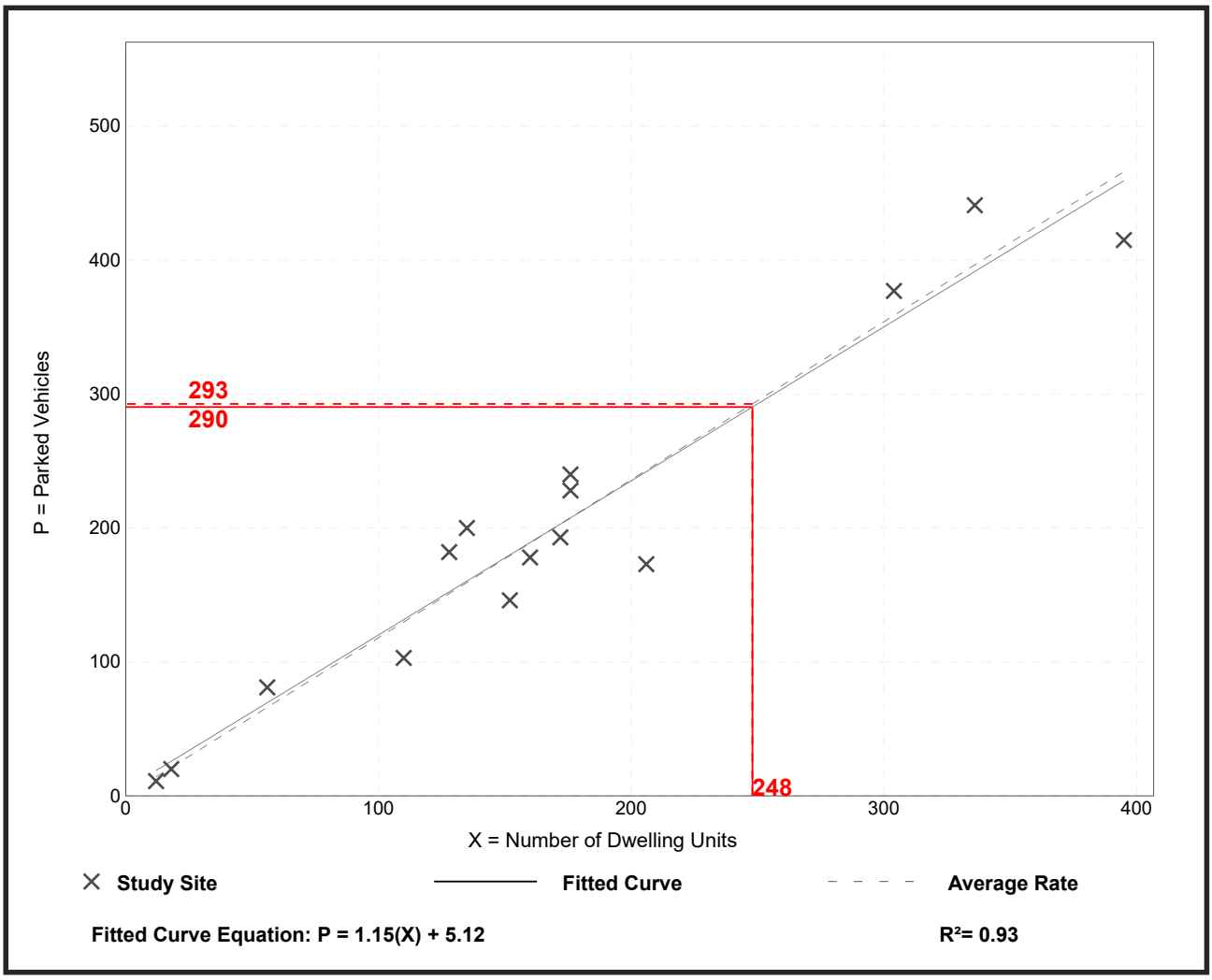
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Saturday**
Setting/Location: **General Urban/Suburban**
Number of Studies: 15
Avg. Num. of Dwelling Units: 169

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.18	0.84 - 1.48	1.07 / 1.44	***	0.19 (16%)

Data Plot and Equation



Parking Generation Manual, 6th Edition ● Institute of Transportation Engineers

City of Beacon City Council Agenda
08/03/2026

Title:

Resolution No. 63 - Awarding a Contract for 2026 Accessible Curb Ramps

ATTACHMENTS

Resolution Awarding a Contract for 2026 Accessible Curb Ramps

City Engineer Memorandum Regarding Beacon 2026 Accessible Curb Ramps Bid Results

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 63 OF 2026

AWARDING A CONTRACT TO A-TECH CONCRETE COMPANY, INC. FOR THE 2026 ACCESSIBLE CURB RAMPS PROJECT

WHEREAS, the City of Beacon published an advertisement pursuant to General Municipal Law § 103 and Chapter 53 of the Beacon City Code, seeking qualified contractors for COB Bid No. 2026-003, the 2026 Accessible Curb Ramp Project; and

WHEREAS, on July 21, 2026, seven (7) sealed bids were received and opened; and

WHEREAS, the bid submitted by Raja Contractors, Inc., was found to be the lowest bid, but was withdrawn by applicant's request; and

WHEREAS, the City Engineer recommends awarding the 2026 Accessible Curb Ramp Project to the lowest responsible bidder, A-Tech Concrete Company, Inc., which submitted a responsive and complete bid, for a total base bid amount of Three Hundred and Forty-Eight Thousand, Nine Hundred and Seventy and 00/100 Dollars ($348,970.00).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council of the City of Beacon hereby awards COB Bid No. 2026-003, for the 2026 Accessible Curb Ramps Project to A-Tech Concrete Company, Inc., in the amount of Three Hundred and Forty-Eight Thousand, Nine Hundred and Seventy and 00/100 Dollars ($348,970.00); and

BE IT FURTHER RESOLVED, the City Administrator is hereby authorized to execute an agreement with A-Tech Concrete Company, Inc., subject to approval by the City Attorney as to form and substance, and to take all actions necessary to effectuate the intent of this Resolution and to cause compliance with the agreement awarded to A-Tech Concrete Company, Inc.

Resolution No. 63 of 2026		**Date: August 3, 2026**					
☐ **Amendments**						☐ **2/3 Required**	
☐ **On roll call**						☐ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

LANC & TULLY
Engineering and Surveying, D.P.C.

July 30, 2026

Mr. Benjamin Swanson
City Administrator
City of Beacon City Hall
1 Municipal Plaza
Beacon, NY 12508

and

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

RE: Beacon 2026 Accessible Curb Ramps
City of Beacon
Award Recommendation

Dear Mr. Swanson & Mr. Manzi:

A total of seven (7) bid proposals were submitted and opened on July 21st, 2026, for the ***Beacon 2026 Accessible Curb Ramps*** project. The seven proposals were carefully reviewed; all multiplication between estimated quantities and unit prices checked; and addition of total prices checked against the total contract amount. All submitted bid proposals were found to be complete.

After the bid opening, a correspondence was received from Raja Contractor's Inc. (the perspective low bidder) in which they requested that their bid be withdrawn. Based upon the correspondence received from Raja Contractor's for withdrawal of their bid proposal, the bid submitted by Raja Contractor's has not been considered.

Based upon the above, the following tabulation shows the order from lowest bidder, the name of the bidder, and total contract amount, with the bid submitted by Raja Contractor's not being included. The engineer's estimate for the project was approximately $403,000.00.

NAME OF BIDDER	TOTAL CONTRACT AMOUNT
A-Tech Concrete Company, Inc. Edison, NJ	$348,970.00
Sun Up Construction Corp.	$387,859.00
GMC Construction Services Inc. New Hampton, NY	$399,568.00
Scape-Tech Landscape Technology, Inc. Katonah, NY	$399,990.00
Maruti Construction LLC. Moonachie, NJ	$413,642.00
Blacktop Maintenance Corp. Poughkeepsie, NY	$461,450.49

The lowest responsible bidder is A-Tech Concrete Company, with the total base bid amount of $348,970.00.

A-Tech Concrete Company has submitted information related to projects in which they have completed the work as outlined within the proposed project for several other municipalities. References supplied were called and checked to verify the work completed by the prospective low-bidder and were found to be acceptable. In our opinion, A-Tech Concrete Company, Inc. should be considered the lowest responsible bidder based upon the submitted information and Chapter 53 of the City Code. Along with the bid, the contractor has submitted a Non-Collusive Bidding Certificate, and a Bid Bond.

It is our recommendation to the City Council to award the ***Beacon 2026 Accessible Curb Ramps*** project to A-Tech Concrete Company, Inc.

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

Very truly
LANC & TULLY, P.C.

John Russo, P.E.

Cc: Nick Ward-Willis, City Attorney

RAJA CONTRACTORS INC.
OFFICE ADDRESS - 250-07 88TH ROAD,
BELLEROSE, NEW YORK 11426
EMAIL - 108rajacontractorsinc@gmail.com
TELEPHONE - 929-601-9414

07/30/2026

To:
City of Beacon
1 Municipal Plaza, Beacon, New York 12508

Subject: Bid Withdrawal – 2026 Beacon Accessible Curb Ramp

Dear Sir/Madam,

Please accept this letter as formal notice that Raja Contractors Inc. is withdrawing its bid for the 2026 Beacon Accessible Curb Ramp due to lack of the required firm experience.

We appreciate the opportunity to participate in the bidding process and thank you for your understanding. Please consider this letter as our official withdrawal of our bid from further consideration.

Sincerely,

Raja Contractors Inc.
Gurpreet Singh
Vice- President

Signature Gurpreet Singh

[redacted]

[redacted]

City of Beacon City Council Agenda
08/03/2026

Title:

Resolution No. 64 - Setting a Public Hearing for a Proposed Local Law Concerning Parking, Standing, and Stopping

ATTACHMENTS

Resolution Setting a Public Hearing for Parking, Standing, and Stopping

Proposed Local Law Concerning Parking, Standing, and Stopping

Proposed Tioronda Parking Plans

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 64 OF 2026

SETTING A PUBLIC HEARING FOR PROPOSED LOCAL LAW CONCERNING PARKING, STANDING, AND STOPPING

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for August 17, 2026 at 7:00 pm, for a Proposed Local Law to amend Chapter 211 of the Beacon City Code concerning time limits for parking on West Main Street and parking restrictions on Tioronda Avenue between Main Street and Wolcott Avenue.

Resolution No. 64 of 2026		**Date: August 3, 2026**					
□ **Amendments**						□ **2/3 Required**	
□ **On roll call**						□ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

PROPOSED LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 211 OF THE BEACON CITY CODE CONCERNING PARKING, STANDING AND STOPPING

A LOCAL LAW to amend Chapter 211 of the Beacon City Code concerning time limits for parking on West Main Street and parking restrictions on Tioronda Avenue between Main Street and Wolcott Avenue.

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

Section 1. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-14.1 entitled, "No parking, stopping or standing at intersection," Subsections A and B are hereby amended as follows:

§ 211-14.1 **No parking, stopping or standing at intersections.**

A. There shall be no parking, stopping or standing within 30 feet of every intersection throughout the City of Beacon. The Traffic Safety Committee shall be authorized to recommend to the City Council the appropriate location of signage at each intersection. The City Council shall review the recommendation of the Traffic Safety Committee and authorize the ~~Street~~ Highway Superintendent to erect the necessary signage not to exceed the distance of 30 feet from said intersection. The provisions of this section shall be effective upon the posting of the appropriate signage by the ~~Street~~ Highway Superintendent pursuant to §§ 1680 and 1683 of the Vehicle and Traffic Law.

B. There shall be no parking here to corner in the following locations.

Name of Street	Side	Location
	...	
Teller Avenue	Both	To a point 30 feet in both directions from the intersection of Rombout Avenue
Tioronda Avenue	~~North~~West	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue

Tioronda Avenue	West	To a point 25 feet north from the intersection of Vine Street
Van Nydeck Avenue	North	To a point 275 feet from Teller Avenue

...

Section 2. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-15 entitled, "Parking, stopping and standing prohibited at all times," Subsection B is hereby amended to add new restrictions on Tioronda Avenue as follows:

§ 211-15 **Parking, stopping and standing prohibited at all times.**

...

B. Schedule X: Parking, Stopping and Standing Prohibited at All Times. In accordance with the provisions of Subsection **A**, no person shall park, stop or stand at any time upon any of the following described streets or parts of streets:

Name of Street	Side	Location
...		
Tioronda Avenue	Both	From Knevels Avenue to Wolcott Avenue
Tioronda Avenue	Both	From Main Street to a point 25 feet south
Tioronda Avenue	East	From a distance of 140 feet from Main Street to the intersection of Wolcott Avenue ~~a point 120 feet south except Sundays~~
Tioronda Avenue	West	From the intersection of Vine Street to the intersection of Wolcott Avenue
Tioronda Avenue	South	From No. 2 Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
...		

DRAFT

Section 3. Chapter 211 of the Beacon City Code, Article III – Parking, Standing, Stopping, Section 211-17 entitled "Time limit parking," Subsection B is hereby amended to amend certain parking time limitations on West Main Street as follows:

§ 211-17 **Time limit parking.**

…

B. Schedule XII: Time Limit Parking. In accordance with the provisions of Subsection **A**, no person shall park a vehicle for longer than the time limit shown upon any of the following described streets or parts of streets:

Name of Street	Side	Time Limit; Hours/Days	Location
		…	
West Church Street	South	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 250 feet east of North Avenue to a point 30 feet west of Cross Street
West Main Street	North	~~30 minutes~~2 hours; all/all	To a point 270 feet west of the "no parking here to the corner" sign
West Main Street	North	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 270 feet west of the "no parking here to the corner" sign to the terminus of West Main Street
West Main Street	South	~~30 minutes~~2 hours; all/all	To a point 260 feet west of the "no parking here to the corner" sign
West Main Street	South	4 hours; 6:00 a.m. to 6:00 p.m./weekdays	From a point 260 feet west of the "no parking here to the corner" sign to the terminus of West Main Street

…

DRAFT

Section 4. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 211 of the Beacon City Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier shall make no substantive changes to this Local Law; that the word "Local Law" shall be changed to "Chapter," "Section" or other appropriate word as required for codification; and that any such rearranging of the numbering and editing shall not affect the validity of this Local Law or the provisions of the Code affected thereby.

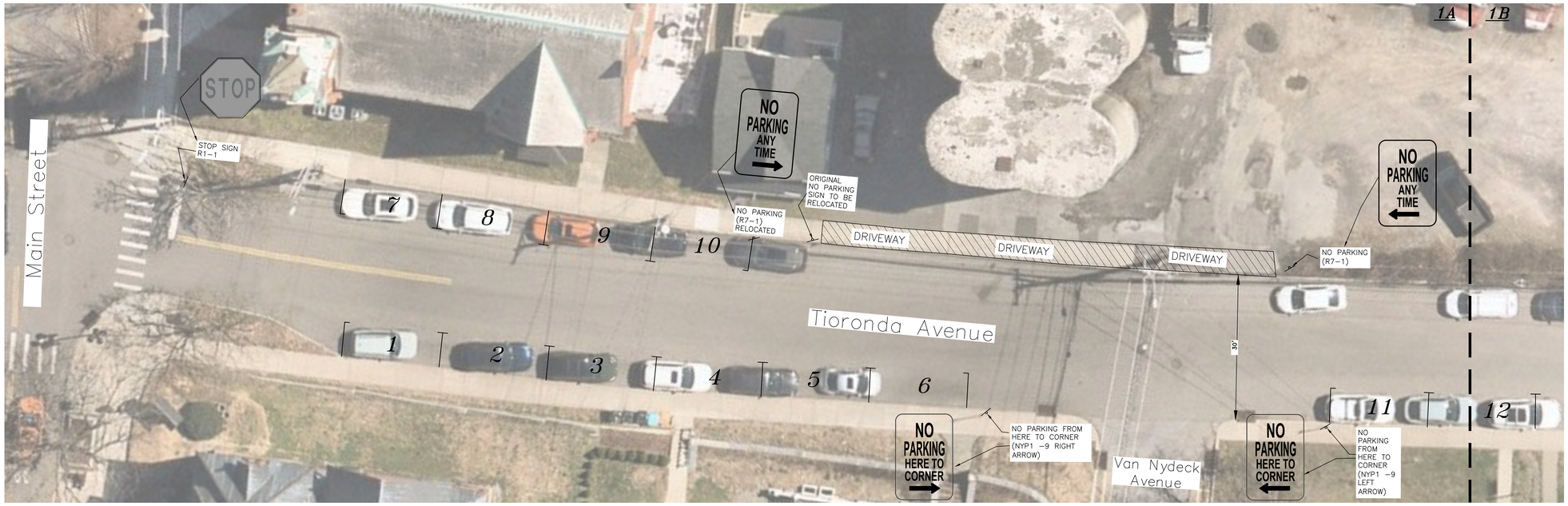
Section 6. Severability.

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

Section 7. Effective date.

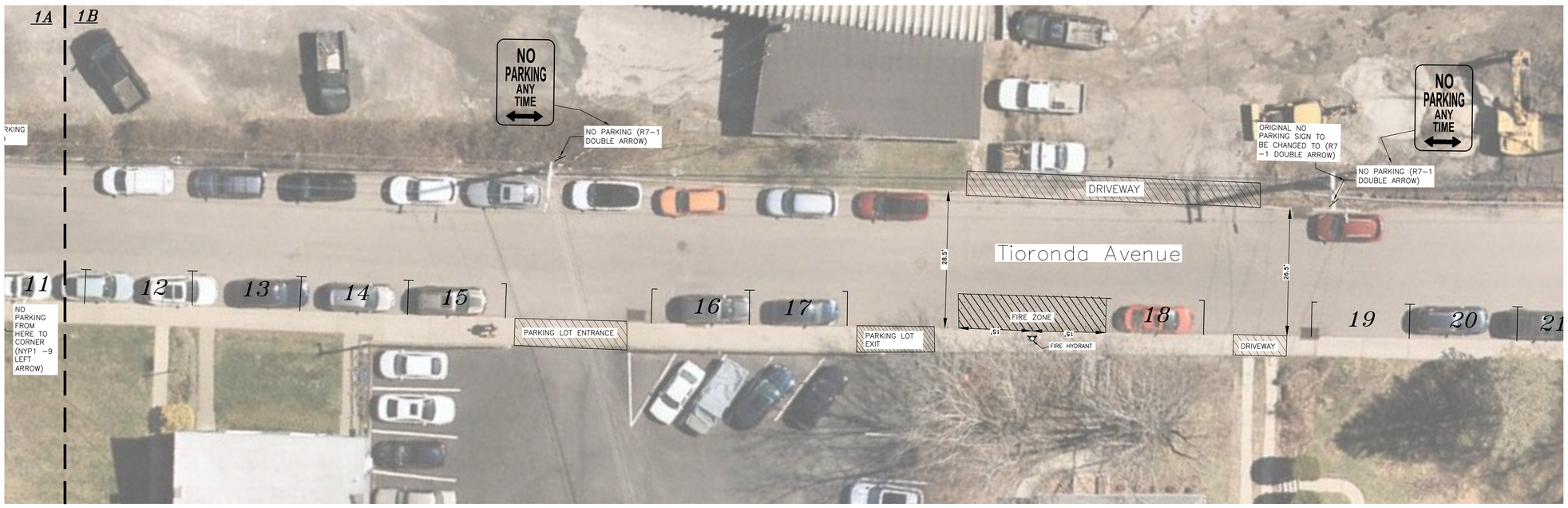
This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

DRAFT



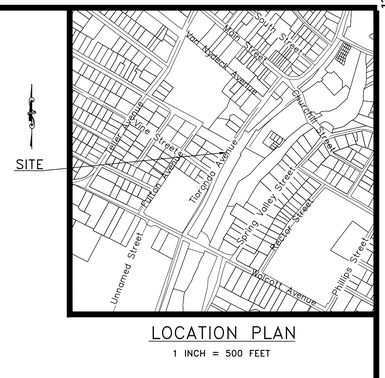
1A

SCALE: 1" = 10'



1B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

1 inch = 10 ft.

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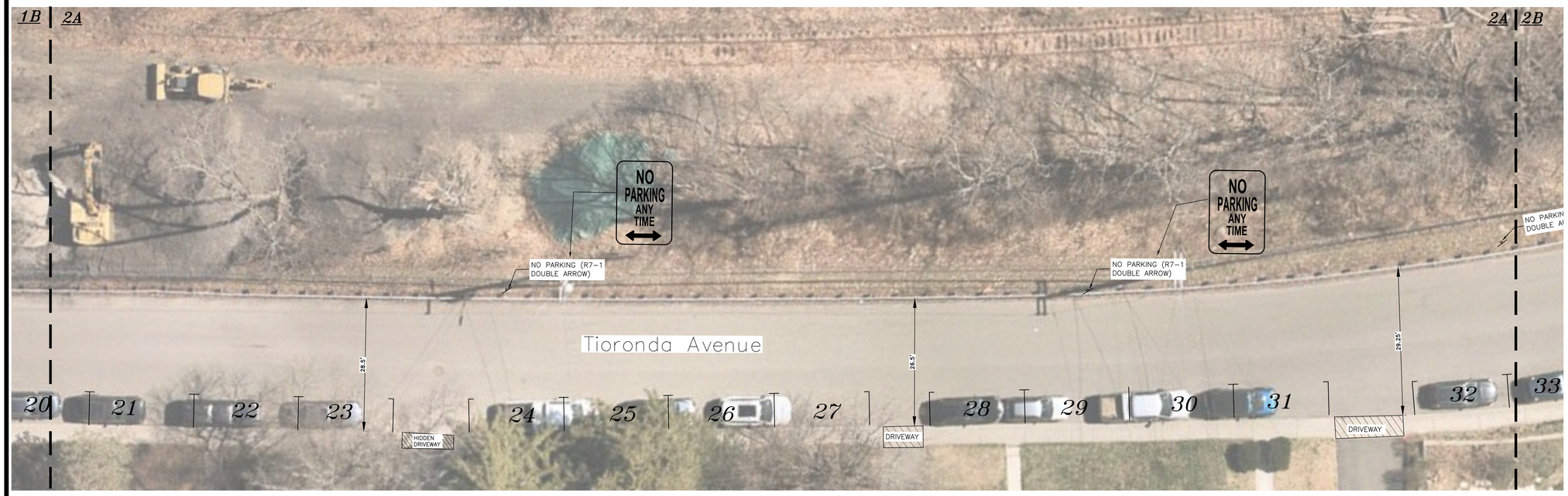
STREET PARKING PLAN PREPARED FOR

TIORONDA AVE
(MAIN ST - WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Drawn By:	Checked By:	Scale:	Tax Map No.:
SEF		1" = 10'	N/A

Date: JULY 14, 2026
Revisions:
CAD File: 666697-SITE PLAN.DWG
Layout: PARKING PLAN
Sheet No.: 1 OF 4
Drawing No.: C3D
A- 26 - 6697 - 01



2A

SCALE: 1" = 10'



2B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

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CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

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Revisions:	
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Layout:	PARKING PLAN
Sheet No.:	2 OF 4
Drawing No.:	C-3D
Drawn By:	SEF
Checked By:	
Scale:	1" = 10'
Tax Map No.:	N/A
	A– 26 – 6697 – 01



LOCATION PLAN

1 INCH = 500 FEET



3A

SCALE: 1" = 10'

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

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Revisions:	
CAD File:	266697-SITE PLAN.DWG
Layout:	PARKING PLAN
Sheet No.:	3 OF 4
Drawn By:	SEF
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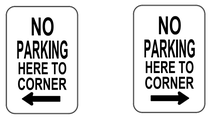
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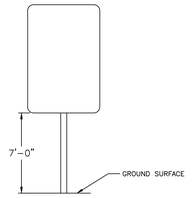
UDIG·NY
SAFE DIGGING STARTS HERE



LOCATION PLAN

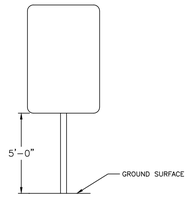
1 INCH = 500 FEET

SIGN	SIGN DESIGNATION	SIZE
	R1–1	30" X 30"
	R7–1	12" X 18"
	NYP1–9	12" X 18"
	R7–1(Double Arrow)	12" X 18"



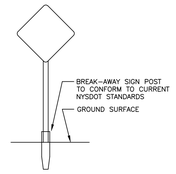
CURB/SIDEWALK SIGN HEIGHT

NOT TO SCALE



GRASS/SHOULDER/NO CURB SIGN HEIGHT

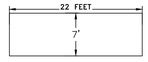
NOT TO SCALE



NOTE: SIGN TO BE MOUNTED AS REQUIRED BY NYSDOT STANDARDS

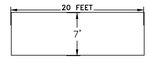
TYPICAL PERMANENT SIGN INSTALLATION

NOT TO SCALE



STANDARD PARKING STALL DETAIL

NOT TO SCALE



END PARKING STALL DETAIL

NOT TO SCALE

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GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

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A– 26 – 6697 – 01

City of Beacon City Council Agenda
08/03/2026

Title:

Resolution No. 65 - Setting a Public Hearing for an Amended Special Permit for Edgewater Place

ATTACHMENTS

Resolution Setting a Public Hearing for Amended Edgewater Special Use Permit

City of Beacon Referral and Recommendation for an Amended Special Permit for Edgewater Place

Edgewater Place Special Permit Application - Applicant Cover Letter

Edgewater Place Special Permit Application - Amended Site Plan

Edgewater Place Special Permit Application - Short EAF

Edgewater Place Special Permit Application - City Planner Review Memorandum

Edgewater Place Special Permit Application - City Engineer Review Memorandum

Edgewater Place Special Permit Application - City Council Resolution No. 116 of 2018

Edgewater Place Special Permit Application - City of Beacon ZBA Area Variance Approval Resolution (1/17/18)

Edgewater Place Special Permit Application - Amended Negative Declaration (7/10/18)

Edgewater Place Special Permit Application - Amended LWRP Consistency Determination (7/10/18)

Edgewater Place Special Permit Application - City of Beacon Planning Board Preliminary and Final Subdivision Plat Approvals and Site Plan Approval (9/17/18)

Edgewater Place Special Permit Application - City of Beacon Planning Board Internal Property Subdivision Plat Approval Resolution (3/12/24)

Edgewater Place Special Permit Application - Colliers Parking Analysis Letter (6/30/26)

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 65 OF 2026

SETTING A PUBLIC HEARING FOR AN AMENDED SPECIAL USE PERMIT FOR EDGEWATER PLACE

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for August 17, 2026 at 7:00 pm, for an amended special use permit for Edgewater Place.

Resolution No. 65 of 2026			**Date: August 3, 2026**				
□ **Amendments**						□ **2/3 Required**	
□ **On roll call**						□ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

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

John Gunn, Chair

July 17, 2026

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

Subject: Recommendation for Amended Special Permit for Edgewater Place

The City of Beacon Planning Board reviewed applications for approval of an Amended Special Permit and Amended Site Plan for property located at Edgewater Place (Tax Grid Nos. 5955-19-590022, 5955-19-604016, and 5955-19-588001) for the proposed addition of two (2) dwelling units and nine (9) bedrooms, along with certain revisions to the off-street parking facilities. The application was reviewed by the Planning Board at its meeting on July 14, 2026. The Applicant and its representative from Cuddy & Feder were present and participated in the discussion with the Planning Board.

The City Council is the approval authority for the requested amendment to the approved Special Permit[1] for the multifamily use to allow the addition of two dwelling units and nine bedrooms. The Planning Board is the approval authority for the associated Amended Site Plan which includes revisions to the off-street parking facilities. Pursuant to Section 223-18.B(1), the Special Permit application was submitted to the Planning Board "as agent for the City Council."

After discussing the application, the Planning Board unanimously voted to refer the Special Permit application to the City Council with a positive recommendation noting it was good to increase the City's housing stock at an existing development without an increase in building footprint.

Sincerely,

John Gunn

John Gunn, AIA, LEED AP
Planning Board Chair

JG/mp

[1] City Council Special Use Permit Resolution (No. 116-2018).

CUDDY +FEDER LLP

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

Taylor M. Palmer
tpalmer@cuddyfeder.com

July 31, 2026
VIA E-MAIL
Hon. Lee Kyriacou, Mayor
and Members of the City Council
City of Beacon
One Municipal Plaza
Beacon, New York 12508

Re: Scenic Beacon Developments, LLC
Edgewater Project – Minor Amended Special Use Permit Approval
Property: Edgewater Place, Beacon, New York 12508

Dear Mayor Kyriacou and Members of the City Council:

On behalf of Scenic Beacon Developments, LLC (the "Applicant"), the owner of the above-referenced Property, we respectfully submit this letter and enclosures in support of an Application for Amended Special Use Permit (the "Application") relating to the Applicant's previously approved Edgewater project (the "Original Project"). The Application proposes an additional two (2) dwelling units and nine (9) bedrooms (the "Amended Project").

In accordance with City of Beacon Zoning Code (the "Zoning Code") Section 223-18.B(1), the Amended Project's Special Use Permit Application was submitted to the Planning Board as the agent for the City Council on June 30, 2026. A copy of that submission is enclosed as **Attachment 1**. That submission also includes an Amended Site Plan Application for certain site improvements, which Amended Site Plan Application is under review at the Planning Board.

For the Council's consideration, the Planning Board has since taken several actions related to the Amended Project including, most notably, issuing a referral and positive recommendation to the City Council on July 17, 2026, a copy of which is enclosed as **Attachment 2**. At the July 14, 2026 Planning Board meeting, the Board also set the public hearing on the Amended Site Plan Application for the Planning Board's August 11, 2026 meeting Agenda, and determined that the Amended Project is a Qualified Action that is exempt from the State Environmental Quality Review Act.[1] In advance of the August 11th public hearing before the Planning Board, the Applicant has provided that Board with a submission containing the latest updates to the

[1] Note: City staff coordinated a referral to the Dutchess County Department of Planning and Development (the "County") on July 20, 2026 in accordance with General Municipal Law. The County responded on July 23, 2026 with a decision that the Project is a matter of local concern. A copy of the County's response to the referral is on file with the City.

Amended Site Plan, responsive to comments from the Planning Board and its consultants. A copy of that Plan is enclosed as **Attachment 3**.

As is more fully detailed in the June 30th Planning Board submission, the Property is generally located at Edgewater Place and is classified within the RD 1.7 Zoning District, which District permits multifamily dwellings by Special Use Permit issued by the City Council. As such, the City Council previously granted Special Use Permit Approval for the Original Project on August 6, 2018. The resolution issuing this approval was conditioned upon the Applicant returning the City Council should an increase in dwelling units or bedroom count be sought.

The Original Project's building program includes the construction of seven (7) multifamily buildings comprising 246 dwelling units and 350 bedrooms. Phase 1 of construction, including three (3) buildings, is complete. Phase 2, including the remaining buildings, is now underway.

The Applicant is proposing changes to the Original Project's multifamily dwellings, specifically an additional two (2) dwelling units for a total of 248 and nine (9) bedrooms for a total of 359. The increase in units is below the maximum 252 units that are permitted on the Property pursuant to Zoning Code Section 223-17 and 223-41.10. The additional units are proposed to be studios situated within the Phase 2 buildings. The proposed nine (9) additional bedrooms are a result of both the addition of the units and a proposed change in unit mix. The number of bedrooms in the Project is not regulated by the Zoning Code. The minor additional units and bedrooms will *not* result in any changes to the Original Project's approved building height, envelope, or massing.

The Applicant respectfully requests that this matter be placed on the City Council's August 3, 2026 agenda, at which time the Applicant looks forward to introducing the Amended Project and requests that the Council set the public hearing for the Application. In the meantime, should the City Council or City Staff have any questions, please do not hesitate to contact me.

Very truly yours,

Taylor M. Palmer
Enclosures

cc: Ben Swanson, City Administrator; Nicholas Ward-Willis, Esq., City Attorney



SCHEDULE OF REGULATIONS (RD–1.7 ZONING DISTRICT) AND LOT CONFORMANCE TABLE:

PARAMETER	REQUIREMENT	PROVIDED
LOT AREA:	5,000 SQFT MIN.	±523,155 SQFT
LOT WIDTH:	50 FEET MINIMUM	±920 FEET
LOT DEPTH:	100 FEET MINIMUM	±869 FEET
YARD SETBACKS (RESIDENTIAL USE):		
FRONT YARD:	30 FEET MINIMUM	±252 FEET
SIDE YARD:	20 FEET MINIMUM	±39 FEET
REAR YARD:	25 FEET MINIMUM	±55 FEET
MIN. DIST. B/T BUILDINGS	30 FEET MINIMUM	±25 FT AVG., 12 FT MIN.
MAX. BUILDING HEIGHT:	55 FT, 4.5 STORIES	VARIES, 5 STORIES MAX.
MAX. BUILDING COVERAGE:	25% MAX.	±12%
MAX. UNITS/BUILDING:	36 MAX.	VARIES
LOT AREA/DU	1,700 SF/DU = 242 + 10 BONUS UNITS[1]	248 INCLUDING 25 BMR UNITS

NOTES:
[1]252 TOTAL UNITS (INCLUDING 10 BONUS UNITS PER § 223.41.10.M) AFTER DEDUCTING ENVIRONMENTAL CONSTRAINTS AS DEFINED IN § 223–63 – "ANY LOT AREA COVERED BY SURFACE WATER, WITHIN A FEDERAL REGULATORY FLOODWAY, WITHIN A STATE OR FEDERALLY REGULATED WETLAND, OR WITH EXISTING PREDEVELOPMENT VERY STEEP SLOPES OF 25% OR MORE AS DEFINED IN § 223–63"
[2]SEE PREVIOUSLY APPROVED VARIANCE NOTES.

OWNER/APPLICANT INFORMATION:

SCENIC BEACON DEVELOPMENTS, LLC
28 CREEK DRIVE
BEACON, NY 12508

ZONING SUMMARY:

ZONING DISTRICT: RD 1.7
TAX MAP NO.: 5955–19–590022 = 10.40 ACRES (HOA PARCEL)
5955–19–615029 = 0.23 ACRES (BUILDING 1)
5955–19–604016 = 0.23 ACRES (BUILDING 2)
5955–19–588001 = 0.46 ACRES (BUILDING 3 & 4)
5955–19–579035 = 0.19 ACRES (BUILDING 5)
5955–19–570022 = 0.23 ACRES (BUILDING 6)
5955–19–561009 = 0.19 ACRES (BUILDING 7)
TOTAL LAND AREA = 12.009 ACRES OR 523,155 SQFT
LANDS UNDERWATER = 10.035 ACRES OR 437,113 SQFT
(UNDERWATER LANDS ARE NOT INCLUDED IN THIS APPLICATION)

LOT AREA: 12,009 ACRES (523,155 SQFT)
BUILDING FOOTPRINT: 69,960 SQUARE FEET
BUILDING AREA: 286,840 SQUARE FEET
HISTORICAL OVERLAY: NO
PARKING OVERLAY DISTRICT: NO
EXISTING USE: RESIDENTIAL
PROPOSED USE: RESIDENTIAL

LEGEND:

- EXISTING ROOF LEADER LOCATION
- SEWER MANHOLE
- UNKNOWN MANHOLE
- GUY WIRE ANCHOR
- UTILITY POLE
- ELECTRIC BOX
- HYDRANT
- WATER VALVE
- ROUND DROP INLET
- ELECTRIC METER
- UTILITY POLE WITH LIGHT
- COMMUNICATION BOX
- OVERHEAD WIRES
- FENCE
- DROP INLET
- GAS METER
- LAMP
- UNKNOWN VALVE
- EXISTING CATCH BASIN
- EXISTING UTILITY POLE
- EXISTING WATER EDGE
- PROPOSED EASEMENT LINE
- PROPOSED CATCH BASIN WITH INLET PROTECTION
- PROPOSED CLEANOUT
- PROPOSED HYDRANT
- PROPOSED WATER VALVE
- PROPOSED SANITARY MANHOLE
- PROPOSED CLEANOUT
- PROPOSED RETAINING WALL
- PROPOSED FENCE
- IMPERVIOUS SURFACE
- PROPOSED RIP RAP
- UTILITY CROSSING LOCATION
- PROPOSED ROOF LEADER LOCATION
- PROPOSED WATER SHUT-OFF VALVE
- PREVIOUSLY APPROVED LAND BANKED PARKING SPACE ELIMINATED
- PROPOSED ADDITIONAL CONSTRUCTED PARKING SPACES

PARKING COMPLIANCE TABLE

USE & PARKING REQUIREMENTS	AREA/COUNT	PROPOSED PARKING REQUIREMENT
RESIDENTIAL: 1MIN. TO 3 MAX. PER DWELLING UNIT	248 DWELLING UNITS	248 MIN. TO 744 MAX. PARKING SPACES
TOTAL REQUIRED PARKING SPACES		248 MIN. TO 744 MAX.
TOTAL PROPOSED PARKING SPACES		321 TOTAL PARKING SPACES (267) SURFACE SPACES (54) PODIUM SPACES

ORIGINAL SITE PLAN APPROVAL REFERENCE:

1. REFERENCE IS HEREBY MADE TO APPROVED SITE PLAN SET ENTITLED "EDGEWATER", CONSISTING OF 16 SHEETS, DATED JANUARY 31, 2017, LAST REVISED APRIL 20, 2019, APPROVED BY THE CITY OF BEACON PLANNING BOARD ON SEPTEMBER 11, 2018 AND SIGNED BY THE PLANNING BOARD CHAIRMAN ON AUGUST 8, 2020.
2. REFER TO ORIGINAL APPROVED SITE PLAN FOR ADDITIONAL INFORMATION.

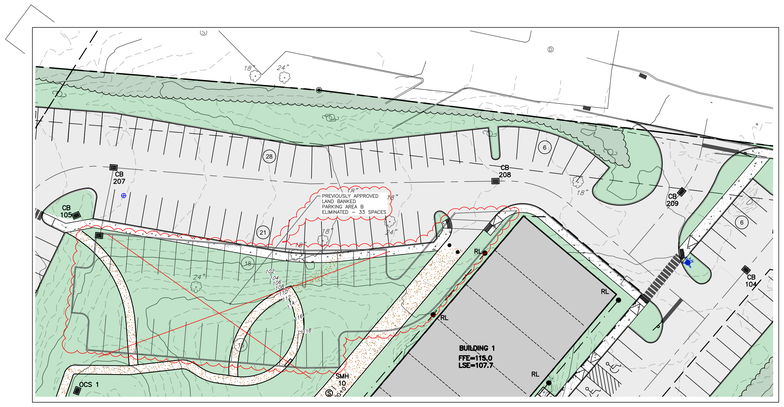
PREVIOUSLY APPROVED VARIANCE NOTES:

1. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF STORIES FROM 4½ STORIES TO 5 STORIES HAS BEEN GRANTED BY THE ZONING BOARD OF APPEALS FOR BUILDINGS 3, 4, AND 6. VARIANCE #2018–01, DATED JANUARY 17, 2018.
2. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF UNITS IN A BUILDING WAS GRANTED BY THE ZONING BOARD OF APPEALS FOR BUILDINGS 1, 2, 3, AND 6. VARIANCE #2018–01, DATED JANUARY 17, 2018.
3. A VARIANCE TO ALLOW LESS THAN 30 FEET BETWEEN BUILDINGS HAS BEEN GRANTED BY THE ZONING BOARD OF APPEALS. VARIANCE #2018–01, DATED JANUARY 17, 2018.

AMENDED PARKING NOTES:

1. THE SITE PLAN WAS ORIGINALLY APPROVED WITH 238 SURFACES SPACES, 46 PODIUM SPACES, 33 LAND BANKED PARKING SPACES LOCATED TO THE WEST OF BUILDING 1, 46 PODIUM SPACE BENEATH BUILDINGS 2 AND 3 AND 12 LAND BANKED SPACES ON THE NORTH SIDE OF THE NORTHERLY PARKING LOT FOR A TOTAL OF 329 SPACES.
2. THE AREA WHERE THE 33 APPROVED LAND BANKED SPACES IS SOLID BEDROCK AT AN ELEVATION APPROXIMATELY 17 FEET HIGHER THAN PROPOSED GRADE. THEREFORE, OTHER AREAS ON THE SITE HAVE BEEN IDENTIFIED FOR ADDITIONAL PARKING SPACES TO BE LOCATED.
3. TWENTY NINE ADDITIONAL (29) CONSTRUCTED SURFACE PARKING SPACES ARE PROPOSED, AND EIGHT (8) ADDITIONAL PODIUM PARKING SPACES ARE PROPOSED. THIS INCLUDES TWELVE (12) SURFACE SPACES IN THE GENERAL VICINITY OF THE LAND BANKED PARKING SPACES ON THE NORTH SIDE OF THE NORTHERLY PARKING LOT, TWELVE (12) SURFACE SPACES IN THE NORTHEAST CORNER OF THE EASTERLY PARKING LOT, AND FIVE (5) GRASS PAVER SPACES IN THE SOUTHEAST CORNER OF THE EASTERLY PARKING LOT, IN ADDITION TO EIGHT (8) NEW SUBSURFACE SPACES IN BUILDING 2 AND 3. THESE SPACES WILL BE CONSTRUCTED AND NOT LAND BANKED.
4. THE TOTAL PARKING SPACES PROVIDED ARE;

267 CONSTRUCTED SURFACE SPACES
+ 54 CONSTRUCTED PODIUM SPACES
321 TOTAL CONSTRUCTED PARKING SPACES



PREVIOUSLY APPROVED LAND BANKED PARKING AREA B DETAIL
SCALE: 1"=30

APPROVED BY RESOLUTION OF THE PLANNING BOARD OF THE CITY OF BEACON, NEW YORK, ON THE _____ DAY OF _____, 20_____ SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION OF THIS PLAT, AS APPROVED, SHALL VOID THIS APPROVAL.

SIGNED THIS _____ DAY OF _____, 20_____ BY

_____ CHAIRMAN

_____ SECRETARY

IN ABSENCE OF THE CHAIRMAN OR SECRETARY, THE ACTING CHAIRMAN OR ACTING SECRETARY RESPECTIVELY MAY SIGN IN THIS PLACE.

DRAWN BY: CMB				CHECKED BY: MAB			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

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SEAL

HUDSON LAND DESIGN
PROFESSIONAL ENGINEERING P.C.
174 MAIN ST., BEACON, NEW YORK 12508
13 CHAMBERS ST., NEWBURGH, NEW YORK 12550
PH: 845-440-6926

AMENDED SITE PLAN
EDGEWATER
15–30 EDGEWATER PLACE
CITY OF BEACON
DUTCHESS COUNTY, NEW YORK
TAX ID: 5955–19–590022

JOB #:	2016:015
DATE:	JUNE 30, 2026
SCALE:	1" = 30'
TITLE:	SP–1
SHEET:	1 OF 1

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209.2 OF THE NEW YORK EDUCATION LAW

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

Part 1 – Project and Sponsor Information

Name of Action or Project:
Edgewater

Project Location (describe, and attach a location map):
15-30 Edgewater Place, Beacon, NY 12508

Brief Description of Proposed Action:
The overall Project entails the construction of seven residential apartment buildings consisting of 246 dwelling units located at 15-30 Edgewater Place in the City of Beacon. The Project received Site Plan, Special Use Permit and Subdivision approval by the City of Beacon on September 11, 2018.
The current amended Site Plan proposal calls for two additional residential studio apartments which will increase the total dwelling units from 246 to 248. Bedrock was encountered where 33 land banked parking spaces were located on the approved plan. To avoid extensive rock removal, alternate locations for 17 of the 33 land banked parking spaces have been identified in areas on the premises that will not require extensive earthwork to construct. The new location of the 17 relocated land banked parking spaces will be constructed.

Name of Applicant or Sponsor:	Telephone: [redacted]
Scenic Beacon Developments	E-Mail: [redacted]

Address:
28 Creek Drive

City/PO:	State:	Zip Code:
Beacon	New York	12508

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If No, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: City of Beacon Planning Board-Amended Site Plan Approval	☐	☑

3. a. Total acreage of the site of the proposed action?	+/- 12.009 acres	*Represents the total disturbance for the project. Approximately 3.0 acres of project site remain to be developed.
b. Total acreage to be physically disturbed?	+/- 6.58* acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	+/- 12.009 acres	

4. Check all land uses that occur on, are adjoining or near the proposed action:

☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☑ Commercial ☑ Residential (suburban)
☑ Forest ☐ Agriculture ☑ Aquatic ☐ Other(Specify):
☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☐	☑	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify:	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☑

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:		
All apartments will conform with the latest building and energy codes.	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water:	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment:	☐	☑

	NO	YES
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	☐	☑
See footnote * below.		
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☐	☑
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres:		

* A Phase IA Archaeological study was conducted as part of the original approval. A findings letter of no impact was received by the State Historic Preservation Office on October 10, 2017. The no impact letter is attached.

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ■ Urban ■ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Atlantic Sturgeon, Shortnos...	☐	☑
16. Is the project site located in the 100-year or 500-year flood plain?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	☐	☑
a. Will storm water discharges flow to adjacent properties?	☐	☑
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☑
If Yes, briefly describe: Stormwater runoff from the project site is conveyed to post-construction stormwater control practices within the site, including infiltration basins, bioretention areas, hydrodynamic separators (for water quality control) and on-site catch basins. A portion of the on-site system connects and conveys treated stormwater runoff to the City of Beacon stormwater sewer system on Branch Street. The northerly portion of the on-site system discharges treated stormwater runoff to an existing drainage ditch at the north portion of the property.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: There are two bioretention basins and one infiltration basin for treatment of stormwater runoff. Bioretention Basin 1 has 0.57 acre-feet, Bioretrention Basin 2 has 1.49 acre-feet and Infiltration Basin 3 has 0.48 acre-feet of capacity to the highest outlets.	☐	☑
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: Site V00293: Status- Completed (C); Site 546031: Status- Monitored (02); Site 314069: Status- No Further Action (N); Site C314112: Status- Completed (C); DEC Site V00096 Status- No Further Action (N). Refer to annexed reports from the NYSDE Remediation Database.	☐	☑
21. Is the project located within, or within ½ mile of, a disadvantaged community?	☐	☑
If No, could impacts from the project affect a disadvantaged community?	☐	☐
If Yes to either question in 21, answer the following question.		
a. Identify the potential pollution impacts of the project, either direct or indirect, that may occur within the disadvantaged community (e.g., wastewater discharges, air emissions, noise, odors, solid or hazardous waste generation or management): Potential impacts could include temporary noise pollution during construction. The area where project is located is an established residential area with adjacent multi-family residential apartment complexes and single-family houses. The project is also adjacent to the Beacon train station.		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Michael A. Bodendorf, P.E. Date: 6/30/2026

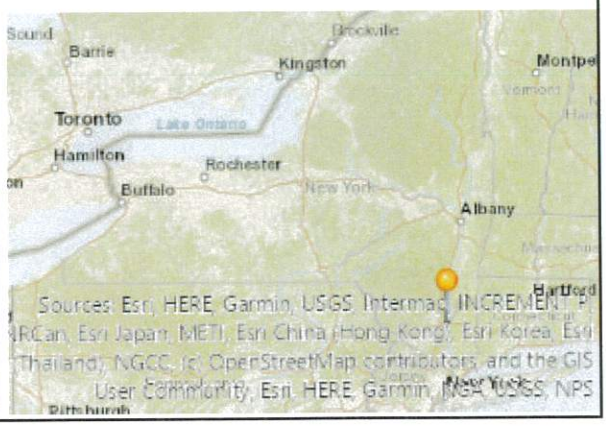
Signature: Title: Engineer for Applicant

EAF Mapper Summary Report

Tuesday, June 23, 2026 8:56 PM



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



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	Yes
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local, New York State, and federal wetlands and waterbodies is known to be incomplete. Refer to the EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Atlantic Sturgeon, Shortnose Sturgeon, Indiana Bat
Part 1 / Question 16 [100 or 500 Year Floodplain]	No
Part 1 / Question 20 [Remediation Site]	Yes
Part 1 / Question 21 [Disadvantaged Community]	Yes

NEW YORK STATE OF OPPORTUNITY.

Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

October 10, 2017

Mr. Michael Bodendorf
Principal
Hudson Land Design
174 Main Street
Beacon, NY 12508

Re: DEC
Edgewater Residential Development
22 Edgewater Place, Beacon, NY 12508
17PR06370

Dear Mr. Bodendorf:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Michael F. Lynch, P.E., AIA

Director, Division for Historic Preservation

3.0 ESTIMATED WATER & WASTEWATER QUANTITIES

At full build-out, the project is expected to generate ~~38,500~~ 39,490 gallons of wastewater per day. Based on previous conversations with the City of Beacon Sewer Superintendent, the City's existing sewer infrastructure and sewer treatment plant have sufficient capacity to handle the anticipated increase in daily sewage load. The site currently contains an apartment building, and a single family residence. Both structures will be demolished and removed; thereby eliminating any current inflow and infiltration (I&I) entering the City sewer system from the site. The following table provides estimated water usage/wastewater generation at full buildout of the project, according to the NYSDEC Design Standards for Wastewater Treatment Works, 2014.

Water and wastewater quantities for the project are based on the following:

Flow Component	# of Units	Flow Rate per Unit - gallons per day (gpd)	Total Component Flow (gpd)
Residential	~~350 bedrooms~~* 359 bedrooms	110 per bedroom	~~38,500~~ 39,490

*The current bedroom breakdown is as follows: ~~25~~ 30 studio, ~~126~~ 111 one-bedroom, ~~86~~ 103 two-bedroom, and ~~9~~ 4 three-bedroom apartments.

Total Flow: ~~38,500~~ 39,490 gpd

The bedroom count and projected flows from each building are provided in Appendix A.

4.0 WATER SUPPLY

At full build-out, the project is expected to require ~~38,500~~ 39,490 gallons of water per day. Based on previous conversations with the City of Beacon Water and Sewer Superintendent, the anticipated increase in daily water demand is readily available for this project. There is a 6" cast iron (CI) water main that runs beneath Tompkins Terrace, and an 8" CIP main that runs beneath Bank Street. An 8" CI spur that runs into the site beneath Branch Street from Bank Street to an existing hydrant. It is proposed to connect to the 8" CIP on Bank Street with 8" ductile iron pipe (DIP). The 8" DIP will be brought through the site to provide water supply to the new buildings which will continue down to Branch Street and connect to the 8" CIP forming a looped connection to the City water system. The new 8" water main will be dedicated to the City once installed and certified. New fire hydrants and periodic isolation valves will be provided within the site. A blanket utility easement will be granted to the City for maintenance purposes. Flow and pressure tests have been conducted on existing hydrants near the site to confirm that adequate flow and pressure are available for the project.

Approximately 2,280 lf of 8" diameter class 52 ductile iron water main extension will be installed to serve the project. The water man is proposed to be dedicated to the City of Beacon. New 6" class 52 ductile iron service lines will be provided to each building and then split to

Search Details from Environmental Remediation Databases

Site Record

Document Repository

Site Name: Doral Hat Property
Site Code: V00293
Program: Voluntary Cleanup Program
Classification: C
EPA ID Number:

Administrative Information

An official website of New York State.
Here's how you know

NEW YORK STATE

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Site Type:
Estimated Size: 3.11 Acres
Distance of site to the nearest points of community interest:

- School: 1,815.03 Ft
- Daycare Facility: 457.72 Ft
- Medical Facility: 3,737.66 Ft
- Senior Care Facility: 2,799.41 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

Site Location:
The CHGE Beacon Manufactured Gas Plant (MGP) Dorel Hat property is located in a suburban area in the City of Beacon, Dutchess County, N.Y. The site is approximately 4 acres in size, and is bounded by West Main St. to the north, River St. to the east, an open field owned by the Metropolitan Transportation Authority (MTA)to the south and by Railroad Drive and the Beacon Railroad station to the west.

Site Features:
The main site features include: an approximately 32,000 square foot building surrounded by a grass covered area in the southern portion of the property and an asphalt paved parking lot in the northern half.

Current Zoning/Uses:
The site is currently used for storage and office space and is zoned commercial. The surrounding parcels are commercial and residential. The nearest residential area is comprised of townhouses located approximately 100 feet to the east on River St.

Past Uses of the Site:
The 1 Main Street site is adjacent to a former MGP located on River Street, which operated from 1871 to approximately 1946.

Operable Units (OU)
The site was divided into 2 Operable Units.
An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately to investigate, eliminate or mitigate a release, threat of release or exposure pathway resulting from the site contamination

Operable Unit 1 (OU1) consists of the MGP site itself, which has since been redeveloped for residential use. It appears that all contaminated soils were removed prior to redevelopment. No significant amounts of MGP contamination were found to remain at the former MGP site, and it was determined that no further action was required. A release letter for the Beacon MGP was issued under the VCA on January 31, 2002.

Operable Unit 2 (OU2) consists of the property across the street from the MGP, known as the Dorel Hat property. The majority of MGP contaminated soil on OU2 was removed during an IRM conducted in 2007.

On September 12, 2007 the Dorel Hat property was transferred to the MTA. On July 15, 2011 the MTA filed a Deed Restriction by which it is required to comply with the Department approved Site Management Plan.

Site Geology/Hydrogeology:
The site is underlain by unconsolidated sand and silt deposits to a depth of approximately 8 feet. Below these, a 4 foot thick clay layer lies above the slate bedrock. Groundwater on the site flows toward the Hudson River, to the west.

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Other
Coal tar

Site Environmental Assessment

Remediation of accessible contaminated soil at this site has been completed. The primary contaminant is coal tar which contains PAHs and BTEX compounds.

The majority of coal tar contaminated soil was removed during an IRM conducted in 2007. Due to the presence of the Dorel Hat building, a force sewer Main and a gas line on the site, some of the coal tar contaminated soil was not removed and remains in the subsurface under the building and to the east of the building. The coal tar is located at a depth of approximately 5 to 10 feet below the ground surface.

Levels of sub-slab soil vapor beneath the building exceed DOH guidance values for indoor air. A sub-slab depressurization vapor mitigation system was installed to prevent sub-slab vapor from entering the building.

Groundwater on the site exceeds Groundwater Quality Standards for VOCs, SVOC's, Metals and Pesticides. The area is supplied by a public water supply.

DER Environmental Remediation Databases Privacy Policy Terms of Service

Site Health Assessment

STATE

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NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Hudson River PCB Sediments
Site Code: 546031
Program: State Superfund Program
Classification: 02
EPA ID Number: NYD980763841

Location

DEC Region: 5
Address: Hudson River, Hudson Falls-NYC Battery
City:
Zip: 12180
County: Saratoga
Latitude: 43.286475666
Longitude: -73.595363441
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 129.78 Ft
- Daycare Facility: 174.02 Ft
- Medical Facility: 0.00 Ft
- Senior Care Facility: 285.15 Ft
- Disadvantaged Community Boundary: 1,615.14 Ft (Not located within a DAC)
- Potential Environmental Justice Area: 1,615.14 Ft (Not located within a PEJ)

Hazardous Waste Disposal Period

From: 1946
To: present

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: New York State
Current Owner(s) Address:
, ZZ,

Current Owner Name: STATE OF NEW YORK
Current Owner(s) Address:
, ZZ,

Current Owner Name: New York State
Current Owner(s) Address:
, ZZ,

Owner(s) During Disposal: STATE OF NEW YORK

Current On-Site Operator: NYS Department of Transportation
Stated Operator(s) Address: State Campus - Building 5
Albany, NY, 12233

Site Document Repository

Name: US Epa
Address: 187 Wolf road
colonie, NY,

Site Description

Site Location:

This National Priorities List site includes the nearly 200-mile stretch of the Hudson River that extends from Hudson Falls in Washington County to the Battery in New York City. The river is part of the Champlain Canal between Fort Edward and Waterford. EPA is the lead agency for the investigation and cleanup of the site.

Site Features:

The site includes the main stem of the Hudson River, as well as the associated flood plains, river banks, riverene fringing wetlands, and backwater areas.

Current zoning / uses:

The river is currently used for recreation, transportation, and as a source of water for

drinking and other purposes. The river floodplain areas include all types of land uses, from passive / recreational to residential to commercial / industrial.

Historical uses:

The General Electric Company (GE) discharged PCBs into the river from two capacitor manufacturing plants located in Hudson Falls and Fort Edward starting sometime in 1946.

Previous investigations identified 40 areas or 'hot spots' in the upper Hudson that had sediments contaminated with greater than 50 ppm of PCBs. Also included in the definition of this site are five Remnant Deposits or river sediment areas that were exposed when the level of the river was lowered when the Fort Edward Dam was removed in 1973.

EPA issued a Record of Decision (ROD) for this National Priorities List site on September 25, 1984 which included: in-place containment of the Remnant Deposits; evaluation of downstream domestic water quality at Waterford, New York; and interim "No Action" as to the PCB-contaminated river sediment. The 1984 ROD indicated that both the No Action decision for the river sediments and the containment remedy for the Remnant Deposits might be reexamined by EPA in the future. The containment remedy for the Remnant Deposits was performed by GE under a 1990 Consent Decree with EPA. In addition, in 1990, NYSDEC completed the evaluation of downstream domestic water quality at Waterford, New York, which concluded that PCB concentrations were below analytical detection limits after treatment and met standards applicable to public water supplies.

In December 1989, EPA announced its decision to initiate a detailed Reassessment Remedial Investigation/Feasibility Study (RI/FS) of the September 1984 decision concerning the PCB contaminated Hudson River sediments. The Reassessment culminated with EPA's issuance of a second ROD for the site in February 2002 which included the dredging of an estimated 2.65 million cubic yards of PCB contaminated sediments from the Upper Hudson River (between Fort Edward and Troy), which was estimated in the ROD to contain about 66,300 kilograms of total PCBs (approximately 65% of the total PCB mass estimated to be present within the Upper Hudson River). The ROD also identified further evaluation of PCB contamination in the flood plains concurrent with the design phase of the project.

EPA issued a series of Orders to GE for performance of the engineering design for the project. Phase 1 dredging commenced in May 2009, and was completed in October 2009.

After completion of Phase 1, EPA reviewed the environmental monitoring and operational data to determine the changes to the project standards and to project design specifications for Phase 2.

The changes to the project for Phase 2 were provided to GE in December 2010. GE, in accordance with the Consent Decree for the site, opted to implement Phase 2 of the remedy on 12/31/10.

Construction work for Phase 2 of the remedial project started in 2011, and was completed in 2016. Dredging was completed in fall 2015; habitat reconstruction was completed in 2016. Facility decommissioning was performed in 2016.

Operable Units:

The site was divided into five operable units.

An operable unit represents a portion of a remedial program for a site that for technical or administrative reasons can be addressed separately in investigation, eliminate or mitigate release, threat of release or exposure pathway resulting from the site contamination.

Operable Unit 1 (OU1) consists of the capping of the remnant deposits.

OU 2 consists of the dredging of the Upper Hudson River.

OU 3 consists of the removal of soils on Rogers Island.

OU 4 consists of the Upper Hudson River Floodplains Investigation (EPA tracks as OU4).

OU 5 consists of the Lower Hudson River Sediments (from the Federal Dam in Troy to the Battery in New York City).

For more information on the Hudson River Fish advisory, copy and paste this link into a web browser:
https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
PCB aroclor 1254

Contaminant Name/Type
Polychlorinated biphenyls (PCB)
Cadmium
Lead
PCB aroclor 1242
PCB aroclor 1016

Site Environmental Assessment

Nature and extent of contamination:

Contaminants:

The primary constituent of concern is PCBs, discharged from two GE capacitor plants in Hudson Falls and Fort Edward. The upstream extent of contamination is the portion of the river immediately above the Bakers Falls Dam at the GE Hudson Falls plant site. The downstream extent of contamination is the Atlantic Ocean.

The commercial mixtures of PCBs discharged from the two GE plant sites changed over time; initially aroclor 1254, changing to aroclor 1242 and then to aroclor 1016.

Contaminant Concentrations:

PCBs have been found in excess of standards, criteria and guidance concentrations (SCGs) in sediments, surface water, biota, air, and soils at the Hudson River PCBs site. The primary sources at the plant sites have been almost completely abated through remedial work at the plant sites; as a result, the primary source of PCB to the surface water and biota of the river are the remaining contaminated sediments in the river south of the plant sites.

Prior to remediation of the Upper Hudson River from 2009 to 2016, PCB concentrations in sediment range from non-detect to greater than one percent PCB (> 10,000 parts per million). In surface water typically concentrations range from 2 nanograms per liter (ng/l or parts per trillion) to 100 ng/l, except at times of high flow when scour-driven remobilization

of contaminated sediments can cause much higher concentrations in excess of 1 microgram per liter (1 ug/l or part per billion).

Floodplains - Investigations are underway to determine the extent of floodplain impacts. To date, PCB concentrations in excess of 500 milligrams per kilogram (mg/kg or part per million) have been found in limited areas. Those areas have been addressed over the past 15 years with various interim remedies (soil covers). The nature and extent of floodplain soil contamination has not yet been established. Remedial investigations are currently underway.

Lower Hudson River - The Lower Hudson River portion of the NPL site (from the Federal Dam in Troy to the Battery in New York City) has not been fully investigated to date. Preliminary sampling of sediment started in 2023 under an order between EPA and GE. Annual fish monitoring for PCBs occurs in certain locations in the lower Hudson.

Significant threat:
PCB contamination in the Hudson River sediments continue to pose a significant threat to human health and/or the environment. Concentrations in PCBs in biota directly attributable to the waste disposal at the site have led the Department of Health to recommend that human consumption of biota be limited over a substantial portion of the Hudson River between Hudson Falls and the Battery in New York City. In the upper Hudson, the fishery is catch and release only, and the NYSDOH advisory is to eat none.

To see the fish consumption advisories, go to:

https://www.health.ny.gov/publications/2794.pdf

and

https://www.health.ny.gov/environmental/outdoors/fish/hudson_river/advisory_outreach_project/

The disposal of PCB into the Hudson River has also led to significant environmental damage as defined in 6 NYCRR Part 375.

This site has been included in the Federal National Priorities List (NPL).

An official website of New York State.
Here's how you know

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: CH - MGP - Beacon Street
Site Code: 314069
Program: State Superfund Program
Classification: N *
EPA ID Number: NYD980531792

Location

DEC Region: 3
Address: River Street
City: Beacon
Zip: 12508
County: Dutchess
Latitude: 41.5062354
Longitude: -73.98241136
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 1,599.63 Ft
- Daycare Facility: 494.79 Ft
- Medical Facility: 3,490.44 Ft
- Senior Care Facility: 2,613.19 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Jeffrey L. Boetign
Current Owner(s) Address: 424 RIVER STREET
BEACON, NY, 12508

Current Owner Name: CITY OF BEACON
Current Owner(s) Address: 1 MUNICIPAL PLAZA, SUITE 1
BEACON, NY, 12508

Current Owner Name: Robert Harrington
Current Owner(s) Address: 426 RIVER STREET
BEACON, NY, 12508

Current Owner Name: GARY BLUM
Current Owner(s) Address: 418 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Gurmukh Singh
Current Owner(s) Address: 428 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Hassan Toy
Current Owner(s) Address: 422 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Jeffrey Staten
Current Owner(s) Address: 420 RIVER STREET
BEACON, NY, 12508

Current Owner Name: JOSEPH HARNEY
Current Owner(s) Address: 416 RIVER STREET
BEACON, NY, 12508

Current Owner Name: Joseph Stezel
Current Owner(s) Address: 430 RIVER STREET
BEACON, NY, 12508

Current On-Site Operator: 7-11

Stated Operator(s) Address:

, NY,

Current On-Site Operator: CENTRAL HUDSON GAS & ELECTRIC CORP.

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- বাংলা
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* Class N Sites: "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

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Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Long Dock Beacon
Site Code: C314112
Program: Brownfield Cleanup Program
Classification: C
EPA ID Number:

Location

DEC Region: 3
Address: 8 and 23 Long Dock Beacon Road
City: Beacon
Zip: 12508-
County: Dutchess
Latitude: 41.50436724
Longitude: -73.98681499
Site Type:
Estimated Size: 6.44 Acres
Distance of site to the nearest points of community interest:

- School: 2,104.26 Ft
- Daycare Facility: 1,122.59 Ft
- Medical Facility: 4,187.38 Ft
- Senior Care Facility: 2,816.22 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

Control Type:
Environmental Easement

Control Elements:
Landuse Restriction
Site Management Plan
Cover System

Soil Management Plan
Monitoring Plan
IC/EC Plan
Ground Water Use Restriction

Site Owner(s) and Operator(s)

Current Owner Name: The Scenic Hudson Land Trust, Inc.
Current Owner(s) Address: One Civic Center Plaza, Suite 200
Poughkeepsie, NY, 12601

Site Document Repository

Name: The Beacon Institute
Address: 199 Main Street
Beacon, NY, 12508

Name: Howland Public Library
Address: 313 Main Street
Beacon, NY, 12508

Name: Beacon City Hall
Address: Municipal Plaza, Lower Level
Beacon, NY, 12508

Site Description

Location: The Long Dock Beacon Site is located on a peninsula adjacent to the Hudson River on Long Dock Road in the City of Beacon, Dutchess County, New York. The site is bordered by the Hudson River to the west, Red Flynn Drive to the east, land owned by Scenic Hudson to the south and the Hudson River and the Metro North Railroad station to the north.

Site Features: A rehabilitated red barn which serves as an art gallery and a parking area are located in the northeast corner of the site. The remainder of the site is a passive recreational park.

Current Zoning/Use: The site is zoned for commercial/recreational use. A portion of the site is currently a park which extends from the site to the south. The surrounding area has a combination of residential, commercial, and light industrial land uses.

Past Use of the Site: Prior uses of the site included a salvage yard, which operated on the northeastern portion of the site from approximately 1962 to 1983 and a Major Oil Storage Facility (MOSF), which operated on the southern portion of the site from approximately 1936 to 1994. In addition unregulated filling of the site may have also led to site contamination. The site is comprised of two former Voluntary Cleanup Program (VCP) sites, the Beacon Salvage site (V00444) and the Garret Storm site (V00096).

Site Geology and Hydrogeology: Shallow subsurface soils at the site generally consist of historic fill material consisting of sand, gravel, coal, ash, wood, and brick fragments. Fill is underlain by silt and clay at a depth of 5-10 feet in the northern portion of the site. A dense clay layer is generally present beneath the site at depths of 10 feet on the northern portion of the site and 15-17 feet on the southern portion of the site. Overburden soils extend several hundred feet beneath the site.

Overburden groundwater is present at depths of 0 to 5 feet beneath the ground surface. The overall direction of groundwater flow is tidally influenced (to the east at high tide, to the southwest at low tide).

Summary of Project Completion Date

Projects associated with this site are listed in the Project Completion Dates table and are grouped by Operable Unit (OU). A site can be divided into a number of operable units depending on the complexity of the site and the number of issues associated with a site. Sites are often divided into operable units based on the media to be addressed (such as groundwater or contaminated soil), geographic area, or other factors.

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Polychlorinated biphenyls (PCB)
Lead
Arsenic

Contaminant Name/Type
Benzo(a)pyrene

Site Environmental Assessment

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Site Health Assessment

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Site Record

Document Repository

Site-related documents are available for review through the DEC Info Locator

Administrative Information

Site Name: Ferry Road Waterfront Site
Site Code: V00096
Program: Voluntary Cleanup Program
Classification: N *
EPA ID Number:

Location

DEC Region: 3
Address: West End of Ferry Street
City: Beacon
Zip: 12508
County: Dutchess
Latitude: 41.504367438
Longitude: -73.986838475
Site Type:
Estimated Size: 0 Acres
Distance of site to the nearest points of community interest:

- School: 2,030.78 Ft
- Daycare Facility: 1,054.40 Ft
- Medical Facility: 4,113.89 Ft
- Senior Care Facility: 2,747.58 Ft
- Disadvantaged Community Boundary: 0.00 Ft (Located within a DAC)
- Potential Environmental Justice Area: 0.00 Ft (Located within a PEJ)

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

This site is a former mulitple oil storage facility. This site along with Site #V00444 (Beacon Salvage) have been combined into Long Dock Beacon BCP Site. See site # C314112 for further information.

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KARC
PLANNING CONSULTANTS, INC.

TO: John Gunn, Chair, and the City of Beacon Planning Board

FR: KARC Planning Consultants, Inc.

DATE: July 14, 2026

RE: 15-30 Edgewater Place (Phase 2) Site Plan Amendment, Scenic Beacon Developments, LLC

I have reviewed the following materials regarding the proposed site plan amendments to Phase 2 of the Edgewater development:

- Cover letter by Taylor M. Palmer, Cuddy + Feder LLP, dated June 30, 2026
- Application for Special Use Permit, dated June 29, 2026
- Application for Site Plan Approval, dated June 29, 2026
- Amended Site Plan (Sheet SP-1, 1 Sheet) prepared by Hudson Land Design, dated June 30, 2026
- Parking and Traffic Letter prepared by Colliers Engineering & Design, dated June 30, 2026
- Short EAF and attachments prepared by Michael Bodendorf, dated June 30, 2026
- Copy of Amended Negative Declaration, dated July 10, 2018
- Copy of Amended LWRP Consistency Determination, dated July 12, 2018
- Copy of City Council Special Use Permit Approval Resolution, dated August 6, 2018
- Copy of Subdivision and Site Plan Approval Resolution, dated September 17, 2018
- Copy of Internal Property Subdivision Approval Resolution, dated March 12, 2024
- Copy of ZBA Area variance Approval Resolution, dated January 17, 2018

Project Description:
The Applicant is proposing to amend the previously approved site plan to allow for the construction of two (2) additional dwelling units and nine (9) additional bedrooms throughout the four Phase 2 residential buildings (Buildings 1, 2, 3, and 4). This increases the total unit count from 246 to 248 units and the bedroom count from 350 to 359 bedrooms. The applicant is also proposing modifications to the previously approved land-banked parking, including construction of twenty-nine (29) land-banked parking spaces. Seventeen (17) of those spaces are proposed to be relocated from an approved land-banked parking area due to the presence of bedrock.

Comments & Recommendations:

1. **Short EAF.** The project description in the Short EAF should be revised to fully describe the proposed action, including the addition of nine (9) bedrooms, relocation of a trash enclosure, and construction of twenty-nine (29) land-banked parking spaces, seventeen (17) of which are proposed to be relocated due to bedrock.

    a. The 2018 approvals contemplated a total of forty-five (45) land-banked parking spaces to minimize initial land disturbance and impervious coverage. The current application should

clarify how many land-banked spaces will remain following this amendment and explain how the proposed revisions continue to minimize land disturbance and impervious coverage.

2. **Maximum Density.** Based upon the previously approved net buildable area calculations, the proposed increase from 246 to 248 dwelling units remains below the maximum permitted density of 252 dwelling units.

3. **Parking Compliance.** The applicant's parking analysis indicates that the proposed amendment will result in 321 parking spaces, whereas 329 spaces were previously approved. The application materials state that thirty-three (33) approved land-banked parking spaces are being eliminated, while only seventeen (17) are proposed to be relocated. The applicant should clarify the parking calculations and reconcile the apparent discrepancy between the narrative and the stated reduction in total parking.

    a. Although the proposed parking supply complies with the City's current parking regulations, the Planning Board retains discretion to determine whether the proposed parking supply is appropriate for this development. Because 106 dwelling units are currently occupied, the applicant could provide more detailed parking utilization data or other information regarding actual parking demand for this particular development, location, and unit style (luxury) to assist the Board in evaluating the proposed reduction in approved parking.

4. **Relocated trash enclosure.** A note on the site plan indicates that a trash enclosure within the parking area is to be relocated. Details regarding enclosure design, screening, and landscaping should also be provided.

5. **Plan Coordination.** Any sheets from the previously approved plan set affected by the proposed parking modifications, including landscaping and lighting, should be updated to reflect the proposed amendments.

The above comments are intended to assist the Planning Board in its initial review of the proposed amendment and to identify items requiring clarification or additional information. Additional comments may be provided upon review of revised or supplemental submission materials.

Natalie Quinn
Beacon Planning Consultant

Cc: Bryan Murphy, Building Inspector
Jennifer L. Gray, Esq., City Attorney
John Russo, P.E., City Engineer

LANC & TULLY
Engineering and Surveying, D.P.C.

July 10, 2026

Mr. John Gunn
Beacon Planning Board Chair
City of Beacon
1 Municipal Plaza
Beacon, NY 12508

RE: Edgewater
Site Plan Amendment
City of Beacon, NY

Dear Mr. Gunn:

My office has received the following regarding the proposed site plan amendments to the Edgewater project:

- Correspondence dated June 30, 2026, from Cuddy & Feder.
- Application for Special Use Permit dated June 29, 2026.
- Application for Site Plan Approval dated June 29, 2026.
- Copy of Preliminary and Final Subdivision Plat Approval and Site Plan Approval Resolution dated September 17, 2018.
- Copy of Amended Negative Declaration dated July 10, 2018.
- Copy of Amended Local Waterfront Revitalization Program Consistency Determination dated July 12, 2018.
- Copy of Preliminary and Final Internal Property subdivision Plat Approval Resolution dated March 12, 2024.
- Copy of City of Beacon City Council Special Use Permit Approval resolution dated August 6, 2018.
- Copy of City of Beacon Zoning Board of Appeals Area Variance Approval Resolution for the Edgewater Project dated January 17, 2018.
- Parking and Traffic letter prepared by Colliers Engineering & Design, dated June 30, 2026.
- Short Environmental Assessment Form.
- Plan titled "Amended Site Plan – Edgewater", dated June 30, 2026, as prepared by Hudson Land Design.

The applicant is requesting to amend the previously approved site plan to allow for the construction of two (2) additional dwelling units and nine (9) bedrooms in the 4 buildings (Buildings 1, 2, 3, and 4) to be constructed in Phase 2. The applicant is also proposing to build out the land banked parking with some modifications as to the location of the proposed parking to be constructed.

Based on our review of the above documents and plans, we would like to offer the following comments:

General Comments:

1. As the applicant is proposing to amend the approved site plan to allow for additional units and bedrooms, Sheet 6 of 16 of the original approved plan set should also be included as part of the amendment application, as this sheet included the total count of apartments and bedrooms for the project.

2. Sheet 11 of 16 of the original plan set included the proposed grading of the site. This plan shall be revised to reflect the proposed grading in the areas of the proposed alternate parking areas to be constructed as part of this amendment.

3. As the applicant is proposing extending the parking lot in the north-east corner to allow for the construction of additional parking stalls, we would recommend that additional landscaping be provided in this area to further screen the parking lot from the intersection of Tompkins Avenue and Bank Street.

4. The sizing of Infiltration Basin 3 should be reviewed, as the extension of the parking lot in the north-east corner, and that of the additional 5 parking stalls along the access road, will create additional impervious areas that will flow to this basin that was not originally accounted for in the original design.

This completes our review at this time. Further comments may be provided based on future submissions. **A written response letter addressing each of the above comments should be provided with the next submission.** If you have any questions, or require any additional information, please do not hesitate to contact our office.

Respectfully,

LANC & TULLY, P.C.

John Russo, P.E.

cc: Natalie Quinn, Planner
Jennifer Gray, Esq.
Bryan Murphy, Building Inspector

CITY OF BEACON
CITY COUNCIL

Resolution No. 116 of 2018

RESOLUTION GRANTING A SPECIAL USE PERMIT FOR EDGEWATER (22 EDGEWATER PLACE)

WHEREAS, Scenic Beacon Developments, LLC (the "Applicant") submitted an application for a Special Use Permit to construct multifamily housing on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District. Said premise being known and designated on the City Tax Map as Parcel IDs **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979**; and

WHEREAS, the City Council is the approval authority for the Special Use Permit pursuant to City of Beacon Zoning Code §223-18; and

WHEREAS, the Special Use Permit application was submitted by the Applicant in conjunction with its application for Preliminary and Final Subdivision Plat approvals (lot merger) and Site Plan approval for the construction of seven (7) apartment buildings originally containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Project" or "Proposed Action"); and

WHEREAS, the Subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated March 6, 2017, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings entitled, "Site Plan Edgewater," Sheets 1-15, dated January 31, 2017, last revised June 26, 2018, prepared by Aryeh Siegal, Architect; and

WHEREAS, the original Proposed Action was a Type I action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the (SEQRA)

public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, the Planning Board determined that the Proposed Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Project; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals opened and closed a public hearing on the Applicant's variance application to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City Code § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals granted the Applicant's variance requests, with conditions; and

WHEREAS, on May 21, 2018, the City Council adopted Law No. 9-2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts;

WHEREAS, Local Law No. 9-2018 provides that for all development proposals involving a total lot area of more than three acres within the R1, RD and Fishkill Creek Development Districts, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more; and

WHEREAS, application of Local Law No. 9-2018 resulted in a total area of 110,533 square feet being deducted prior to determining the net buildable area for the Project.

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the Site Plan, in part to comply with Local Law No. 9-2018; and

WHEREAS, the revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms) which is a reduction of 61 units or approximately 20%, a reduction in the number of parking spaces by approximately 15%, reduction in water usage by 15%, a reduction in school age children by 13%, a reduction in the amount of impervious surface coverage, while increasing the area to remain as green space and not developed and

providing approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River, beyond what was originally proposed ("Amended Project" or "Amended Proposed Action"); and

WHEREAS, the Project will provide twenty five (25) Below Market Rate Housing as per the City Code; and

WHEREAS, the Amended Project is no longer a Type I action because it was amended to include 246 total dwelling units which falls below the threshold for Type I actions; and

WHEREAS, the Amended Project is therefore an Unlisted Action pursuant to SEQRA; and

WHEREAS, based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Proposed Action and the Amended Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board adopted an Amended Negative Declaration on July 10, 2018 and determined that the Amended Proposed Action will not have any significant adverse impacts upon the environment; and

WHEREAS, on July 10, 2018 the Planning Board also determined that the Amended Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Amended Project; and

WHEREAS, on July 16, 2018, the City Council opened a public hearing on the Special Use Permit application in connection with the Amended Project, at which time all interested persons were given the opportunity to be heard and the public hearing was closed on July 16, 2018; and

WHEREAS, the City Council has reviewed the application for a Special Use Permit against the standards for a Special Use Permit set forth in the City of Beacon Zoning Code Sections 223-18 and finds the proposal complies with this section of the Zoning Law, as set forth below.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby finds pursuant to Sections 223-18 of the City Zoning Code:

1. The location and size of the use, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.

2. The project is within walking distance of the Beacon Train Station and will provide economic benefits of pedestrian traffic to Main Street, while not significantly increasing vehicular impacts on City streets.

3. The Project includes a balanced mix of housing types and sizes, including 25 below-market-rate units in accordance with the City's Affordable Workforce Housing Law.

4. The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the site are such that the use will not hinder or discourage the appropriate development use of adjacent land and buildings.

5. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristic than would be the operations of any permitted use, not requiring a special permit.

6. The proposed Amended Project is compatible with other multifamily developments in the surrounding neighborhood, which include the existing Tompkins Terrace and Colonial Springs residential developments.

7. Parking areas will be of adequate size for the particular use and property located and suitably screened from the adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum safety.

BE IT FURTHER RESOLVED, that the City Council grants a Special Use Permit to Scenic Beacon Developments, LLC to construct 246 units of multifamily housing on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District, and designated on the City Tax Map as Parcel IDs 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979, upon the following conditions:

1. Prior to the issuance of a Building Permit, the Applicant shall obtain Subdivision and Site Plan approval from the City of Beacon Planning Board.

2. No permits shall be issued until the Applicant has paid to the City all applicable fees and professional review fees incurred in connection with review of this Application.

3. Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit and Site Plan, respectively.

4. The Applicant has agreed that the trail depicted on the western side of the property which connects to Tompkins Terrace to the North and is generally adjacent to the Bluff as depicted on the Amended Site Plan and the sidewalks south of Building 5 and along the Branch Street entry that connect to Bank Street (the "Connection Trail")are open to the public, dawn to dusk, weather dependent, and that such trail may be connected, at the City's sole cost and expense, in the future to the City's proposed Greenway Trail to the west along the Metro North property (the "Greenway Trail"). Regulations regarding public

use of the Connection Trail will be determined during Site Plan review. The specific location of the connection between the Greenway Trail and the Connection Trail cannot presently be identified by the City. Therefore, the Amended Site Plan shall be designed to accommodate a pedestrian connection to the Metro-North northern parking lot immediately to the west or any proposed development on such property (City Tax Map as Parcel IDs 5954-25-549980 and 5954-33-549777), and thereby also more directly connect to Train Station and any future northern extension of the Hudson River Greenway Trail through the Metro-North parking area. The Subdivision shall contain language satisfactory to the City Attorney offering for dedication to the City an easement, without a legal description, to locate, construct and maintain said Greenway Trail connection.

5. A copy of this Resolution shall be attached to the Certificate of Occupancy.

6. As used herein, the term "Applicant" shall include its heirs, successors and assigns.

7. In accordance with Section 223-18.F(1)(b)(2) of the Zoning Law, this Special Permit approval authorizes only the particular use specified in the permit and shall expire if:

   a. A bona fide application for a Building Permit is not filed within one (1) year of the issuances of this Special Permit approval; or

   b. If all required improvements are not made within two (2) years from the date of issuance of the Building Permit; or

   c. If said use ceases for more than six (6) months for any reason.

8. In accordance with Section 223-18.F(2) of the Zoning Law, the City Council may grant one (1) or more extensions of up to six (6) months each, to (a) complete the conditions of approval for the special permit use, upon a finding that the applicant is working toward completion of such conditions with due diligence and has offered a reasonable explanation of its inability to complete such improvements and file a bona fide application for a building permit, and (b) to complete construction of the improvements, upon a finding that the Applicant is prosecuting construction with due diligence and has offered a reasonable explanation of its inability to complete the Project. The City Council may impose such conditions as it deems appropriate upon the grant of any extension. The granting of an extension of time shall not require a public hearing.

9. The Building Inspector may revoke this Special Permit approval where it is found that the use of the premises does not conform with the limitations and conditions contained in the Special Permit approval.

10. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

11. The approvals granted by this resolution do not supersede the authority of any other entity.

Dated: August 6, 2018

Resolution No. 116 of 2018			**Date: August 6, 2018**				
☐ **Amendments**						☐ **2/3 Required.**	
☐ **Not on roll call.**			☐ **On roll call**			☐ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson	x				
		Jodi McCredo		x			
x		**George Mansfield**	x				
		Lee Kyriacou	x				
	x	**John Rembert**		x			
		Amber Grant					x
		Mayor Randy J. Casale	x				
		Motion Carried	x				

Received In the Office of the
City Clerk
August 7, 2018

5102/11/640091v1 8/3/18

2018-01

City of Beacon
Zoning Board of Appeals

RESOLUTION

WHEREAS, an application has been made to the City of Beacon Zoning Board of Appeals by **Scenic Beacon Developments**, LLC (the "Applicant") to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6, in connection with the construction of seven apartment buildings containing a total of 307 units (413 bedrooms) on property located and collectively known as 22 Edgewater Place, located in the RD-1.7 Zoning District. Said premise being known and designated on the City Tax Map as Pace IDs **5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979**; and

WHEREAS, the Applicant is proposing to demolish two existing buildings, construct seven (7) apartment buildings containing 307 units on 12.009 acres in the RD-1.7 Zoning District (the "Proposed Project"); and

WHEREAS, the Proposed Project requires variance approvals from the Zoning Board of Appeals, Special Permit approval from the City Council and Site Plan approval from the Planning Board; and

WHEREAS, the Proposed Action is a Type I action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the (SEQRA) public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Environmental Assessment Form and all associated materials prepared in connection with the Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, the Planning Board determined that the Proposed Project is entirely consistent with the Local Waterfront Revitalization Program ("LWRP") policies which apply to the Project; and

WHEREAS, the Zoning Board of Appeals held a duly advertised public hearing on

the application on March 21, 2017 and continued the public hearing to December 19, 2017, at which time all those wishing to be heard on the application were given such opportunity; and

WHEREAS, the Board closed the public hearing on December 19, 2017; and

WHEREAS, pursuant to New York State General City Law § 81-b(4) and Zoning Code Section 223.55(C)(2)(b), when deciding the request for an area variance:

> In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such a determination, the board shall also consider:
>
> [1] Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
>
> [2] Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
>
> [3] Whether the requested area variance is substantial;
>
> [4] Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
>
> [5] Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

WHEREAS, pursuant to Zoning Code Section 223.55(C)(2)(c) "the Board of Appeals, in granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community."

WHEREAS, based upon the Record before it and after viewing the premises and neighborhood concerned and upon considering each of the factors set forth in Section 223.55(C)(2)(b)[1]-[5] of the City of Beacon Code, the Zoning Board finds with respect to each of the requested variances as follows:

1. The variances will not produce an undesirable change in the character of the neighborhood and there will not be a detriment to nearby properties created by the granting of the area variances.

A. Maximum Building Height- Number of Stories

The City's Zoning Code Section 223-17.C/223 Attachment 1:6 permits a building height to be no greater than fifty-five (55) feet or 4 ½ stories. Each of the seven proposed buildings will comply with the maximum height of 55 feet permitted by the Zoning Code Section 223-17.C. A height variance of half a story is required for three buildings designed with gabled roofs.

The Board find that no undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of the area variance of half a story permitting a maximum height of 5 stories for three of the seven buildings where the maximum amount of stories permitted by the code is 4 ½ stories. Under the Zoning Code Section 223-63, the "height of building" is measured as the "vertical distance from the average established grade in front of the lot or from the average natural grade at the building line, whichever is higher, to the level of the highest point of the roof, if the roof is flat, or to the mean level between the eaves and the highest point of the roof, if the roof is of any other type." Under this definition, gabled roofs and angled roofs are measured differently. The gabled roofs are measured with an extra half story because of its design. The three buildings for which variances are required are not as tall at the peak of the angled roofs as the other four buildings that comply with the 4 ½ story height requirement. Furthermore, the roofs of the buildings are all accessible by the Beacon Fire Department apparatuses. As all seven buildings are within the permitted height of 55 feet, the granting of a half story variance for three of the seven buildings does not create a detriment to nearby properties.

B. Maximum Number of Dwelling Units Per Building

No undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of an area variance permitting more than 36 dwelling units. The Zoning Code Section 223-17.C states that the maximum number of dwelling units per building shall not exceed 36. The Applicant proposes to construct a total of 307 dwelling units, to be distributed among seven buildings, as permitted on the 12-acre parcel by right. The buildings are proposed to contain the following number of units:

- Building 1- 48 units;
- Building 2- 52 units;

- Building 3- 59 units
- Building 4- 32 units (no variance required)
- Building 5- 32 units (no variance required)
- Buildings 6- 51 units; and
- Building 7- 32 units (no variance required)

Three (3) of the buildings are proposed to contain 32 residential dwelling units, this is four less units than permitted. All the buildings will look similar from the exterior, and the total number of units (307 units) proposed for the 12-acre property is permitted. Under the density regulation in 223 Attachment 1:6, the lot area required per dwelling unit is 1,700 square feet. Therefore, on a 12 acre lot, approximately 522,720 square feet, 307 dwelling units may be constructed. The proposed development will not result in any adverse impacts to the neighborhood character because by permitting the Applicant to have more dwelling units per building, the Applicant is able to preserve more open space and decrease overall lot coverage and impervious surface. Otherwise, the Applicant could construct the same number of units (307), but in more buildings which would have greater impacts.

C. Minimum Separation Between Buildings

No undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the granting of a variance to permit a minimum distance of less than 36 feet between buildings. There are a total of five openings between the proposed seven buildings on the premises. The closest minimum distance between the buildings is 12 feet. By reducing the distance between buildings the Applicant is able to cluster the buildings to preserve a maximum amount of open space. In addition, the buildings include additional fire suppression systems and will utilize fire suppression materials to ensure fire safety and further preserve the welfare of the neighborhood and ensure the safety of all residents. The Fire Department received the plans and had no objection to the reduced separation distance between buildings. Overall, the proposed project enhances the character of the neighborhood, and will not have a detrimental impact to either the neighborhood or adjacent properties.

2. The benefit sought by the Applicant cannot be achieved by some method feasible for the Applicant to pursue, other than the requested area variances.

A. Maximum Building Height- Number of Stories

The benefit sought by the Applicant cannot be achieved by some other method feasible for the Applicant to pursue. The Applicant may construct 307 dwelling units on the premises by right. The Applicant has presented two other alternatives. Such alternatives require the Applicant to construct eight buildings (providing 288 dwelling units) or nine buildings (providing 307 units). Both alternatives create higher development impacts. The Applicant wants to pursue a sustainable development to maximize open space. Under the

proposed project there is 35% impervious coverage. Both alternatives require at least 40% impervious coverage.

The premises is located in the Coastal Management Zone as defined by the City's Local Water Front Revitalization Program (LWRP). The proposed project condenses and clusters the footprint of the buildings and decreases impervious surfaces to achieve the clustered effect recommended by the LWRP. Specifically the LWRP provides that "the scenic qualities of Beacon results from the combination of clustered buildings (many historic) and wooded hillsides against the backdrop of the Hudson Highlands." On December 12, 2017, the Planning Board issued a Local Waterfront Revitalization (LWRP) Consistency Determination, which provides in part that the proposed Project is consistent with the policies in the LWRP because it condenses and clusters the footprint of the buildings and impervious surfaces to achieve the clustered effected by the LWRP. The proposed alternatives do not achieve the same effect.

B. Maximum Number of Dwelling Units Per Building

The Applicant is proposing 31 dwelling units as below-market rate units, in accordance with the City's Affordable-Workforce Housing Laws. By granting the variance and permitting more than 36 dwelling units in a building, the Applicant can create a better mix of unit types and overall diversity in unit counts to better achieve the goals of the Affordable-Workforce Housing Law.

The Applicant is permitted to build 307 units on the premises pursuant to the density requirements of the RD-1.7 Zoning District on a 12 acre parcel, subject to special use permit approval by the City Council to approve multifamily complexes. Without the variances, the Applicant will need to construct one or two extra buildings, increasing lot coverage and impervious surface. The Applicant's goal to preserve 65% green space, create diversity in buildings and unit types and provide common gathering space for residents cannot be achieved without the requested variance.

If each building contained the same number of units it would necessitate more buildings, and would therefore create a much higher-impact development. Therefore, there is no other feasible means to achieve the required number of units but for the granting of the variance to permit more than 36 dwelling units per building.

C. Minimum Separation Between Buildings

As discussed above, the relative clustering of the buildings contributes to maximizing the amount of open space provided onsite. The proposed layout allows for the preservation of the maximum amount of green space (65%) and will overall enhance the community. Thus, the benefit the Applicant seeks, to develop 307 residential dwelling units and preserve 65% open space, cannot be achieved without the requested variance.

3. The requested variances are mathematically substantial; however, this does not outweigh the other factors meriting the granting of the variance.

The requested variances are mathematically substantial. However, in considering whether a variance is substantial, the Board must examine the totality of the circumstances within the application and the overall effect of granting the requested relief. Here, the variances are not substantial in their effect. The project design provides a variety of units, both market-rate and below-market rate units, while preserving the most amount of open space. Moreover, even though the requested variances are mathematically substantial, this factor alone does not preclude the granting of the variances.

The Board reviewed the overall effect of the requested variances to permit the clustering of units on this 12 acre parcel requiring (1) a half story height variance for three buildings, (2) a variance to permit more than 36 residential dwelling units per building and (3) a variance to allow less than 30 feet between the proposed buildings. While the requested variance is mathematically substantial, the variance will result in minimal impacts to the surrounding neighborhood and environment. Therefore, the Board finds that the requested variance is not substantial.

4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. There will be no adverse effects of noise, vibrations, odor, traffic, or impact on public services caused by the requested variances. As part of the Coordinated SEQRA review conducted by the Planning Board as Lead Agency, the Planning Board has determined that the entire action, including the required variances, will have no potential significant adverse environmental impacts. As mentioned above, the Planning Board also granted a LWRP Consistency Determination which provides that the proposed Project is consistent with polices and guidance of the LWRP. The proposed project will preserve 65% open space and utilize green infrastructure practices to reduce runoff, minimize grading and soil disturbance, and minimize impervious surface areas. The proposed project will also incorporate soil conservation and dust control best management practices and utilize native vegetation in all proposed landscaping to enhance wildlife habitat.

5. The alleged difficulty was self-created but this factor does not preclude the granting of the area variances.

The need for the variances is self-created since it is presumed the Applicant selected the Property as the location for its proposed development knowing the zoning requirements pertaining to the maximum height of buildings permitted, the maximum number of residential dwelling units per building and the minimum distance required between buildings. However, this does not preclude the granting of the area variance.

NOW THEREFORE, BE IT RESOLVED, that, for the reasons set forth above, the application of Scenic Beacon Developments, LLC (the "Applicant") to allow Building 3, Building 4, and Building 6, as identified on the proposed Site Plan dated January 31, 2017, to have 5 stories where the maximum building height is 4.5 stories pursuant to City § 223-17.C/223 Attachment 1:6, is hereby GRANTED.

BE IT FURTHER RESOLVED, that for the reasons set forth above, the application of Scenic Beacon Developments, LLC, to allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City Code § 223-17.C/223 Attachment 1:6, is hereby GRANTED subject to the following conditions:

1. If the Applicant builds less than 252 units (7 buildings x 36 dwelling units= 252 untis), this variance is void. The Applicant will be required to comply with the Zoning Code requirements restricting the number of units per building and may not exceed 36 residential dwelling units per building.

2. The Applicant is permitted to construct a maximum number of four buildings with more than 36 residential dwelling units. The maximum number of dwelling units for any one building may not exceed 59 residential dwelling units per building.

BE IT FURTHER RESOLVED, that for the reasons set forth above, the application of Scenic Beacon Developments, LLC, to allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City Code § 223-17.C/223 Attachment 1:6, is hereby GRANTED subject to the following conditions:

1. The Applicant shall maintain at least 65% of the 12-acre parcel as open space, but for Planning Board approval of impervious infrastructure including, but not limited to, sidewalks, development of land banked parking, roads, and decks. The total amount of open space land preserved after Planning Board approval of said impervious infrastructure shall not be less than 60% of the 12-acre parcel.

2. Impervious surface shall not exceed 35% of the 12-acre parcel, but for Planning Board approval of impervious infrastructure, including, but not limited to, sidewalks, development of land banked parking, roads, and decks. The total impervious surface area, including any additional approved impervious surfaces, shall not to exceed 40% of the 12-acre parcel.

3. The distance between any of the proposed buildings shall not be less than 12 feet.

BE IT FURTHER RESOLVED, that all the variances granted herein are subject to the following conditions:

1. No permit or Certificate of Occupancy shall be issued until the Applicants have paid in full all application and consultant fees incurred by the City of Beacon in connection with the review of this application.

2. The Applicant shall obtain a building permit within twelve months from the date of obtaining the last land use approval.

3. The variance shall terminate unless the Proposed Project, as defined herein, has been substantially completed within five years from the date of obtaining the last land use approval or the Applicant appears before the Board for an extension.

Dated: January 17, 2018

Mr. John Dunne, Chairman

Height Variance

Mr. Dunne called the roll							
Motion	**Second**	**Zoning Board Member**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
		Jordan Haug	X				
	X	Robert Lanier	X				
X		Judy Smith	X				
		David Jensen		X			
		Motion Carried	**4**	**1**			

Maximum Number of Dwelling Units Variance

Mr. Dunne called the roll:							
Motion	**Second**	**Zoning Board Members**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
X		Jordan Haug	X				
		Robert Lanier	X				
	X	Judy Smith	X				
		David Jensen		X			
		Motion Carried:	**4**	**1**			

Maximum Distance Between Buildings Variance

Mr. Dunne called the roll:							
Motion	**Second**	**Zoning Board Members**	**Aye**	**Nay**	**Abstain**	**Excused**	**Absent**
		John Dunne	X				
X		Jordan Haug	X				
	X	Robert Lanier	X				
		Judy Smith	X				
		David Jensen		X			
		Motion Carried:	4	1			

Agency Use Only [IfApplicable]

Project : Edgewater

Date : 7/10/18

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

See attached for the reasons supporting this Amended Negative Declaration.**

**As a result of the project changes, the Proposed Action has been reclassified from a Type I Action to an Unlisted Action because the Proposed Action now includes the development of less than 250 dwelling units.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information
All application materials submitted by the Applicant, memoranda from City staff and Consultants, agency and public comment, and testimony from meetings held on the application.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the City of Beacon Planning Board as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Edgewater

Name of Lead Agency: City of Beacon Planning Board

Name of Responsible Officer in Lead Agency: John Gunn

Title of Responsible Officer: Chairman

Signature of Responsible Officer in Lead Agency: Date: 7/10/2018

Signature of Preparer (if different from Responsible Officer) Date: 7/10/18

For Further Information:

Contact Person: Etha Grogan, Planning Secretary

Address: 1 Municipal Plaza, Beacon NY 12508

Telephone Number: 845-838-5002

E-mail: egrogan@cityofbeacon.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

ATTACHMENT TO
AMENDED
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION

APPLICATION FOR SITE PLAN, SPECIAL USE PERMIT AND SUBDIVISION APPROVAL FOR EDGEWATER

22 Edgewater Place:
Tax Grid Nos. 5954-25-581985, 5954-25-574979, 5954-25-566983, 5955-19-59002

CONCLUSIONS

On December 12, 2017, the Beacon Planning Board adopted a Negative Declaration finding that the Proposed Action would not result in any significant adverse environmental impacts.

On June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the site plan, in part to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. The revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms), a reduction in the number of parking spaces, a reduction in the amount of impervious surface coverage, and approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River ("Amended Project" or "Amended Proposed Action"). Additional application materials submitted with the revised plans included an updated Part 1 of the Environmental Assessment Form (EAF), dated June 11, 2018.

At the time of the Planning Board's adoption of the Negative Declaration on December 12, 2017, the Proposed Action was a Type I action pursuant to 6 NYCRR 617.4(b)(5)(iii) because the project proposes the construction of more than 250 new residential units to be connected to, public water and sewer in a city having a population of less than 150,000. The Amended Proposed Action is no longer a Type I action because it proposes a total of 246 dwelling units which falls below the threshold for Type I actions. Therefore, the Amended Proposed Action is an Unlisted action.

The Planning Board, as Lead Agency, previously held a public hearing to consider comments regarding any environmental impacts of the Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the State Environmental Quality Review Act (SEQRA) public hearing was closed.

Based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Proposed Action and the Amended Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board, acting as Lead Agency, makes the following conclusions.

The Proposed Action will not result in any significant adverse impacts on the environment. In summary:

- **Impact on Land: The Proposed Action will not have a significant adverse environmental impact as a result of any physical change to the project site.**

  Much of the analyses regarding impacts to land remain the same in the Amended Proposed Action as were analyzed for the Proposed Action in December 2017.

  The Project Site continues to consists of four (4) parcels which are proposed to be merged into one development parcel of approximately 12 acres. Approximately 10 acres of the Site will be disturbed for development of the Project. The Site is currently developed with two buildings and is characterized by prior soil disturbance across much of the Site. Several stockpiles of aggregate and topsoil are currently located within the central portion of the Site on either side of the remnants of an asphalt road that extends across the central portion of the Site.

  The Site is located within the RD-1.7 Zoning District. The Amended Project proposes 246 dwelling units (350 bedrooms) in seven (7) apartment buildings with associated infrastructure including utility lines, stormwater facilities, and a below-grade parking garage and on-grade parking. The number of proposed units was reduced from the 307 units (413 bedrooms) analyzed as part of the Planning Board SEQRA Negative Declaration adopted on December 12, 2017. The reduction in proposed units was required to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts. Local Law No. 9-2018 generally requires that areas containing "Very Steep Slopes" must be deducted from the total net buildable area for the purposes of determining a property's allowable density. "Very Steep Slopes" are defined by Local Law No. 9-2018 to include slopes of 25% or more extending over a contiguous land area of at least 10,000 square feet. Based on this formula, a total area of 110,533 square feet was deducted from the lot area to determine the Property's net buildable area. This calculation resulted in a total unit count of 242 prior to adding the 10 bonus units as per the City's Affordable Work Force Housing Law, bringing the total allowable units to 252. The Amended Proposed Action proposes 246 units comprised of 25 studios, 126 1-bedroom units, 86 2-bedroom units, and 9 3-bedroom units.

Land banked parking will continue to be utilized for a portion of the proposed parking spaces to minimize land disturbance and impervious coverage. The prior plans proposed to land bank 33 parking spaces, whereas the Amended Proposed Action proposes to land bank 45 parking spaces. A total of 328 parking spaces are required pursuant to the City Zoning Code and 329 parking spaces are proposed through a mix of 238 surface parking spaces, 46 podium parking spaces and 45 land banked parking spaces.

The Project will continue to require the removal of approximately 3.2 acres of woods, which generally involves smaller trees located on the interior of the site. No wetlands or wetland buffer areas will be disturbed as a result of the Project. As described in the June 12, 2018 memorandum from Hudson Land Design, P.C. entitled, "Reduced Density Proposal – Avoidance of Newly Defined Very Steep Slopes Wherever Possible," disturbance of slopes will be avoided, minimized and stabilized using best management practices during construction and post-construction.

The revised site plan features several changes to reduce the impacts on Very Steep Slopes compared to the previous December 12, 2017 plans, including a retaining wall along the eastern parking area to maintain existing slopes near Bank Street, elimination of the parking areas behind Building 7 and along the lower access driveway, and the relocation of the western trail route to avoid slopes along the bluff overlooking the Hudson River. Due to proposed development on Very Steep Slopes, compliance with Section 223-16.B will be required for any final approvals for the Amended Project.

- **Impact on Geological Features: The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms on the site.**

  There continue to be no unique geological features on the Property.

- **Impacts on Surface Water and Groundwater: The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity.**

  Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Amended Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

Site disturbance will still exceed 1-acre. Therefore the full Stormwater Pollution Prevention Plan (SWPPP) that was prepared to obtain coverage under NYSDEC SPDES General Permit GP-0-15-002 will be updated to reflect the reduction in site disturbance and impervious surface coverage. The proposed stormwater practices shown on the plans and described in the SWPPP are designed in accordance with the NYSDEC Stormwater Management Design Manual, including design of an underground site stormwater conveyance system and three infiltration basins.

The Amended Project will be connected to the existing public water distribution system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 gallons of water per day at full build out based on 246 dwelling units (350 bedrooms). This represents a reduction of 6,930 gallons per day. Based on a recent study completed by the City of Beacon, there is sufficient public water supply for the Amended Proposed Action.

A 6" ductile iron (DI) water main runs beneath Tompkins Terrace and an 8" DI main runs beneath Bank Street. An 8" DI spur runs into the Site beneath Branch Street from Bank Street to an existing hydrant. The Amended Project continues to propose that the Site will connect to the 8" DI pipe (DIP) on Bank Street through a 8" DIP. The 8" DIP will be brought through the Site to provide water supply to the new buildings and continue to Branch Street and connect to the 8" DIP forming a looped connection to the City water system. The Applicant continues to propose to dedicate the new 8" water main to the City, along with a 20' wide utility easement for maintenance purposes. Flow and pressure tests have confirmed adequate flow and pressure are available for the Project. New fire hydrants and periodic isolation valves are proposed within the Site. In the event the City does not accept dedication of the 8" water main and easement, the infrastructure will remain privately owned and maintained but will need to be modified to include backflow prevention devices and meters. Notably, the Amended Project does not propose to use public water for irrigation purposes. Rather, the Amended Project includes an underground cistern for harvesting roof runoff for irrigation purposes. This is consistent with the original Project that was the subject of the December 2017 Negative Declaration.

The Amended Project will be connected to the existing public sanitary sewer system. The Project reviewed for the Planning Board's December 2017 Negative Declaration was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 galls of water per day at full build out based on 246 dwelling units (350 bedrooms x 110 gpd/bedroom). This represents a reduction of 6,930 gallons per day. Under normal operating conditions the public sanitary sewer system is

sufficient for the Project; however the West Main Street sewer pump station may require upgrades. If it is determined that upgrades are necessary as the City's hydraulic model of the sewer system is updated, the upgrades will be implemented as necessary. The Site currently contains an existing apartment building, and a single family residence. Both structures will be demolished thereby eliminating any current inflow and infiltration (I&I) entering the City sanitary sewer system (North interceptor) from the Site.

- **Impact on Flooding: The Proposed Action will not have a significant adverse environmental impact on or alter drainage flows or patterns, or surface water runoff.**

For the Amended Proposed Action, the treatment of stormwater will continue to be provided for the new impervious area. The Planning Board noted in its December 2017 Negative Declaration that a Stormwater Pollution Prevention Plan (SWPPP) had been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The final stormwater management system was proposed to consist of minimal conveyance systems which included culverts and grass-lined swales/dikes where required. It was anticipated that most, if not all perimeter diversion swales/dikes will be unnecessary and removed after installation; however, there may be a need for some as site conditions warrant. The remainder of the drainage area would remain undisturbed with natural vegetation remaining.

The Amended Project includes a reduction in impervious surface coverage. Based on this reduction, the SWPPP will be updated to include the reduction in impervious area which was contributing to each stormwater management facility (Bioretention Areas 1 &2 and Infiltration Basin 3). The reduction in impervious surface coverage will reduce overall stormwater impacts.

Further, the Amended Project continues to propose the implementation of green infrastructure practices to the greatest extent possible to reduce runoff, including avoidance of sensitive areas, minimizing grading and soil disturbance, minimizing impervious areas on internal access ways, driveways and parking areas, and use of meadow as permanent final groundcover to provide better water quality. The Amended Project continues to propose parking spaces and drive aisles that were reduced in size from 9'x20' with a 25' drive aisle to 9'x18' with a 24' drive aisle, to comply with the newly amended City Code requirements and consistency with the "Greenway Connections" and NYSDEC stormwater objectives to reduce impervious surfaces. Infiltration/bioretention practices, use of open channel

vegetated conveyance systems, and an underground cistern for roof runoff will also continue to be implemented.

As in December 2017, pretreatment practices proposed for the Amended Project include overland flow, vegetated swales, stone check dams, hydrodynamic devices, treatment practices, bioretention areas, infiltration basins and grass filter strips.

In December 2017, the proposed Bioretention areas 1 and 2 did not meet 100% Runoff Reduction Volume (RRV) due to shallow bedrock constraints. The January 2015 NYSDEC Stormwater Design Manual describes acceptable site limitations to include shall depth to bedrock. It was proposed at that time that Bioretention Area 1 will be supplemented with cisterns for roof runoff, and Bioretention Area 2 will be supplemented with a vegetated swale to maximize the Runoff Reduction Volume. As the SWPPP is updated by the Applicant to include the reduced impervious surface coverage, the City Engineer will review to confirm whether these practices remain applicable and issue his recommendations to the Planning Board. Moreover, temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP.

- **Impact on Air: The Proposed Action will not have a significant adverse environmental impact on air quality.**

Impacts on air resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Construction activities associated with grading and excavation could result in temporary air quality impacts. Air quality in the area, however, is not expected to be significantly impacted by project construction because the construction activities will be temporary and confined to the Site. Construction vehicles will emit certain air pollutants through engine exhaust. There is also the potential for fugitive dust to be created during the construction period from site preparation activities, including removal of existing impervious surfaces and vegetation, and site grading. Fugitive dust emissions will be mitigated by wetting and stabilizing soils to suppress dust generation. Other dust suppression methods will include the spraying of soil stockpiles during dry periods and covering trucks carrying solid and other dry materials. These unavoidable short term impacts to air quality will cease upon project completion. Construction will be conducted in accordance with the final filed site plan and in accordance with all applicable federal, state and local codes. It is anticipated that nearby properties will experience temporary fugitive dust and an elevation in vehicle emissions from construction vehicles throughout occasional

periods during construction of the proposed project. This is a temporary, construction-related, unavoidable impact that is not significant.

- **Impact on Plants and Animals: The Proposed Action will not have a significant adverse environmental impact on flora or fauna.**

  Impacts on plants and animals resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  Pursuant to a March 30, 2017 letter from NYSDEC, the only state-listed species recorded within or near the Project Site is the Indiana Bat (NYS Listing: Endangered). The main impact of concern for bats is the removal of potential roost trees. The Applicant submitted a Threatened and Endangered Species Habitat Suitability Assessment Report, dated September 15, 2017, prepared by Ecological Solutions, LLC, Southbury, CT. The Report concluded "The proposed project will require the removal of approximately 3.2 acres of woods for the proposed project, which generally involves smaller trees located on the interior of the site that consist of opportunistic trees that are not prime for Indiana bat habitat." Pursuant to NYSDEC recommendations, removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and April 1 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees. The Amended Proposed Action also includes shielded, cut-off light fixtures that direct light down to minimize light pollution and not interfere with potential bat foraging activities. Lastly, the Amended Proposed Action includes implementation of soil conservation and dust control best management practices, such as watering dry disturbed soil to keep dust down, and using staked, recessed silt fence and anti-tracking pads to prevent erosion and sedimentation in surface waters on the site. Also, native vegetation is proposed to enhance wildlife habitat.

- **Impact on Agricultural Resources: The Proposed Action will not have a significant adverse environmental impact on agricultural resources.**

  There continue to be no agricultural resources in the vicinity of the Site.

- **Impact on Aesthetic Resources: The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.**

  Impacts on aesthetic resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  The Amended Proposed Action will not result in the obstruction, elimination or significant screening of one or more officially designated scenic views, or visible from any publicly accessible vantage points either seasonally nor year around.

The Local Waterfront Revitalization Program (LWRP) does not list viewsheds from the Site, or viewsheds that would be obscured by the Project. Seasonal views of the Amended Project will be experienced from the Metro North train station and from the Hudson River. The Applicant submitted an updated LWRP Consistency Statement, prepared by Aryeh Siegel, Architect, which was reviewed by the City Planner. Photo renderings of the Amended Project were also submitted by the Applicant demonstrating the possible seasonal views from these vantage points. The views remain unchanged from the December 2017 Negative Declaration. The renderings demonstrate that the tops of the buildings will be visible to some degree and the level of visibility will change with the seasonal leaf coverage. Architectural review of the proposed building roofs includes attention to the roof materials and finishes to harmonize with the existing landscape. The buildings have been designed to be set back from the property lines to allow for the maintenance of the existing wooded hillsides around the proposed development areas. The seasonal views of the Amended Project are consistent with the existing viewshed and will not result in a significant adverse environmental impact.

It is noted that the height of the proposed buildings complies with the maximum building height permitted in the RD-1.7 District. However, due to the method in which the buildings are measured under the City of Beacon Zoning Code three (3) of the seven (7) proposed buildings received a variance from the maximum number of stories permitted. Buildings 3, 4 and 6 will be 55 feet in height, consistent with the limitations in the Zoning Code, but are measured as 5 stories where a maximum of 4.5 stories is permitted.

Although there are no officially designated scenic views affected by the Amended Project, it should be noted that views of the Amended Project from publically accessible areas such as public streets, will be improved in the Amended Project as compared to the original Project reviewed for the December 2017 Negative Declaration. The reduced unit count requires 58 fewer parking spaces which resulted in additional green space, particularly at the most visible portion of the Property near the Bank Street/Tompkins Avenue intersection. Also, the parking areas behind Building 7 and along the lower driveway south of Building 4 have been eliminated.

- **Impact on Historic and Archeological Resources: The Proposed Action will not have a significant adverse environmental impact on historic or archeological resources.**

Impacts on historic and archeological resources resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

Pursuant to a March 30, 2017 letter from NYSDEC, the records of the statewide inventory of archaeological resources maintained by the New York State Museum and the New York State Office of Parks, Recreation and Historic Preservation (NYS OPRHP) state that the Proposed Action is located within an area considered to be sensitive with regard to archaeological resources.

A Phase 1A Archeological Investigation for the Project Site dated September 2017 was submitted for the Board's review. The Phase 1A Report provides the following conclusion:

"The project area has experienced extensive soil disturbance, initially the result of historic development followed by excavation related to the removal of the historic buildings that once occupied the site. The recent use of the property for aggregate and topsoil stockpiling have also affected the landscape. A significant portion of the property, especially along the eastern, southern and western perimeters, have slopes exceeding 12%. With the high level of disturbance and the presence of slopes greater than 12%, no further archeological investigation is recommended."

Additionally, based on its review of the Project (OPRHP Project Review #17PR06370), in a letter dated October 10, 2017, the NYS OPRHP provided the following opinion: "...[the] project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State Register of Historic Places."

- **Impact on Open Space and Recreation: The Proposed Action will not have a significant adverse environmental impact on open space and recreation.**

  Impacts on open space and recreation resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

  The area of the Proposed Action is not designated as open space by the City of Beacon. The Proposed Action will not result in the loss of a current or future recreational resource, eliminate significant open space, or result in loss of an area now used informally by the community as an open space resource, as the Site is primarily a vacant lot, with improvements limited to an existing apartment building and a single family residence. If a park of adequate size and practical location does not address the need for additional recreation/parkland within the City, a recreation fee will be required which will be used for the future need for park and recreational opportunities in the City of Beacon.

- **Impact on Critical Environmental Areas: The Proposed Action will not have a significant adverse environmental impact on Critical Environmental Areas.**

The Amended Proposed Action is not located in a Critical Environmental Area.

- **Impact on Transportation: The Proposed Action will not have a significant adverse environmental impact on transportation.**

A Traffic Impact Study, dated January 18, 2017, revised February 27, 2017, (the "Study") was prepared by Maser Consulting, P.A., Hawthorne, N.Y. for review by the Planning Board. The Study was prepared to identify current and future traffic operating conditions on the surrounding roadway network and to assess the potential traffic impacts of the Project. The Study was based on the prior proposal of 307 dwelling units. The Study was subject to review and comment by the Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y.

The Amended Project continues to propose access to the Site at a reconstructed driveway connection to Tompkins Avenue located between Tompkins Terrace and Bank Street. The Amended Project also continues to include an extension at the southern end of the Site to Branch Street, providing access directly to Bank Street, which connects to West Main Street to the south.

The Study established Year 2017 Existing Traffic Volumes and then projected a 2022 Design Year which took into account background traffic growth and traffic from other potential or approved developments in the area. Estimated volume from the Project during peak hours was added to the Study and the Existing, No-Build and Build Traffic Volumes were compared to roadway capacities based on procedures from the Highway Capacity Manual to determine existing and future Levels of Service (LOS) and operating conditions.

The following intersections were studied:

Wolcott Avenue (NYS Route 9D)/Tompkins Avenue/Ralph Street
Tompkins Avenue/Bank Street
Beekman Street/W.Main Street
W.Main Street/Bank Street
Wolcott Avenue (NYS Route 9D)/Verplanck Avenue
Wolcott Avenue (NYS Route 9D)/Beekman Street/West Church Street
Wolcott Avenue (NYS Route 9D)/Main Street/Municipal Place
Tompkins Avenue/Site Access
Branch Street/Bank Street

The Study concluded and the Planning Board's Traffic Consultant concurred that similar levels of service and delays will be experienced at the area intersections

under the future No-Build and Build Conditions. The majority of the intersections studied will experience a traffic volume increase of 7% or less as a result of Edgewater or the West End Lofts project recently approved by the Planning Board. The traffic projections do not take any credits for the anticipated use of Metro North and/or pedestrian trips to the train by residents of the new developments, which will likely reduce the actual peak vehicular traffic generated given the walking distance to the train station. The Applicant's traffic consultant prepared analyses for the Project as a transit-oriented development, based on the Site's proximity to the Metro-North train station. Where a mass transit credit is applied to the Project, which the Applicant's traffic consultant identified could be obtainable for the Site, the Applicant's traffic consultant concluded: "...the expected delays would be less at the study area intersections as a result of the lower vehicular traffic generation from the project."

Notwithstanding, due to anticipated delays at the Wolcott Avenue/Verplanck Avenue and Wolcott Avenue/Beekman Street intersections, traffic signal timing modifications are proposed during the AM Peak Hour for the Wolcott Avenue/Verplanck Avenue intersection and during the PM Peak Hours for the Wolcott Avenue/Beekman Street intersection, to address the project related delay increases. With these traffic signal timing modifications, the intersections will operate similar to No-Build conditions without the Project. Additionally, the intersections of Wolcott Avenue/Tompkins Avenue and Beekman Street/West Main Street are proposed to be monitored after occupancy of the Project to assess whether traffic signal warrants will be satisfied at these locations.

Related to transportation, the Amended Project also continues to propose improved pedestrian access to and from the Amended Project, upgraded pedestrian facilities along Branch Street, Bank Street and West Main Street, and pedestrian striping and signing improvements at the intersection of Bank Street and West Main Street. The Amended Project also continues to propose ample bicycle storage and a car share program for its residents.

An updated review of traffic conditions was prepared by the Applicant's consultant, Maser Consultanting, P.A. in a letter dated June 5, 2018 ("Updated Traffic Analysis"). The Updated Traffic Analysis includes the AM Peak Hour and PM Peak Hour trip generated projected for the Amended Proposed Action with 246 dwelling units instead of 307 dwelling units. As expected, the reduced density proposal results in a reduction in traffic generation. The net reduction in trip generation at the AM Peak Hour is 31 (307 units: 155 trips vs. 246 units: 124 trips) and the net reduction in trip generation at the PM Peak Hour is 35 (307 units: 188 vs. 246 units: 153). Notwithstanding the reduction in projected trip generation, the Applicant continues to propose all previously proposed traffic mitigation measures, as described above.

As with the original Study, these projections do not account for any mass transit usage by residents of the development. However, due to the Property's proximity to the Metro-North Train Station it is likely that a portion of residents will utilize mass transit thus reducing the actual trip generation.

The Planning Board's Traffic Consultant, Creighton Manning Engineers, LLP, Albany, N.Y., reviewed the Updated Traffic Analysis and in a memorandum to the Planning Board dated July 3, 2018 concurred that the Amended Project will result in fewer trips than that originally studied.

- **Impact on Energy: The Proposed Action will not have a significant adverse environmental impact on energy.**

Impacts on energy resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

It is anticipated that existing energy infrastructure will continue to serve the Amended Proposed Action and that enough surplus exists to meet potential demand. The Amended Proposed Action does not require a new, or an upgrade to any existing substation.

Several green building techniques have been incorporated into the Amended Project. The building design will allow for the ability to utilize solar energy in the future if and when it becomes feasible.

- **Impact on Noise, Odor and Light: The Proposed Action will not have a significant adverse environmental impact as a result of objectionable odors, noise or light.**

Impacts on noise, odor and light resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended Proposed Action is not anticipated to generate any noxious odors.

Noise impacts associated with the proposed Amended Project will be limited to temporary impacts generated during construction. Temporary noise impacts associated with construction will be mitigated by limiting construction activities to the hours between 7:00 a.m. and 7:00 p.m. Soil testing was conducted onsite to investigate the depth of the soil and rock conditions. In the area of Bioretention area 1, shale bedrock was found less than 5 feet from the existing grade. In the area of Bioretention area 2, bedrock depths were found to be slightly deeper than 4 feet. If blasting becomes necessary, it will be performed in accordance with all

applicable state and local requirements. In addition, there will be no significant noise impacts post-construction.

All proposed lighting will be fully shielded and dark sky compliant. Lighting levels along the access drive will generally be low (within 0.0 – 1.0 footcandles along the majority of the access drive, with discrete areas of increased intensity under lighting fixtures (up to about 3.0 footcandles). The proposed Lighting Plan shows minimal to no light spillage over property lines. Lighting at the perimeter of the site is negligible.

- **Impact on Human Health: The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants.**

Impacts on human health resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

According to information available on the NYS DEC Site Remediation Database, the off-site contamination under the following Site Codes identified in the EAF has either completed a remediation program or does not pose a threat to development on the Edgewater Site: V00293, C314112, V00096, 314069, 546031.

- **Consistency with Community Plans and Community Character: The Proposed Action is not inconsistent with adopted community plans and community character.**

Impacts on community plans and community character resulting from the Amended Proposed Action remain unchanged from the Planning Board's December 2017 Negative Declaration.

The Amended Project is consistent with the recommendations and goals identified in the 2007 Comprehensive Plan and 2017 Comprehensive Plan Updates regarding density of developments. The Site is the only property in the City classified in the RD-1.7 Zoning District and the number of proposed dwelling units complies with the provisions of the RD-1.7 District. The transit oriented nature of the Amended Project is consistent with the Comprehensive Plan which seeks to encourage development and allow for increased density of housing in the waterfront/train station area of the City. (2007 Comprehensive Plan, pp. 7 & 17; 2017 Comprehensive Plan Update, p. 10). The density of the Amended Project is also consistent with the surrounding neighborhood which includes the existing Tompkins Terrace and Colonial Springs residential developments.

The Amended Project will create an increased demand for community services such as emergency services and the Beacon City School District. The application was previously referred to the City of Beacon Police and Fire Departments and the general layout has not substantially changed since that time, except to create a "No Parking, Fire Zone" in front of Building 4 to address comments from the Fire Department. The Amended Project will be constructed in accordance with all applicable state and local emergency and fire safety requirements.

The December 2017 Negative Declaration adopted by the Planning Board contains a lengthy discussion of impacts to the Beacon City School District (BCSD). At that time, the Planning Board concluded that based on the information provided the Planning Board's professional planning consultant, the Applicant's professional planning consultant and the BCSD, the addition of 42 school-age children represents the most accurate application of the Rutger's ratios. The Planning Board also considered the instruction budget vs. the total budget of the BCSD in determining the impacts of the Project on the BCSD. The following chart was provided in the December 2017 Negative Declaration to show the net fiscal impacts of 42 school-age children:

	Cost/Student	*# Students*	*Add'l. Costs*	*Revenue*	*Net Impacts*
Instructional Budget	*$17,102*	*42*	*$718,284*	*$810,300*	*+ $92,016*
Total Budget	*$23,116*	*42*	*$970,872*	*$810,300*	*-$160,572*

After considering all testimony and written submissions to the Planning Board on this subject, the Planning Board determined that the addition of 42 school-age children as a result of the Project will not create a significant increased demand on the School District.

The Applicant has submitted revised analysis of the generation of school-age children resulting from the Amended Proposed Action which includes 246 dwelling units instead of 307 dwelling units. The Amended Proposed Action will produce fewer school-age children than the previously studied Proposed Action. According to the City Planner's review of the Applicant's analysis, application of the Rutgers demographic multipliers results in an estimated 36 public school-age children, compared to 42 in the former projection.

Further, based on a July 3, 2018 memorandum from the Beacon City Assessor, the estimated valuation of the Amended Proposed Action remains $34-40 million due to the overall square footage of the development remaining relatively constant despite the reduction in the number of units. Therefore, the fiscal impacts to the BCSD will similarly be less than that which was previously studied for the December 2017 Negative Declaration.

Thus, for the reasons set forth in the December 2017 Negative Declaration and updated herein, the Planning Board finds that the Amended Proposed Action will not have a significant adverse impact on community services including the BSCD.

Based upon all information before the Planning Board to-date, including the revised Full EAF, the Planning Board finds that the Amended Proposed Action will not have any significant adverse impacts upon the environment. This Amended Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.

Received in the Office of the
City Clerk
July 12, 2018

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

AMENDED
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
CONSISTENCY DETERMINATION
EDGEWATER (22 EDGEWATER PLACE)

WHEREAS, the Beacon Planning Board received applications for Preliminary and Final Subdivision Plat Approvals (lot merger) and Site Plan Approval from Scenic Beacon Developments LLC (the "Applicant") for the construction of seven (7) apartment buildings containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Project" or "Proposed Action"); and

WHEREAS, the Site is located in the Coastal Management Zone as defined by the City's Local Waterfront Revitalization Program (LWRP) and the Proposed Action includes a request for an LWRP Consistency Determination; and

WHEREAS, the subject property is located at 22 Edgewater Place and designated on the City tax maps as Parcel Nos. 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979; and

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans for the Project which included revisions to the site plan, in part to comply with Local Law No. 9-2018 adopted by the City Council on May 21, 2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts; and

WHEREAS, the revisions to the Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms), a reduction in the number of parking spaces, a reduction in the amount of impervious surface coverage, and approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River ("Amended Project" or "Amended Proposed Action"); and

WHEREAS, the Planning Board has reviewed the Amended Project to determine whether the revisions affect its determination of consistency with the Local Waterfront

Revitalization Program ("LWRP") as set forth in its Resolution dated December 12, 2017 and its findings are set forth herein; and

WHEREAS, the subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated March 6, 2017, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings entitled, "Site Plan Edgewater," Sheets 1-15, dated January 31, 2017, last revised June 26, 2018, prepared by Aryeh Siegal, Architect; and

WHEREAS, the application also consists of application forms, the Environmental Assessment Form (EAF) and professional studies and reports submitted to the Planning Board; and

WHEREAS, the application was referred to the Dutchess County Planning Department pursuant to New York State General Municipal Law and responses dated March 16, 2017 and June 12, 2017 were received; and

WHEREAS, on May 9, 2017, the Planning Board opened a public hearing for the purpose of soliciting comments regarding the relevant areas of environmental impact, and the SEQRA public hearing was closed on December 12, 2017; and

WHEREAS, on August 8, 2017, the Planning Board opened a public hearing on the application for Site Plan Approval, at which time all those interested were given an opportunity to be heard and the public hearing remains open; and

WHEREAS, in accordance with Section 220-6 of Chapter 220, Waterfront Consistency Review, of the City Code, all "actions to be undertaken within the City's Coastal Management Zone shall be evaluated for consistency in accordance with the.....LWRP policy standards....;" and

WHEREAS, in accordance with Section 220-5 of the Waterfront Consistency Review chapter of the City Code, it is the Lead Agency's responsibility to make the Determination of Consistency based upon the Applicant's LWRP Consistency Statement, the SEQRA documents, the application and Project documentation, and all other information that has been submitted by the Applicant, City staff, Planning Board consultants, involved and interested agencies, and the public; and

WHEREAS, the Site was rezoned to RD-1.7 after the adoption of the LWRP and therefore several references to an RD-6 zoning designation for the Site (known as the Prizzi property) are no longer applicable, however, it is noted that the LWRP identifies a potential for development of the property as townhouses;

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

WHEREAS, the Planning Board adopted a Negative Declaration pursuant to SEQRA on December 12, 2017; and

WHEREAS, on July 10, 2018 after taking a "hard look" at each of the relevant areas of environmental concern through review of the Revised Environmental Assessment Form and all associated materials prepared in connection with the Amended Proposed Action the Planning Board adopted an Amended Negative Declaration pursuant to SEQRA finding that the Amended Proposed Action does not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that there are a number of LWRP policies which do not apply to the Amended Project which policies are those that are contained in the LWRP but not listed below, and the Planning Board hereby makes the following consistency findings with respect to the LWRP policies which apply to the Amended Project:

POLICY 5

Encourage the location of development in areas where public services and facilities essential to such development are adequate, except when such development has special functional requirements or other characteristics which necessitates its location in other coastal areas.

As noted in the SEQRA Amended Negative Declaration for the Project, the Project will be connected to the existing public water distribution system and public sanitary sewer system.

POLICY 13

The construction or reconstruction of erosion protection structures shall be undertaken only if they have a reasonable probability of controlling erosion for at least thirty years as demonstrated in design and construction standards and/or assured maintenance or replacement programs.

There will be no measurable increase erosion or flooding generated by the Amended Project. In December 2017, the Planning Board noted in its LWRP Consistency Determination that the proposed stormwater practices shown on the plans and described in the SWPPP have been designed in accordance with the NYSDEC Stormwater Management Design Manual. The Planning Board further noted that a Stormwater Pollution Prevention Plan (SWPPP) had been prepared in accordance with the requirements of NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity Permit No. GP-0-15-002. The final stormwater management system was proposed to consist of minimal conveyance systems which included culverts and grass-lined swales/dikes where required. It was anticipated that most, if not all perimeter diversion swales/dikes will be unnecessary and removed after installation;

however, there may be a need for some as site conditions warrant. The remainder of the drainage area would remain undisturbed with natural vegetation remaining.

The Amended Project includes a reduction in impervious surface coverage. Based on this reduction, the SWPPP will be updated to include the reduction in impervious area which was contributing to each stormwater management facility (Bioretention Areas 1 &2 and Infiltration Basin 3). The reduction in impervious surface coverage will reduce overall stormwater impacts.

Further, the Amended Project continues to propose the implementation of green infrastructure practices to the greatest extent possible to reduce runoff, including avoidance of sensitive areas, minimizing grading and soil disturbance, minimizing impervious areas on internal access ways, driveways and parking areas, and use of meadow as permanent final groundcover to provide better water quality. The Amended Project continues to propose parking spaces and drive aisles that were reduced in size from 9'x20' with a 25' drive aisle to 9'x18' with a 24' drive aisle, to comply with the newly amended City Code requirements and consistency with the "Greenway Connections" and NYSDEC stormwater objectives to reduce impervious surfaces.

Infiltration/bioretention practices, use of open channel vegetated conveyance systems, and an underground cistern for roof runoff will also continue to be implemented.

As in December 2017, pretreatment practices proposed for the project include overland flow, vegetated swales, stone check dams, hydrodynamic devices, treatment practices, bioretention areas, infiltration basins and grass filter strips.

In December 2017, the proposed bioretention areas 1 and 2 did not meet 100% Runoff Reduction Volume due to shallow bedrock constraints. The January 2015 NYSDEC Stormwater Design Manual describes acceptable site limitations to include shall depth to bedrock. It was proposed at that time that Bioretention Area 1 will be supplemented with cisterns for roof runoff, and Bioretention Area 2 will be supplemented with a vegetated swale to maximize the Runoff Reduction Volume. As the SWPPP is updated by the Applicant to include the reduced impervious surface coverage, the City Engineer will review to confirm whether these practices remain applicable and issue his recommendations to the Planning Board. Moreover, temporary vegetation sufficient to stabilize the soil will be provided on all disturbed areas as needed to prevent soil erosion, in accordance with the SWPPP.

POLICY 14

Activities and development, including the construction or reconstruction of erosion protection structures, shall be undertaken so that there will be no measurable increase in erosion or flooding at the site of such activities or development or at other locations.

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

The location of the proposed buildings has not changed from that which was reviewed for the December 2017 LWRP Consistency Determination. The proposed buildings have been sited on the flattest area of the Site and slopes and disturbed soils will be appropriately stabilized as described in the SWPPP both during and post-construction.

POLICY 25
Protect, restore and enhance natural and manmade resources which are not identified as being of state-wide significance, but which contribute to the scenic quality of the coastal area.

The explanation of Policy 25 in the LWRP states that "the scenic qualities of Beacon results from the combination of clustered buildings (many historic) and wooded hillsides against the backdrop of the Hudson Highlands. The height, bulk, scale of future buildings will be important factors in maintaining the character of the City, as will the preservation of the wooded hillsides that intersperse the developed areas."

There is no physical change to the overall layout, massing and exterior design of the proposed buildings in the Amended Project as compared to that reviewed by the Planning Board in issuing its December 2017 LWRP Consistency Determination.

The Amended Project remains consistent with Policy 25 in its condensing and clustering of the footprint of the buildings and impervious surfaces to achieve the clustered effected recommended by the LWRP. The buildings are setback from the property lines, which allows for the maintenance of the existing wooded hillsides around the proposed developed areas.

POLICY 33
Best management practices will be used to ensure the control of stormwater runoff and combined sewer overflows draining into coastal waters.

See Policy 13.

POLICY 33A
Regulate construction in steeply sloped and high erosion areas to control excessive stormwater runoff.

See Policy 13.

POLICY 37
Best management practices will be utilized to minimize the nonpoint discharge of excess nutrients, nonpoint discharge of excess nutrients, organics and eroded soils into coastal waters.

Amended Local Waterfront Revitalization Program (LWRP) Consistency Determination - Edgewater

See Policy 13.

POLICY 38
The quality and quantity of surface water and groundwater supplies will be conserved and protected particularly where such waters constitute the primary or sole source of water supply.

Residential land uses are generally not associated with the discharge of contaminants into aquifers or other ground water sources. There will be no bulk storage of petroleum or chemicals on-site. The Amended Project does not include or require wastewater discharged to groundwater, and is not located within 100 feet of potable drinking water or irrigation sources.

The Amended Project will be connected to the existing public water distribution system. The Project reviewed for the Planning Board's December 2017 LWRP Consistency Determination was expected to require 45,430 gallons of water per day at full build out based on 307 dwelling units (413 bedrooms). The Amended Project is now expected to require 38,500 gallons of water per day at full build out based on 246 dwelling units (350 bedrooms x 110 gpd/bedroom).

Notably, the Amended Project does not propose to use public water for irrigation purposes. Rather, the Amended Project includes an underground cistern for harvesting roof runoff for irrigation purposes. This is consistent with the original Project that was the subject of the December 2017 LWRP Consistency Determination.

BE IT FURTHER RESOLVED, that the Planning Board hereby determines that the Amended Project is entirely consistent with the LWRP policies which apply to the Project.

Resolution Adopted: July 10, 2018
Beacon, New York

John Gunn, Chairman
City ~~of Beacon~~ Planning Board

7/10/2018, 2018
Dated

motion by P. Lambert, seconded by R. Muscat:

Gary Barrack AYE
David Burke EXCUSED
Patrick Lambert AYE
Rick Muscat AYE
Jill Reynolds NO
Randall Williams AYE
John Gunn AYE

Received in the Office of the City Clerk
July 12, 2018

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

PRELIMINARY & FINAL SUBDIVISION PLAT APPROVALS AND SITE PLAN APPROVAL FOR EDGEWATER PROJECT (22 EDGEWATER PLACE)

WHEREAS, the Beacon Planning Board received applications for Preliminary and Final Subdivision Plat Approvals (lot merger), Site Plan Approval and Special Use Permit Approval from Scenic Beacon Developments, LLC (the "Applicant"), to demolish two existing buildings and construct seven buildings, containing 246 apartments including 25 workforce housing units (350 bedrooms[1]), on 12.009 acres on property located and collectively known as 22 Edgewater Place and designated on the Tax Map of the City of Beacon as **Parcel IDs 5954-25-581985, 5955-19-590022, 5954-25-566983 and 5954-25-574979** (the "Property") in the RD-1.7 Zoning District, within the within the Local Waterfront Revitalization Program ("LWRP") boundary, (the "Amended Project" or "Amended Proposed Action"); and

WHEREAS, the City Council is the approval authority for the Special Use Permit to permit multifamily housing on the Property pursuant to City of Beacon Zoning Code § 223-18; and

WHEREAS, the Planning Board is the approval authority for the Subdivision and Site Plan pursuant to City of Beacon Code §§ 195-2 and 223-25; and

WHEREAS, the Amended Proposed Action also includes a request for a determination of consistency with the LWRP; and

WHEREAS, the application consists of application forms, correspondence, the Full Environmental Assessment Form ("Full EAF") and professional studies and reports submitted to the Planning Board; and

WHEREAS, the Subdivision is shown on the drawing, entitled, "Lot Consolidation Map Prepared for Weber Projects LLC," dated August 27, 2018, prepared by TEC Land Surveying; and

WHEREAS, the Site Plan is shown on the drawings, entitled "Special Use Permit Application," Sheets 1-15 last revised August 28, 2018, as prepared by Hudson Land Design; TEC Land Surveying; and Aryeh Siegel, Architect; and

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[1] The Amended Proposed Action proposes 246 units comprised of 25 studios, 126 1-bedroom units, 86 2-bedroom units, and 9 3-bedroom units.

WHEREAS, the Applicant originally submitted an application for Preliminary and Final Subdivision Plat approvals (lot merger) and Site Plan approval for the construction of seven (7) apartment buildings containing a total of 307 units (413 bedrooms) following the demolition of two existing structures and the merger of four lots into a single 12-acre parcel, along with associated infrastructure including but not limited to landscaping, stormwater management facilities, lighting, off-street parking areas, and retaining walls; and (the "Original Proposed Action"); and

WHEREAS, the Original Proposed Action was a Type I Action pursuant to the New York State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the Planning Board, as Lead Agency, opened a public hearing to consider comments regarding any environmental impacts of the Original Proposed Action on May 9, 2017 and continued the hearing to July 11, 2017, August 8, 2017, September 12, 2017, October 12, 2017, November 14, 2017 and December 12, 2017, at which time the SEQRA public hearing was closed; and

WHEREAS, after taking a "hard look" at each of the relevant areas of environmental concern through review of the Full EAF and all associated materials prepared in connection with the Original Proposed Action, the Planning Board adopted a Negative Declaration on December 12, 2017; and

WHEREAS, on December 12, 2017 the Planning Board adopted a Resolution finding the Original Proposed Action to be consistent with the relevant policies of the LWRP; and

WHEREAS, the Zoning Board of Appeals opened a duly advertised public hearing on the Applicant's variance application on March 21, 2017 and continued the public hearing to December 19, 2017, at which time all those wishing to be heard were given such opportunity on the Applicant's variance application to (1) allow three proposed buildings to have 5 stories where the maximum building height is 4.5 stories pursuant to City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; (2) allow four proposed buildings to exceed 36 units where the maximum number of dwelling units per building is 36 units pursuant to the City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; and (3) allow less than 30 feet between buildings where the minimum distance between buildings on the same lot is 30 feet pursuant to City of Beacon Zoning Code § 223-17.C/223 Attachment 1:6; and

WHEREAS, on December 19, 2017 the Zoning Board of Appeals closed the public hearing; and

WHEREAS, on January 17, 2018, the Zoning Board of Appeals granted the Applicant's variance requests, with conditions; and

WHEREAS, on May 21, 2018, the City Council adopted Law No. 9-2018 which amended the calculation of lot area per dwelling unit in the R1, RD and Fishkill Creek Development Districts; and

WHEREAS, Local Law No. 9-2018 provides that for all development proposals involving a total lot area of more than three acres within the R1, RD and Fishkill Creek Development Districts, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, pre-development very steep slopes of 25 percent or more; and

WHEREAS, application of Local Law No. 9-2018 resulted in a total area of 110,284[2] square feet being deducted prior to determining the net buildable area for the Project, as shown on the Steep Slopes Analysis Map, dated June 8, 2018, as prepared by Hudson Land Design; and

WHEREAS, on June 12, 2018 the Beacon Planning Board received a revised set of plans which included revisions to the Site Plan, in part to comply with Local Law No. 9-2018; and

WHEREAS, the revisions provided in the Amended Project include but are not limited to a reduction in the total number of proposed dwelling units from 307 units (413 bedrooms) to 246 units (350 bedrooms) which is a reduction of 61 units or approximately 20%, a reduction in the number of parking spaces by approximately 15%, reduction in water usage by 15%, a reduction in school age children by 13%, a reduction in the amount of impervious surface coverage while increasing the area to remain as green space and not developed, adjustments to a retaining wall along the eastern parking lot and relocation of the pathway on the western side of the Property to avoid Very Steep Slopes, and providing approximately 140 feet of additional walkways on the west side of the Property facing the Hudson River, beyond what was originally proposed; and

WHEREAS, the Amended Project is no longer a Type I Action because it was amended to include 246 total dwelling units, which falls below the threshold for Type I Actions, and accordingly the Amended Project is an Unlisted Action pursuant to SEQRA; and

WHEREAS, based upon a review of the Updated Parts 1 and 2 of the Full EAF and all other application materials that were submitted in support of the Original Proposed Action, along with reports from City staff and consultants, information from involved and interested agencies, and information from the public, the Planning Board adopted an Amended Negative Declaration on July 10, 2018 and determined that the Amended Proposed Action will not have any significant adverse impacts upon the environment; and

WHEREAS, on July 10, 2018 the Planning Board also determined that the Amended Project is entirely consistent with the LWRP policies which apply to the Amended Project; and

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[2] The Applicant's representatives calculated the deduction of total lot area as 110,284 square feet whereas the City Engineer calculated the deduction of total lot area as 110,533 square feet. The Special Permit Resolution by the City Council references 110,284 square feet. Both figures result in a maximum density of 252 units.

WHEREAS, on July 16, 2018, the City Council opened and closed a public hearing on the Special Use Permit application in connection with the Amended Project and approved the Special Use Permit application by Resolution 116-2018 (the "Special Permit Resolution") after finding the Amended Proposed Action complies with City of Beacon Zoning Code § 223-18; and

WHEREAS, on August 8, 2017 the Planning Board opened a duly noticed public hearing on the application for Site Plan approval concerning the Original Proposed Action, at which time all those interested were given an opportunity to be heard and the public hearing was continued to September 12, 2017, October 11, 2017, November 14, 2017, December 12, 2017 and thereafter adjourned month to month to June 12, 2018; and

WHEREAS, on August 14, 2018 the Planning Board re-opened a duly re-noticed public hearing on the application for Site Plan approval and opened a duly noticed public hearing pursuant to City of Beacon Zoning Code § 223-16.C regarding impacts to very steep slopes, at which time all those interested were given an opportunity to be heard and the public hearings were closed on September 11, 2018; and

WHEREAS, on September 11, 2018 the Planning Board opened a public hearing on the application for Subdivision approval, at which time all those interested were given an opportunity to be heard and the public hearings were closed on September 11, 2018; and

WHEREAS, the Planning Board has reviewed the proposed Site Plan in accordance with City of Beacon Zoning Code §223-16.B concerning impacts to Very Steep Slopes; and

WHEREAS, on September 7, 2017, the Planning Board's Architectural and Community Appearance Board of Review (the "ARB") reviewed the Original Proposed Action and recommended approval of the design, basing its criteria on City Code §86-6, such that no building or structure is so detrimental to the desirability, property values or development of the surrounding area as to provoke one or more harmful effects set forth in City Code §86-2, and the Amended Project does not materially change the design of the proposed seven buildings; and

WHEREAS, the Planning Board is fully familiar with the Amended Project and has reviewed the Amended Project relative to all applicable provisions of the City of Beacon Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board has reviewed the proposed Site Plan in accordance with City of Beacon Zoning Code §223-16.B concerning impacts to Very Steep Slopes and finds that the Project avoids construction on Very Steep Slopes, as defined by the City of Beacon Zoning Code, to the extent practicable and further finds that to the extent there are impacts to Very Steep Slopes:

(1) There is no other suitable alternative area within the lot available for the proposed development. Disturbing a small portion of Very Steep Slopes is necessary for

almost any type of reasonable development of the Property. A looped road with two points of ingress and egress is recommended for safety purposes and would likely be required for any type of multifamily development on the Property, which is evidenced by the prior disturbance of Very Steep Slopes for previous development on the Property. Further, moving the interior drives to avoid disturbance to Very Steep Slopes would decrease ADA accessibility. Most of the Very Steep Slopes on the Property with the exception of the Bluff on the west side appear to be man-made from previous development of the Property and construction of Bank Street.

(2) The proposed development is the minimum necessary to make reasonable use of the land. The density of the Project has been reduced from 307 units to 246 units which is six fewer units that the maximum permitted on the Property. In addition, clustering the development reduces the need for a larger footprint which would disturb additional land. Several site design elements have been proposed to further reduce disturbance to the minimum necessary to make reasonable use of the Property, including (i) reduction of parking areas and travel lanes, (ii) landbanked parking and parking under buildings, (iii) retaining wall along the parking area along Buildings 1 and 2 to minimize impacts to Very Steep Slopes along Bank Street and maintain existing vegetation, (iv) relocation of the trail along the Bluff further from the ridgeline, (v) elimination of parallel parking spaces from the access road to reduce impacts to fragmented interior Very Steep Slopes, and (vi) relocation of the retaining wall along the west side of the site entrance off Branch Street to minimize impacts to Very Steep Slopes;

(3) All feasible construction standards and precautions will be taken to assure that environmental impacts are minimized. Temporary erosion and sediment control (E&SC) measures will be implemented during construction, and permanent E&SC measures are incorporated into the project design. Weekly inspections of the temporary E&SC measures by a qualified professional will be required; and

(4) The purpose and intent of Section 223-16.B of the Zoning Code are satisfied to the maximum extent feasible. As stated above, most of the Very Steep Slopes on the Property appear to be man-made as a result of previous development of the Property, with the exception of the Bluff at the western edge of the Property. The Bluff will remain largely undisturbed as a result the Project. Thus, the purpose and intent of the Code in preventing erosion, minimizing stormwater runoff, preserving the City's underground water resources, and protecting the City's character and property values, is satisfied by the Project's avoidance of disturbance to Very Steep Slopes, particularly those that are natural and not man-made, to the maximum extent feasible.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Preliminary Subdivision Plat Approval for the Amended Project, as shown on the application materials referenced above.

BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the Final Subdivision Plat will not be substantively changed from the Preliminary Subdivision Plat and hereby determines that a public hearing on the Final Plat is not required.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Subdivision Plat Approval, as shown on the application materials referenced above, subject to the conditions and modifications set forth herein, and also hereby grants Site Plan Approval for the Property located and collectively known as 22 Edgewater Place, as shown on the application materials enumerated above, subject to the following conditions:

A. The following conditions shall be fulfilled prior to the signing of the Final Subdivision Plat by the Chairman of the Planning Board:

1. All application review fees shall be paid in full.

2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Amended Project, including but not necessarily limited to approval from the Dutchess County Department of Health, and shall meet all conditions contained in such approvals, as required therein.

3. The comments contained in the City Engineer's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, pertaining to the Subdivision Plat shall be fulfilled to the satisfaction of the City Engineer.

4. The comments contained in the City Planner's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, pertaining to the Subdivision Plat shall be fulfilled to the satisfaction of the City Planner.

5. The Applicant has agreed that the trail depicted on the western side of the Property which connects to Tompkins Terrace to the North and is generally adjacent to the Bluff as depicted on the Amended Site Plan and the sidewalks south of Building 5 and along the Branch Street entry that connect to Bank Street (the "Connection Trail") are open to the public, dawn to dusk, weather dependent. A note shall be added to the plat to this effect.

6. The Applicant has further agreed that the Connection Trail may be connected, at the City's sole cost and expense, in the future to the City's proposed Greenway Trail to the west along the Metro North property (the "Greenway Trail"). The note on the plat regarding the future trail linking the future Greenway Trail to the Connection Trail shall be revised to replace the reference to a reservation of rights by the City of Beacon with a grant of easement rights to the City of Beacon and otherwise clarify the scope of the

easement to the satisfaction of the City Attorney, consistent with the Special Permit Resolution adopted by the City Council, which provides the Final Subdivision Plat shall contain language satisfactory to the City Attorney offering for dedication to the City an easement, without a legal description, for the City to locate, construct and maintain said Greenway Trail connection.

7. As per the Special Permit Resolution adopted by the City Council for this Project, regulations regarding public use of the Connection Trail were directed to be determined during Site Plan review. Accordingly, the Connection Trail is subject to the following regulations:

   i. The Connection Trail shall be open to the public from dawn to dusk, subject to weather conditions.

   ii. The Applicant has the right to close the Connection Trail due to weather conditions or other unsafe or hazardous conditions, including but not limited to construction activity on the Property.

   iii. The Connection Trail shall be used for purposes of pedestrian recreation or otherwise traveling to and from the Metro North Train Station.

   iv. The Applicant shall keep the Connection Trail in good working order for the purposes described above.

   v. The Applicant shall be solely responsible for the construction, maintenance, repair and replacement of the Connection Trail.

8. All easements shall be shown on the Final Subdivision Plat to the satisfaction of the City Engineer and City Attorney.

9. The following easement agreements, declarations of restrictive covenants or other appropriate documents shall be prepared and submitted to the City Attorney for review and shall be recorded in the Dutchess County Clerk's Office simultaneously with the Subdivision Plat, with a copy of the recorded documents submitted to the City Clerk for filing:

   i. Stormwater Easement and Maintenance Agreement

   ii. "Connection Trail" Easement Agreement or Declaration for the purpose of authorizing public access over the "Connection Trail" from Tompkins Terrace to Branch Street.

   iii. Declaration or Easement Agreement granting to the City of Beacon a 20-foot right-of-way for the construction and maintenance of a trail linking the off-site Greenway Trail to the "Connection Trail" within

the area depicted on the Final Subdivision Plat as "Limits of 'Connection Trail' Connection Area," with the exact location of the 20-foot right-of-way to be determined at a future date. The easement shall include reference to the "Limits of the 'Connection Trail' Connection Area" as shown on the Final Subdivision Plat. As per Special Permit Resolution #116-2018 adopted by the City Council for the Project, construction of the trail linkage shall be at the City of Beacon's sole cost and expense.

10. An Offer of Dedication with a description of the area to be dedicated as shown on the subdivision plat to the north of the Branch Street right-of-way shall be submitted to the City Council.

11. The proposed water lines serving the Project are being offered for dedication to the City of Beacon. An Offer of Dedication shall be submitted to the City Council along with a draft Water Line Easement Agreement. In the event the City Council does not accept dedication of the installed water lines, the Applicant shall be solely responsible for the maintenance, repair and replacement of such lines.

12. The Applicant shall post a performance bond with the City of Beacon for the public improvements which include, but are not limited to, the proposed water system, Branch Street improvements, and traffic signal timing modifications. The Applicant's engineer shall prepare a cost estimate for the work and provide to the City Engineer for review.

When the conditions above have been satisfied, four (4) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairman. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

B. Prior to the signing of the Site Plan Drawings by the Planning Board Chairman, the following conditions shall be fulfilled:

1. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Amended Project, including but not necessarily limited to approval from the Dutchess County Department of Health, and shall meet all conditions contained in such approvals, as required therein.

2. The comments contained in the City Engineer's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.

3. The comments contained in the City Planner's letter to the Planning Board dated September 6, 2018, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Planner.

C. Prior to the issuance of a Building Permit, the following conditions shall be fulfilled:

1. The Applicant shall submit a Maintenance Agreement, License Agreement or other similar document to the City Council for review concerning the Applicant's agreement to maintain the approximately 155 foot section of the Branch Street public right-of-way which extends from the intersection of Bank Street and Branch Street westward to the point where Branch Street becomes a private right-of-way, due its use as the primary access to the Project with only one other private user (Bobbit, Parcel ID 5954-25-569966).

2. The Applicant shall establish an escrow with the City of Beacon for the inspection of the water main installation.

3. The Applicant shall establish an escrow for stormwater inspections by the City Engineer on behalf of the City of Beacon.

4. Pursuant to Section 223-41.10.A, the Applicant shall submit floor plans which provide a mix of unit types in the same proportion as all other units in the development, subject to approval by the Planning Board. The floor plans should indicate the location of each BMR unit to be provided.

5. Pursuant to Section 223-26.E of the Zoning Code, the Applicant shall be responsible for the construction of the forty-five (45) landbanked parking spaces as shown on the approved site plan referenced herein within six (6) months of the date such spaces may be deemed necessary by the Planning Board. A landbanked parking agreement shall be submitted to the City Attorney for review and approval.

D. Prior to the issuance of a Certificate of Occupancy, the following conditions shall be fulfilled:

1. The Applicant shall perform the traffic signal timing modifications, including adaptive software technology if required, for the AM Peak Hour for the Wolcott Avenue/Verplanck Avenue intersection and for the PM Peak Hour for the Wolcott Avenue/Beekman Street intersection, as set forth in the Traffic Impact Study, dated January 18, 2017, revised February 27, 2017, including any subsequent revisions thereto, as prepared by Maser Consulting, P.A, Hawthorne, N.Y., to the satisfaction of the Building Inspector, City Engineer, City Traffic Consultant and NYSDOT.

E. The following are general conditions which shall be fulfilled:

1. Within 6-12 months following completion and full occupancy of the Amended Project, the following intersections will be monitored by the Applicant to assess whether traffic signal warrants are satisfied at these locations:

   a. Wolcott Avenue/Tompkins Avenue

   b. Beekman Street/West Main Street

   Prior to monitoring, the Applicant shall submit a Monitoring Protocol for review and approval of the City Traffic Consultant and NYSDOT, which shall include pedestrian and bicyclist counts. If a traffic signal is warranted, the Applicant shall contribute its fair share toward the installation of a traffic signal based on the level of traffic volume the Project contributes to the intersection or other reasonable basis consistent with best practices in the industry.

2. Pursuant to NYSDEC recommendations, removal of trees greater than four (4) inches in diameter at the Project Site will take place between October 1 and April 1 during the bat hibernation period to avoid the removal of trees which may be utilized by Indiana Bats as roosting trees.

3. Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit and Site Plan, respectively.

4. Based on the current and anticipated future need for park and recreational opportunities in the City of Beacon, as set forth in the analysis provided by BFJ Planning, and the demands of the future population of the Amended Project, the Planning Board hereby finds that additional recreation/parkland should be created as a condition of approval. However, the Planning Board hereby determines that recreation/parkland of adequate size and location cannot be provided on the Project Site or is otherwise impractical. Therefore, that Applicant shall pay a Recreation Fee as prescribed under Section 225-25.H of the City Code. The Planning Board hereby requires that, prior to the issuance of the first Certificate of Occupancy for each building, the Applicant shall pay a Recreation Fee for the number of units located in the subject building, as per the City's Fee Schedule in effect at the time of payment.

5. Rock removal operations shall be limited to 8 a.m. to 5 p.m., Monday through Friday. Rock removal shall not occur on any federal holidays or weekends.

6. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.

7. This approval is conditioned upon compliance with all of the mitigation measures specified in the Applicant's Full EAF and related application documents, including the SEQRA Negative Declaration. The Applicant shall be responsible for the funding and/or implementation of all such identified mitigation measures. Where the terms of this resolution may be inconsistent with the Full EAF, the terms of this resolution shall be controlling.

8. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this Amended Project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.

9. As used herein, the term "Applicant" shall include Scenic Beacon Developments, LLC, and its heirs, successors and assigns.

10. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

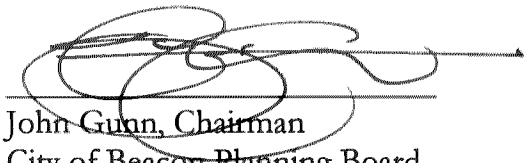
11. The approvals granted by this resolution do not supersede the authority of any other entity.

12. Conditional approval of the Final Subdivision Plat shall expire one hundred eighty (180) days from the date of the adoption of this resolution unless all items in Condition A above have been certified as completed and the Final Plat has been submitted for endorsement by the Planning Board Chairman, or unless a written request for an extension of Final Subdivision Plat Approval is granted. The Planning Board may grant ninety (90) day extensions to said time period.

13. Once the Final Subdivision Plat has been endorsed by the Planning Board Chairman, said plat must be filed in the Dutchess County Clerk's Office within sixty-two (62) days. After said filing, two (2) copies of the Final Plat certified by Dutchess County shall be submitted to the Planning Board Secretary. One (1) certified copy of the Final Plat shall be retained by the Planning Board and the other certified copy shall be transmitted to the City Clerk along with a signed copy of this resolution and proof of recording of the easement documents described above.

14. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer.

Resolution Adopted: September 11, 2018
Beacon, New York



John Gunn, Chairman
City of Beacon Planning Board

9/17, 2018
Dated

Motion by R.Williams, seconded by P.Lambert:

Gary Barrack	Voting: Excused	Jill Reynolds	Voting: AYE
David Burke	Voting: AYE	Randall Williams	Voting: AYE
Patrick Lambert	Voting: AYE	John Gunn, Chairman	Voting: AYE
Rick Muscat	Voting: Excused		

Approved: 5-0

Received in the Office of the
City Clerk
on September 17, 2018

Received by office of the City Clerk 3/13/2024

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

PRELIMINARY AND FINAL INTERNAL PROPERTY SUBDIVISION PLAT APPROVAL
FOR SCENIC BEACON DEVELOPMENTS, LLC (18-30 Edgewater Place)

Parcel ID# 5955-19-590022

WHEREAS, the Beacon Planning Board received from Scenic Beacon Developments, LLC ("Applicant") an application for Internal Property Subdivision Approval pursuant to City of Beacon Zoning Code §223-25.C(3) (the "Applicant"), for a 7-lot internal property subdivision ("Project"), on property located at 18-30 Edgewater Place in the Designed Residence Zoning District ("RD-1.7") and designated on the Tax Map of the City of Beacon as Parcel ID# **5955-19-590022** (the "Property"); and

WHEREAS, by Resolution dated September 11, 2018 the Applicant received Site Plan and Subdivision (lot merger) approvals for the construction of seven buildings containing 246 apartments including 25 workforce housing units (350 bedrooms total) (the "Approvals"); and

WHEREAS, the Approvals were preceded by the Planning Board's issuance of a consistency determination pursuant to the Local Waterfront Revitalization Program ("LWRP") on July 10, 2018, the Planning Board's adoption of an Amended Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA") on July 10, 2018, the City Council's approval of a Special Use Permit to allow multifamily housing, and the approval of several area variances by the Zoning Board of Appeals; and

WHEREAS, pursuant to Zoning Code §223-25.C(3), the Applicant now proposes to place Buildings 1, 2, 5, 6, and 7 on individual lots, and Buildings 3 and 4 would be on a single lot because the buildings are integrated structures; and

WHEREAS, Proposed Lot 1 would consist of 453,387 square feet (10.408 acres) consisting of common and/or shared areas, facilities, and amenities, Proposed Lot 2 would consist of 10,200 square feet (0.234 acres) containing one building, Proposed Lot 3 would consist of 10,200 square feet (0.234 acres) containing one building, Proposed Lot 4 would consist of 20,195 square feet (0.464 acres) containing Buildings 3 and 4 which are integrated structures, Proposed Lot 5 would consist of 8,500 square feet (0.195 acres) containing one building, Proposed Lot 6 would consist of 10,200 square feet (0.234 acres) containing one building, and Proposed Lot 7 would consist of 8,500 square feet (0.195 acres) containing one building; and

WHEREAS, the Planning Board is the approval authority for the Internal Property Subdivision pursuant to the City of Beacon Code §195-2 and Zoning Code §223-25.C(3); and

WHEREAS, Zoning Code §223-25.C(3) authorizes the Planning Board, after completion of Site Plan review, to subdivide one or more of the lots or buildings within a project that will continue to be controlled by an approved Site Plan; and

WHEREAS, the proposed Internal Property Subdivision will not change the scope of development on the Property which will continue to be controlled by the Approved Site Plan, which was approved by the Planning Board by Resolution dated September 11, 2018; and

WHEREAS, informal comments received from the Dutchess County Department of Behavioral & Community Health ("DCDOH") note that due to the proposed subdivision the sewage collection system for the property which was previously proposed to remain private will now be required to be public (i.e. dedicated to the City of Beacon) or a transportation corporation will need to be formed by the Applicant pursuant to the provisions of the NYS Transportation Corporation Law; and

WHEREAS, the application consists of application forms, correspondence and plans submitted to the Planning Board; and

WHEREAS, the proposed Internal Property Subdivision is shown on the drawings entitled "Edgewater – Preliminary Subdivision Plat prepared for Edgewater," prepared by Brendan Johnson, PLS, Johnson Surveying, LLC, dated January 24, 2024, and "Preliminary Subdivision Plat Edgewater," prepared by Hudson Land Design Professional Engineering, P.C., dated December 27, 2023; and

WHEREAS, the development of the Property as set forth on the approved Site Plan was the subject of an environmental review conducted by the Planning Board as Lead Agency pursuant to the New York State Environmental Quality Review Act ("SEQRA") which concluded with the Planning Board's adoption of a Negative Declaration on December 12, 2017, amended July 10, 2018; and

WHEREAS, the requested Internal Property Subdivision is an additional permit/approval sought as part of the Proposed Action previously evaluated by the Planning Board under SEQRA, and does not create new or different adverse environmental impacts, therefore the Planning Board's Amended Negative Declaration dated July 10, 2018 fully addresses the whole action, including the proposed subdivision approval, and no further SEQRA review is required; and

WHEREAS, the Planning Board reviewed the application at its meetings on February 14, 2024 and March 12, 2024 and considered comments by its consulting engineer and planner; and

WHEREAS, on March 12, 2024 the Planning Board opened a duly noticed public hearing on the application for Subdivision approval concerning the Proposed Action, at which time all those interested were given an opportunity to be heard and the public hearing was closed on March 12, 2024; and

WHEREAS, the Planning Board is fully familiar with the Proposed Action and has reviewed the Proposed Action relative to all applicable provisions of the City of Beacon Code.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board hereby grants Preliminary Internal Property Subdivision Plat Approval for the Project, as shown on the application materials enumerated above.

BE IT FURTHER RESOLVED, that the Planning Board hereby finds that the Final Internal Property Subdivision Plat will not be substantively changed from the Preliminary Subdivision Plat and hereby determines that a public hearing on the Final Plat is not required.

BE IT FURTHER RESOLVED, that the Planning Board hereby grants Final Internal Property Subdivision Plat Approval to the Project, as shown on the application materials enumerated above, subject to the following conditions and modifications set forth below and any other requirements which must be met by law:

A. The following conditions shall be fulfilled prior to the signing of the Final Internal Property Subdivision Plat by the Chairperson of the Planning Board:

1. All application review fees shall be paid in full.

2. The Applicant shall seek and obtain all required permits and/or approvals from the appropriate agencies for the Project, including but not necessarily limited to approval from the Dutchess County Department of Behavioral & Community Health, and shall meet all conditions contained in such approvals, as required therein.

3. The comments contained in the City Engineer's letter to the Planning Board dated March 8, 2024, and all comments in any subsequent letter(s) issued, shall be fulfilled to the satisfaction of the City Engineer.

4. The Applicant shall either (i) form a Transportation Corporation for sewer works pursuant to the provisions of the NYS Transportation Law, or (ii) submit to the City an Offer of Cession and Dedication for the sewer infrastructure in a form acceptable to the City Attorney, to be recorded in the Dutchess County Clerk's Office, and satisfactory assurance delivered to the City Attorney that those documents shall be recorded in the Dutchess County Clerk's Office in appropriate order in relationship to the timing of the filing of the Internal Property Subdivision Plat, and that a copy of the

documents with proof of their recording will be promptly submitted to the Planning Board Secretary for filing with a copy to the City Attorney. In the event the City of Beacon City Council declines to accept dedication of the sewer infrastructure, the Applicant shall form a Transportation Corporation, unless otherwise required by the DCDOH.

5. All existing and proposed easements, restrictive covenants and related notes, as applicable, shall be shown on the Final Internal Property Subdivision Plat to the satisfaction of the City Engineer and City Attorney. Proposed easement agreements, declarations of restrictive covenants or other appropriate documents corresponding with the easements and notes shown on the Final Internal Property Subdivision Plat shall be prepared, as applicable, and submitted to the City Attorney for review as to form, and satisfactory assurance delivered to the City Attorney that those documents shall be recorded in the Dutchess County Clerk's Office in appropriate order in relationship to the timing of the filing of the Internal Property Subdivision Plat, and that a copy of the documents with proof of their recording will be promptly submitted to the Planning Board Secretary for filing with a copy to the City Attorney.

6. The Applicant shall post a performance guaranty with the City of Beacon for any public sanitary sewer improvements. The Applicant's engineer shall prepare a cost estimate for the work and provide to the City Engineer for review.

7. The Applicant shall establish an escrow with the City of Beacon for the City's construction inspection of any public sanitary sewer installation.

When the conditions above have been satisfied, six (6) sets of the above referenced plans revised as per the conditions above shall be submitted for endorsement by the Planning Board Chairperson. One set of the endorsed plans will be returned to the Applicant, one set will be retained by the City Clerk, one set will be provided to the Planning Board, and one set each will be forwarded to the Building Inspector, City Engineer and City Planner.

B. The following are general conditions which shall be fulfilled:

1. All conditions, set forth in the any previous Planning Board Resolution related to the Property, and not explicitly superseded herein, shall remain in full force and effect. Proposed Lots 1 through 7 shall continue to be controlled by the Site Plan approved by the Planning Board on September 11, 2018 and any approved amendment thereof. The approval granted herein does not authorize any development within any Lot other than what is shown on the Approved Site Plan.

2. Pursuant to Zoning Code §223-25.C(3), the Zoning Code's Schedule of Dimensional Regulations shall apply to the overall site area covered by the Approved Site Plan, whether or not the same is or will continue to be under one ownership.

3. The Building Inspector and the City Engineer shall have the right to direct the Applicant to cause the placement, cleaning and/or repair of sedimentation and erosion control devices wherever and whenever deemed necessary during construction.

4. The Applicant shall be responsible for the payment of all application review costs incurred by the City in its review and approval of this project. Such fees shall be paid by the Applicants within thirty (30) days of each notification by the City that such fees are due. If such fees are not paid within the thirty (30) day period, and an extension therefor has not been granted by the City, this resolution shall be rendered null and void.

5. As used herein, the term "Applicant" shall include the Applicant and the Applicant's heirs, successors and assigns, and where applicable its contractors and employees.

6. If any of the conditions enumerated in this resolution upon which this approval is granted are found to be invalid or unenforceable, then the integrity of this resolution and the remaining conditions shall remain valid and intact.

7. The approval granted by this resolution does not supersede the authority of any other entity.

8. The Applicant must return for approval from the Planning Board if any changes to the endorsed plans and/or this resolution of approval are subsequently desired other than changes determined to be field changes by the Building Inspector or City Engineer. The Planning Board, in its discretion, shall determine the appropriate procedures for consideration of the proposed revision, and whether such revision is material enough to require further environmental analysis and/or further project review, as the Board may deem appropriate.

9. Conditional approval of the Final Internal Property Subdivision Plat shall expire one hundred eighty (180) days from the date of the adoption of this Resolution unless all items in Condition A above have been certified as completed and the Final Plat has been submitted for endorsement by the Planning Board Chairperson, or unless a written request for an extension of

Final Internal Property Subdivision Plat Approval is granted. The Planning Board may grant ninety (90) day extensions to said time period.

10. Once the Final Internal Property Subdivision Plat has been endorsed by the Planning Board Chairperson, said Plat must be filed in the Dutchess County Clerk's Office within sixty-two (62) days. After said filing, two (2) copies of the Final Plat certified by Dutchess County and showing the assigned Filed Map number shall be submitted by the Applicant to the Planning Board Secretary. One (1) certified copy of the Final Plat shall be retained by the Planning Board and the other certified copy shall be transmitted to the City Clerk along with a signed copy of this Resolution and proof of recording of the easement(s) and other documents described above.

Resolution Adopted: March 12, 2024
Beacon, New York

John Gunn, Chairperson
City of Beacon Planning Board

MARCH 12TH, 2024
Dated

Motion by Mr. Warner, seconded by Ms. Quiana:

Kevin Byrne	Voting AYE	Leonard Warner	Voting AYE
Karen Quiana	Voting AYE	J. Randall Williams	Voting EXCUSED
Donna Francis	Voting AYE	John Gunn, Chairperson	Voting AYE
David Jensen	Voting AYE		

Approved: 6-0
Denied:

Doc not in DMS

400 Columbus Avenue Suite 180E
Valhalla, New York 10595
Main: 877 627 3772

Colliers Engineering & Design

June 30, 2026

Mr. John Gunn. Chair
City of Beacon Planning Board
1 Municipal Plaza
Beacon, NY 12508

Edgewater Project – Parking & Traffic Letter
City of Beacon, Dutchess County, New York
Project No. 16003078A

Dear Chairman Gunn and Members of the Planning Board,

We are writing on behalf of the Applicant, Scenic Beacon Developments LLC, in connection with the Edgewater apartment development ("the Project") located at Edgewater Place in the City of Beacon, Dutchess County, New York (the "Property"). The Property is classified within the City of Beacon RD-1.7 (Designed Residence District, 1,700 square feet per dwelling unit – minimum lot size of 5,000 square feet) zoning district. As you are aware, this Project was previously approved by your Board to include a total of 246 apartment units with a mixture of studio, one (1)-bedroom, two (2)-bedroom and three (3)-bedroom units, in addition to 284 parking spaces and 45 land banked parking spaces, for a total of 329 parking spaces on the Property, where 328 parking spaces were required under the then-existing City parking regulations. ("Approved Project"). The land banked parking spaces were to remain as set aside grassed area for future parking should parking demand warrant the construction of these additional parking spaces.

The Applicant is now proposing two (2) additional studio apartment units, thus increasing the total number of apartments on the Property to 248 units and revisions to the off-street parking facilities ("Modified Project"). Based on the Applicant's recent experience at the site, along with their experience managing other similar apartment complexes in the City, the Applicant has identified a need to construct a certain potion of the land bank parking spaces at this time in slightly different areas on the Property (i.e., 37 additional spaces). With the additional spaces the total number of spaces provided on the site will be 321 parking spaces.

The City of Beacon Zoning Code (the "Zoning Code") provides specific off-street parking requirements in Section 223-26 – Off Street Parking, Loading and Vehicular Access. Since the time of the original approvals for the Project, the Zoning Code has been modified to change the parking standards. The Zoning Code now specifies both minimum and maximum parking standards. Exhibit No. 1 below summarizes the minimum and maximum parking standards, and the resulting minimum required and maximum allowable parking spaces for both the Approved Project and the Modified Project based on the current Zoning Code parking standards.

Colliers Engineering & Design

Exhibit No. 1 – City of Beacon Code Required Parking

	Size	Code Minimum Parking Standard		Code Maximum Parking Standard	
Approved Project	246 Units	1.0 Space/ Dwelling Unit	246 Spaces	3.0 Space/ Dwelling Unit	738 Spaces
Modified Project	248 Units	1.0 Space/ Dwelling Unit	248 Spaces	3.0 Space/ Dwelling Unit	744 Spaces

Notes:

1. City of Beacon Code Minimum and Maximum Parking Standards are based on Section 223-26.D of the City Code.

The 321 parking spaces proposed to be provided by the Modified Project are considered Zoning Code compliant since they fall between the 248-space minimum and 744-space maximum allowable parking spaces identified by the Zoning Code.

With the additional two (2) apartment units, for a total of 248 units, and the implementation of the land bank parking spaces, the provided parking ratio on the site will be 1.29 spaces per dwelling unit. The Applicant's recent experience at the Edgewater site as well as their experience at other locations int the City, the Applicant has identified a need for a parking ratio of 1.25 spaces per dwelling unit at the site, which the proposed parking will exceed with the implementation of the land bank parking spaces.

Furthermore, parking demand data provided by the Institute of Transportation Engineers (ITE) as contained in the ***Parking Generation Manual, 6th Edition (2023)*** was reviewed. ITE provides parking demand data for Land Use 220 – Multifamily Housing (Low-Rise) which was referenced to identify an anticipated parking demand for the modified project. The ITE data, which is attached to this letter for reference indicates that a Weekday parking demand of 304 parking spaces and a Saturday Parking demand of 290 parking spaces can be expected for the 248 unit Modified Project. This parking demand would be accommodated by the proposed 321 parking spaces.

In addition to the review of the prosed parking, it should be noted that the addition of the two (2)-studio apartments is anticipated to result in a negligible increase in traffic generation associated with the Project. In fact, ITE data indicates that the two (2) additional studio apartments would result in peak hour traffic volume increase of just one (1) vehicle during the Weekday AM and Weekday PM Peak hours.

Sincerely,

Colliers Engineering & Design, Architecture, Landscape Architecture, Surveying, CT P.C.

Richard D'Andrea, PE, PTOE
Department Manager

R:\Projects\2016\16003078A\Correspondence\OUT\260630RGD_PB Letter.docx

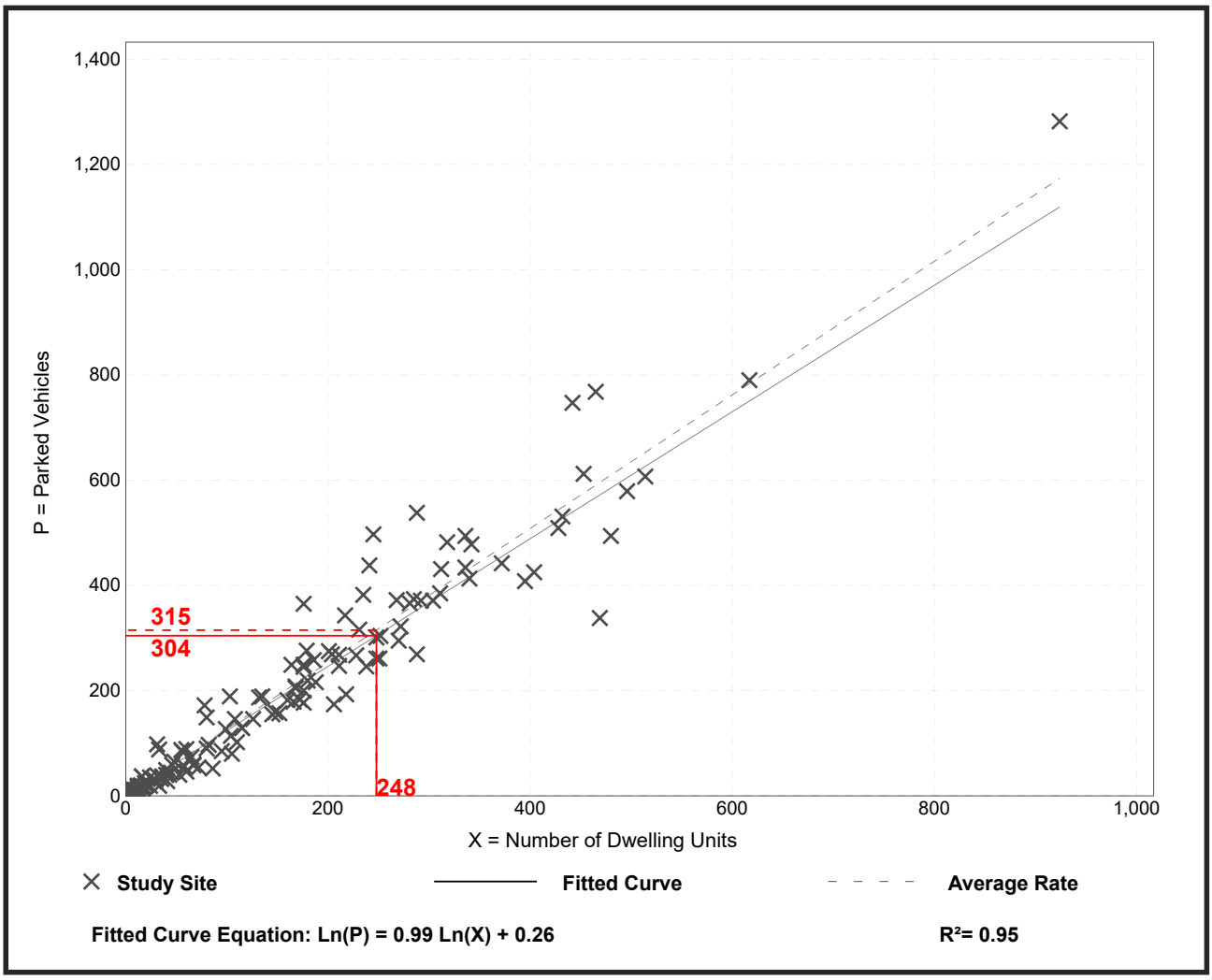
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Number of Studies: 143
Avg. Num. of Dwelling Units: 154

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.27	0.58 - 3.16	1.07 / 1.59	1.22 - 1.32	0.29 (23%)

Data Plot and Equation



Parking Generation Manual, 6th Edition ● Institute of Transportation Engineers

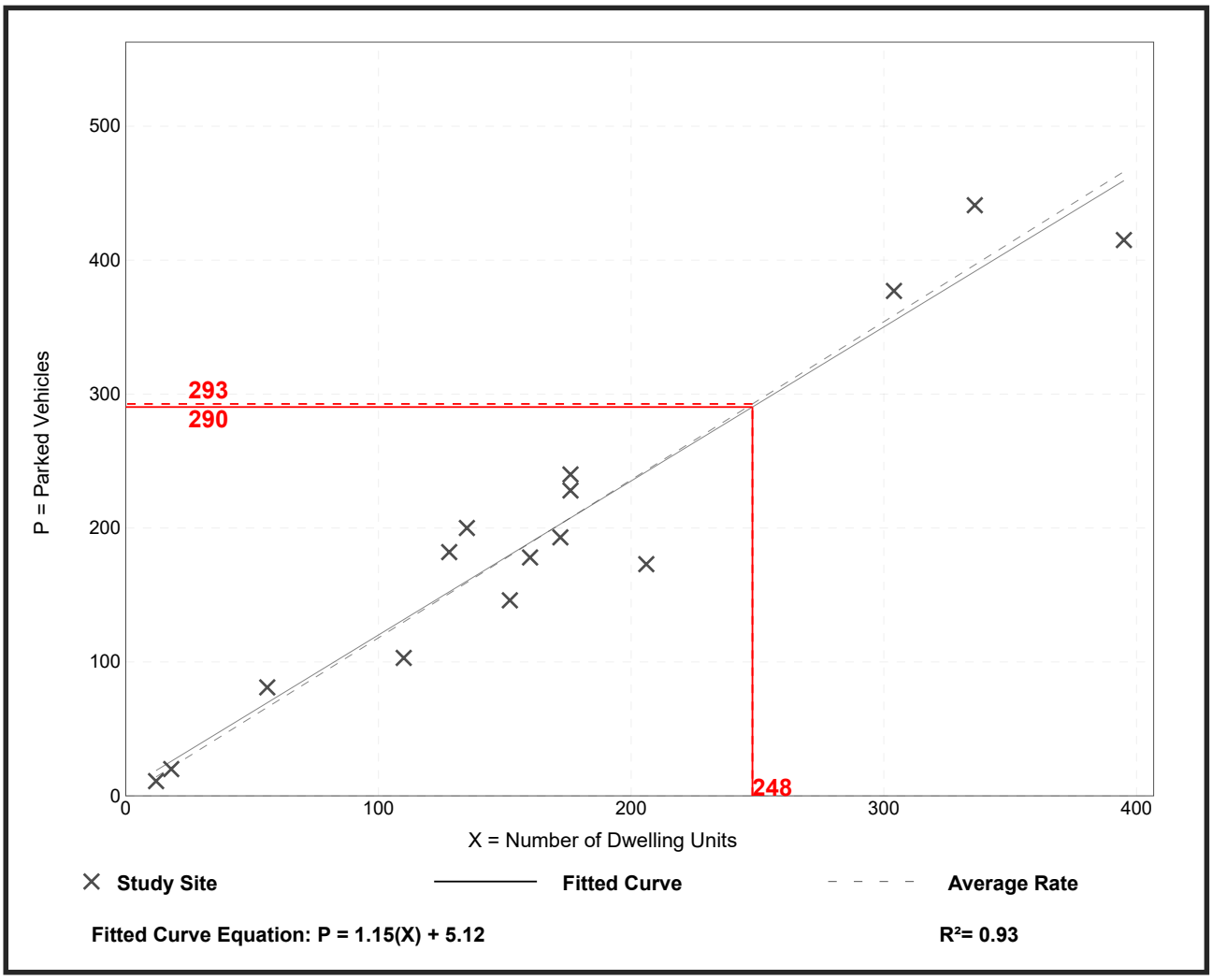
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Saturday**
Setting/Location: **General Urban/Suburban**
Number of Studies: 15
Avg. Num. of Dwelling Units: 169

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.18	0.84 - 1.48	1.07 / 1.44	***	0.19 (16%)

Data Plot and Equation



Parking Generation Manual, 6th Edition ● Institute of Transportation Engineers

City of Beacon City Council Agenda
08/03/2026

Title:

Resolution No. 66 - Removing 331 Verplanck Avenue from Nomination as a Historic Landmark

ATTACHMENTS

Beacon Removing 331 Verplanck Avenue from Nomination as a Historic Landmark

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 66 OF 2026

A RESOLUTION REMOVING 331 VERPLANCK AVENUE FROM NOMINATION AS A HISTORIC LANDMARK

WHEREAS, Chapter 134 of the Code of City of Beacon (the "City Code") authorizes the City Council of the City of Beacon (the "City Council") to designate a landmark, site, structure or property, with special historical, architectural, cultural, or aesthetic value as a historic landmark; and

WHEREAS, § 134-4 of the City Code provides that any landmark, site, structure or property may be nominated for historic designation by the City Council, the Planning Board, a historic preservation committee, or upon petition of the owner of the property for which historic designation is requested; and

WHEREAS, the City Council has acted upon its own initiative to propose the historic designation for the property located at 331 Verplanck Avenue, Parcel ID# 6054-29-056850; and

WHEREAS, the nomination included a New York State Office of Parks, Recreation and Historic Preservation Resource Inventory Form, a copy of which is on file in the Office of the City Clerk and is available for review; and

WHEREAS, the City Council discussed the proposed historic designation of the aforementioned property and the Historic Inventory Form for said property at its meetings held on February 2, 2026, March 2, 2026, April 20, 2026, June 15, 2026, July 6, 2026, and August 3, 2026; and

WHEREAS, the proposed action is a Type II Action pursuant to the New York State Environmental Quality Review Act, 6 NYCRR § 617.4(c)(38), and accordingly, no further environmental review is required; and

WHEREAS, on March 2, 2026, the City Council adopted a resolution setting a public hearing for April 6, 2026, which was adjourned to April 20, 2026, to receive comments from the owners and public concerning the proposed historic designations of the aforementioned properties; and

WHEREAS, on April 5, 2026, notice of the public hearing was published in the Poughkeepsie Journal; and

WHEREAS, on April 6, 2026, the City mailed notice of the proposed designations to the addresses of the property owners thereof, as shown on the tax roll for the City of Beacon, and such notice advised the owners of the proposed historic designations and date, time, and location of the City Council's public hearing thereon; and

WHEREAS, on April 6, 2026, the City Council opened and adjourned a duly noticed public hearing on the proposed historic designation of the aforementioned property (including several others also under consideration), which was continued to the April 20, 2026, meeting and subsequently closed at the June 15, 2026, meeting, at which times all those in attendance were given an opportunity to be heard on the proposed historic designation; and

WHEREAS, on June 5, 2026, additional notice(s) were mailed to the mailing addresses of the property owner, which again advised the owner of the proposed historic designation, and the next anticipated date the City Council would be considering action thereon; and

WHEREAS, the City also engaged in a public service campaign to advise the property owner and the public of the City Council's intent to take action on the proposed designation, which included the posting of a Frequently Asked Questions (FAQ) on the City's official website and social media; and

WHEREAS, the owner of the below listed property has requested that the City Council remove its property from consideration for historic designation at this time; and

WHEREAS, the City Council desires to honor the request from the owner of the below listed property by removing such property from consideration for historic designation at this time and reserving the right to consider historic designation in the future.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Beacon hereby removes 331 Verplanck Avenue, known and designated on the Tax Map of the City of Beacon as Parcel ID# 6054-29-056850 from consideration for historic designation per the request of the owner of such property; and

BE IT FURTHER RESOLVED, the City Council of the City of Beacon hereby determines that the removal of the above listed property shall not be construed as a determination of whether such property satisfies the factors for historical designation pursuant to § 134-4 of the City Code; and

BE IT FURTHER RESOLVED, a copy of this resolution shall be transmitted to the mailing address for the owner of the aforementioned property.

Resolution No. 66 of 2026		**Date: August 3, 2026**					
□ **Amendments**						□ **2/3 Required**	
□ **On roll call**						□ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

City of Beacon City Council Agenda
08/03/2026

Title:

June 20, 2026 Minutes

ATTACHMENTS

July 20, 2026 Minutes

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

Mayor Lee Kyriacou
Councilmember Amber Grant, At Large
Councilmember Paloma Wake, At Large
Councilmember Lastar Gorton, Ward 1
Councilmember Zack Smith, Ward 2
Councilmember Sergei Krasikov, Ward 3
Councilmember Carolyn Glauda, Ward 4
City Administrator Ben Swanson

July 20, 2026
7:00 PM
Draft
City Council
Minutes

Regular Meeting

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

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

Councilmembers Present

Councilmember Amber Grant, At Large

Councilmember Lastar Gorton, Ward One

Councilmember Zack Smith, Ward Two

Councilmember Sergei Krasikov, Ward Three

Councilmember Carolyn Glauda, Ward Four

Also Present

Benjamin Swanson, Deputy City Administrator

Nicholas Ward-Willis, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Reports: Mayor, City Council, and City Administrator

Workshop

Appointment of John Testerman to the Position of Motor Equipment Operator

Beacon Rail Trail SEQRA Exemption

Discussion of Potential Amendments to the Fishkill Creek District

Discussion of Potential Amendments to Short-Term Rental Regulations

Local Laws and Resolutions

1. Resolution No. 59 - Appointing John Testerman to the Position of Motor Equipment Operator

   Motion to adopt the resolution by Councilmember Gorton.
   Second by Councilmember Krasikov.

   Motion passes 5 - 0.

2. Resolution No. 60 - Approving a Cable Franchise Agreement with Verizon New York Inc.

   Motion to adopt the resolution by Councilmember Krasikov.
   Second by Councilmember Gorton.

   Motion passes 5 - 0.

3. Resolution No. 61 - Finding the Beacon Rail Trail is a "Qualified Action" Exempt from SEQRA Review

   Motion to adopt the resolution by Councilmember Gorton.
   Second by Councilmember Grant.

   Motion passes 5 - 0.

4. Resolution No. 62 - Referring a Proposed Local Law Concerning the Fishkill Development District and Hotels to the City of Beacon and Dutchess County Planning Boards

   Motion to adopt the resolution by Councilmember Grant.
   Second by Councilmember Krasikov.

   Motion passes 4 - 1. Councilmember Gorton voted against the resolution.

Approval of Minutes

1. July 6, 2026 Minutes

Motion to approve the minutes by Councilmember Gorton.
Second by Councilmember Krasikov.

Motion passes 5 - 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: August 3, 2026 at 7:00 p.m.

Executive Session

Executive Session: Personnel

Motion to go into executive session and adjourn immediately therefrom with no further business

by Councilmember Gorton.
Second by Councilmember Krasikov.

Motion passes 5 – 0.

Motion to adjourn the executive session by Councilmember Gorton.

Second by Councilmember Krasikov.

Motion passes 5 – 0.

Adjournment

Motion to adjourn by Councilmember Smith.
Second by Councilmember Grant.

Motion passes 5 – 0.

City of Beacon City Council Agenda
08/03/2026

Title:

Executive Session: Personnel

ATTACHMENTS