



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

**October 5, 2026
7:00 PM
City Council Agenda**

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Public Hearings

Public Hearing for a Proposed Local Law Concerning the Fishkill Development District and Hotels

Public Hearing for a Proposed Local Law Concerning Parking, Standing, and Stopping

Public Hearing for a Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers

Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes (to be adjourned to October 19, 2026)

Presentation of the Proposed 2027 Operating Budget

Proposed 2027 Operating Budget

Reports: Mayor, City Council, and City Administrator

Workshop

Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

Local Laws and Resolutions

1. Resolution No. 79 - Adopting Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels
2. Resolution No. 80 - Adopting Local Law No. 4 of 2026 Concerning Parking, Standing, and Stopping
3. Resolution No. 81 - Adopting Local Law No. 5 of 2026 Concerning Mid-Year Salary Increases

for Appointed Employees and Officers

4. Resolution No. 82 - Referring a Local law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes to the City of Beacon Planning Board

Approval of Minutes

1. September 21, 2026 Minutes

Public Comment - Second Opportunity

Announcement of Next Meeting: October 19, 2026 at 7:00 p.m.

Executive Session

1. Executive Session: Real Property

Adjournment

City of Beacon City Council Agenda
10/05/2026

Title:

Public Hearing for a Proposed Local Law Concerning the Fishkill Development District and Hotels

ATTACHMENTS

KARC Memorandum Regarding Potential Amendments to the Fishkill Creek District (Sept. 22, 2026)

Proposed Local Law Concerning the Fishkill Development District and Hotels

Fishkill Creek District Map

Draft Schedule of Dimensional Regulations

City of Beacon Planning Board Memorandum Regarding a Proposed Local Law Concerning the Fishkill Development District and Hotels

Draft Schedule of Use Regulations

Dutchess County Planning Memorandum Regarding a Draft Schedule of Use Regulations

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1 Narrative

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1 Narrative

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Parts 2 and 3

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 3 Negative Declaration

MEMORANDUM

TO: Mayor Lee Kyriacou and Beacon City Council
FR: Natalie Quinn, KARC Planning Consultants, Inc.
DATE: September 22, 2026
RE: Fishkill Creek Development (FCD) and Hotels Local Law

At the September 21, 2026 City Council workshop, the Council reviewed comments from the Planning Board and Dutchess County Planning regarding the proposed amendments to the Fishkill Creek Development (FCD) District. Council discussed each of the comments and provided direction regarding the changes to be incorporated into the proposed Local Law.

This memorandum summarizes the policy decisions and drafting direction provided by the City Council during that discussion and identifies how those decisions have been incorporated into the accompanying revised Local Law.

1. **Hotel Occupancy and Kitchens.** The Planning Board asked whether hotel length of stay and kitchen facilities could blur the distinction between transient lodging and dwelling units.
 - ❖ The Council was not opposed to longer-term hotel stays and determined that the existing distinctions within the zoning and building codes provide sufficient safeguards. A majority therefore supported retaining the proposed removal of the hotel-room kitchen prohibition. The Local Law has been retained as drafted with respect to kitchen facilities, and no additional length-of-stay restriction has been added.
 - ❖ The discussion also raised whether hotels should be required to be part of a mixed-use development, including consideration of affordable/BMR housing. No consensus was reached on this separate issue, and no additional changes have been made at this time.
2. **Hotel Approval Process.** The Planning Board suggested making hotels a special permit use so that the Council or Planning Board could provide additional review and potentially regulate hotel size.
 - ❖ The Council determined that a special permit would not provide meaningful additional review beyond the existing FCD Concept Plan and Site Plan processes. Hotels have been retained as a permitted use in the revised Local Law.
3. **Hotel Check-In and On-Site Management.** The Planning Board recommended modernizing the existing requirement for a traditional lobby, registry desk, and staffing model to accommodate electronic and mobile check-in
 - ❖ The Council supported allowing electronic registration/check-in while retaining an on-site management presence. The hotel regulations have been revised to allow

electronic registration/check-in while requiring an on-site management presence, rather than requiring a particular physical registry desk or office.

4. **Restaurant Size Limitation.** The Planning Board recommended reconsidering the existing 5,000-square-foot maximum for restaurants and other eating/drinking establishments in the FCD.

- ❖ The Council supported eliminating the 5,000-square-foot restaurant cap City-wide, rather than limiting the change to the FCD. The Local Law has been revised accordingly to eliminate the 5,000-square-foot limitation within the FCD. Implementation of this change within the CMS and L Districts has been deferred pending further review of how removal of the limitation may affect existing businesses and potential development footprints within those districts.

5. **Fishkill Creek Buffer.** The Planning Board recommended clarifying the point from which the Fishkill Creek buffer is measured and considering whether the existing buffer dimensions should be increased based on DEC guidance.

- ❖ The Council supported retaining the existing Fishkill Creek buffer requirements, including the average 50-foot buffer and 25-foot minimum. The existing dimensional requirements have been retained, and a cross-reference between the related buffer and design provisions has been added to clarify that the requirements are to be read and applied together.

6. **Streetscape Standards.** The Planning Board recommended adding more prescriptive streetscape regulations and guidance within the FCD.

- ❖ The Council reviewed and was comfortable with the existing FCD streetscape and design standards. The existing standards have therefore been retained without additional prescriptive requirements.

7. **Viewsheds and Greenway Trail.** The Planning Board recommended considering additional viewshed regulations, including contextual renderings from Tioronda Bridge and other public vantage points.

- ❖ The Council discussed strengthening protections for views from and toward the Fishkill Creek Greenway and Heritage Trail. Upon further review, the existing FCD regulations already provide substantial protections addressing this concern. Specifically:
 - i. §223-41.13(F)(1)(h) requires the Concept Plan to describe how the proposal is consistent with the Fishkill Creek Greenway and Heritage Trail Master Plan, and §223-41.13(F)(2)(b)[4] requires the City Council to make a finding of consistency with that Plan as part of Concept Plan approval.

- ii. §223-41.13(F)(1)(i) requires consideration of the architectural treatment of views “from the site to Fishkill Creek,” “to the site from Fishkill Creek,” and “over the site from important viewsheds,” and expressly authorizes the City Council to require photo simulations as part of its review.
 - iii. §223-41.13(F)(2)(b)[8] requires FCD development to “maximize important views and view corridors” and to incorporate, protect and/or enhance important views and view corridors through site layout and design.
 - iv. The FCD design standards also require an interconnected pedestrian system providing access to the Greenway Trail and contain specific public-access requirements intended to create linkages with existing and anticipated pedestrian and bicycle trail systems.
 - ❖ Accordingly, no additional amendment has been made at this time, as the existing FCD regulations provide the City Council and Planning Board with sufficient authority to evaluate views from the Greenway Trail and require appropriate visual information during project review.
- 8. Building Height.** Dutchess County Planning recommended considering four or more stories rather than the existing three-story/40-foot maximum and/or establishing a height framework responsive to topography similar to the Waterfront Development District.
- ❖ The Council supported retaining the existing three-story/40-foot maximum building height. The existing FCD height standard has therefore been retained without modification.
- 9. Building Coverage.** Dutchess County Planning recommended considering an increase to the existing 35% maximum building coverage and focusing instead on impervious coverage.
- ❖ The Council supported retaining the existing 35% maximum building coverage in the FCD at this time. Council expressed interest in separately considering a shift from building coverage to impervious coverage as part of a future City-wide zoning update. The existing 35% building-coverage standard has therefore been retained in the revised Local Law.
- 10. Minimum FCD Development-Site Size.** Dutchess County Planning recommended reducing the minimum FCD development-site size from two acres to one acre.
- ❖ The Council supported the recommendation. The Local Law has been revised to reduce the minimum FCD development-site size from 2 acres to 1 acre.

LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE
CONCERNING THE FISHKILL DEVELOPMENT DISTRICT AND HOTELS

A LOCAL LAW to amend
Chapter 223, Zoning, concerning
regulations governing hotels and
the Fishkill Development
District.

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

Section 1. Chapter 223 of the Beacon City Code, Article II – General Legislation, Section 223-14.1 entitled “Hotels” is hereby amended as follows:

§ 223-14.1 **Hotels.**

A. Permitted uses. If a site is to be used for a hotel, use of the site and any buildings or structures on the site ~~shall be limited to~~ may include usual hotel activities and accessory uses incidental to the operation of a hotel and of the same general character, provided that all such accessory uses shall be planned as an integral part and located on the same site with the hotel.

(1) Such accessory uses may include the following:

- (a) Dining facilities providing food and drink.
- (b) Newsstands, gift shops and other shops.
- (c) Recreation facilities which shall be for the exclusive use of guests or members.
- (d) Employees' quarters and facilities.
- (e) Spa facilities.
- (f) Conference center facilities

(2) All hotels shall include the following:

- (a) A lobby, registry desk, manager's office Facilities or systems for guest registration and check-in, which may include electronic or mobile registration and check-in; and an on-site manager or other responsible hotel representative; and public rest-room facilities.

- (b) Off-street parking facilities.
- (c) Access to all guest rooms from an interior hallway
- B. Screening. Outdoor parking areas and recreational facilities shall be screened with fencing, landscaping and/or buildings on all sides toward adjoining residential lots. Where hotel buildings are set back less than 100 feet from one-family residential lots, such buildings shall be suitably screened with planting.
- C. Off-street parking shall be in accordance with § 223-26.
- ~~D. — No kitchen facilities. There shall be no kitchen facilities in the hotel rooms except for a coffeemaker, a microwave oven and a small refrigerator.~~

Section 2. Chapter 223 of the Beacon City Code, Article IVC – Fishkill Creek Development District, Section 223-41.13 entitled “Uses; plan review; design standards,” Subsections B(3) and B(5) are hereby amended as follows:

§ 223-41.13 **Uses; plan review; review; design standards.**

...

- B. Principal uses permitted. A Fishkill Creek development may be a single use, or a mixed use which incorporates various permitted land use elements as part of a comprehensive development plan. These elements may include:
 - (1) Apartment, attached or multifamily dwelling.
 - (2) Artist live/work space, artist studio and workshop of artisan.
 - (3) Bed-and-breakfast establishment, ~~or inn, or hotel.~~
 - (4) Spa, fitness centers/noncommercial swimming pool, exercise studio, day-care center or similar use as determined by resolution of the City Council. Such uses shall be permitted in buildings that face a street.
 - (5) Restaurant, bar, brew pub or other eating and drinking establishment. Such restaurants and other eating and drinking establishments shall be permitted in buildings that face a street. ~~No such individual use shall contain more than 5,000 square feet of gross floor area.~~
 - (6) Professional and business office in buildings that face a street.
 - (7) Gallery, exhibit space or museum.
 - (8) Community facility that complements residential and commercial use, such as a public or semipublic performance and cultural center, live theater, concert hall, meeting room suitable for social, civic, cultural or education activities, bandshell, kiosk or gazebo.

- (9) Assembly, manufacturing, workshop or other light industrial use, as determined by the City Council, in fully enclosed buildings and not including any form of outdoor storage.
- (10) Day-care center.
- (11) Trade school or training program, college, private school, or nursery school.
- (12) Other nonresidential use similar to the above uses as determined by resolution of the City Council.

...

Section 3. Chapter 223 of the Beacon City Code, Article IVC – Fishkill Creek Development District, Section 223-41.14 entitled “Bulk regulations,” Subsections B, ~~and~~ G, ~~and~~ I are hereby amended as follows:

§ 223-41.14 **Bulk regulations.**

- A. Minimum size of FCD site: ~~two-one (1) acres~~. Notwithstanding the above, the owner of less than ~~two-one (1) acres~~ of land may apply for approval of a FCD project, where such land is adjacent to a proposed, approved or constructed FCD project.
- B. Development potential. ~~Maximum number of dwelling units per acre of lot area, after deducting on all development proposals involving a total lot area of more than three acres any lot area with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11. Additionally, a~~ minimum of 25% of the total development's floor area shall be permitted nonresidential uses other than dwelling units or artist live/work spaces, which must be built out before or concurrently with the residential development of the site. For good cause shown, the City Council may, upon imposition of such conditions as it deems appropriate, allow certificates of occupancy to be issued for dwelling units or artist live/work spaces prior to the nonresidential component being completed. Less nonresidential square footage may be granted by the City Council for the voluntary and guaranteed inclusion in the project of desirable environmental, transportation, or other substantial public benefits which would not otherwise be required of the project, as determined at the sole discretion of the City Council as part of the concept plan approval.
- C. Maximum dwelling unit size: 2,000 square feet of gross floor area.
- D. Maximum building coverage, including parking structures: 35%.
- E. Minimum open space: 30%.
- F. Maximum building height: three stories and 40 feet, as determined from the average grade level of the side of the building facing the primary street view. A corner or

centrally located elevator or stair tower projecting one story above the permitted building height may be approved by the City Council to add architectural interest and to encourage access to rooftop gardens.

- G. Minimum building setback from edge of pavement of ~~a public and private streets~~ right-of-way: 12 feet.
- H. Minimum frontage of overall FCD site on public street right-of-way: 50 feet.
- I. Minimum setback from and buffer width along Fishkill Creek, measured in accordance with §223-41.13I(15): an average of 50 feet, but not less than 25 feet at any point, from the top of the creek bank, except with respect to the existing building located at 555 South Avenue located in the Historic District and Landmark Overlay Zone, in which case the minimum setback and buffer requirement shall not apply.

Section 4. Ratification, Readoption and Confirmation.

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

Section 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.

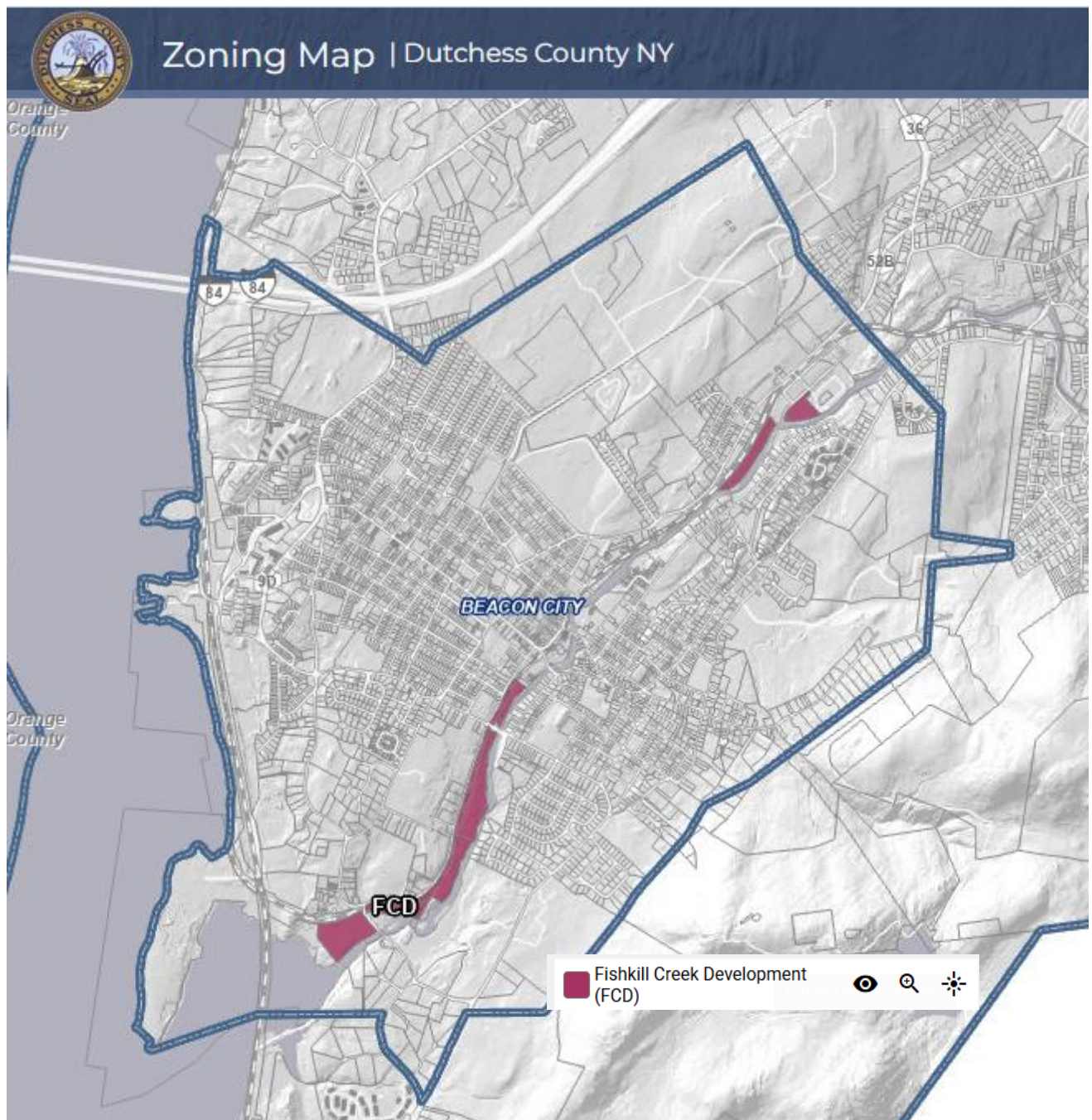
Section 6. Severability.

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



ZONING

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations

[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 9-19-2022 by L.L. No. 8-2022; 9-3-2024 by L.L. No. 8-2024; 11-17-2025 by L.L. No. 12-2025; 12-1-2025 by L.L. No. 13-2025]

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

NOTES:

- ^a A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- ^b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ^c But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ^d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ^e In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setbacks for end unit dwellings shall not be reduced further than 1/2 the minimum side yard setback of the least restrictive adjoining residential district.

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

BEACON CODE

- ^f A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.
- ^g And each building shall not exceed 150 feet in length.
- ^h For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.
- ⁱ One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.



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

John Gunn, Chair

August 19, 2026

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

Subject: City Council Referral of Local Law Amending the Fishkill Creek Development (FCD) Zoning District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law concerning an amendment to the City's zoning code regarding regulations governing hotels and the Fishkill Creek Development (FCD) District. The proposed Local Law was reviewed during the August 11, 2026 Planning Board meeting. Planner, Natalie Quinn, summarized the proposed local law with the Planning Board.

After discussing the proposed local law, the Planning Board members in provided the following comments:

- Council and staff should investigate what, if any, other state or local regulations regulate the length of stay at hotels to ensure they do not revert to a dwelling unit
- Consider whether allowing kitchen facilities in hotel rooms would convert the hotel room to a "dwelling unit" (sleeping area, bathroom, food prep)
- Consider making "hotel" a special permit use so that Council or Planning Board can review and limit size if needed
- Board members showed support for modification of the hotel supplemental regulations to permit newer/more modern models of hotel that use technology for check-in rather than lobby and staff. These newer technologies are utilized to streamline check-in and reduce cost of bookings.
- With reference to Section 223-41.13.B(5) of the City Code (which is not currently proposed to be amended), the Council should consider the 5,000 sq foot size limitation currently placed on restaurants in the FCD. Many restaurants on Main Street are bumping up against seating caps that prevent them from expanding.
- With reference to Section 223-41.14.I, the Council should clearly establish a point from which the buffer zone is measured. Per DEC guidance, should also consider extending the required buffer area to 35-100ft for stream protection.
- Council should consider adding more prescriptive regulations and guidance for regulating streetscapes.
- Council should consider if regulations governing viewsheds from Tioronda Bridge and others vantage points would be appropriate. To this point, the Board recommends adding language like that which was added to the Train Station District to require contextual renderings of important viewsheds.



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

John Gunn, Chair

Sincerely,

John Gunn (MP)

John Gunn
Planning Board Chair

JG/mp

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations

[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022; 5-5-2025 by L.L. No. 4-2025; 6-2-2025 by L.L. No. 5-2025; 7-7-2025 by L.L. No. 8-2025; 11-17-2025 by L.L. No. 12-2025; 12-1-2025 by L.L. No. 13-2025]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	TS	WP	FCD	LI	HI
Residential												
One-family detached dwelling		P	P	P	X	X	X	X	X	X	X	X
One-family attached/semidetached	Including townhouses	P ²	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		P ²	P	P	X	X	X	X	X	X	X	X
Multifamily dwelling		X	SP*	P	P	P	P	P	X	P	X	X
Artist live/work space	Subject to § 223-14.2	P ²	X	P	P	P	P	P	X	P	P	X
Retail/Office/Service												
Retail, personal service, or bank		X	X	X	P	P	P	P	X	X	P	X
Office		X	X	P	P	P	P	P	X	P	P	X
Artist studio, art gallery/exhibit space		X	X	P	P	P	P	P	X	P	P	X
Funeral home		X	X	X	P	X	X	X	X	X	P	X
Commercial recreation, indoor		X	X	X	P	P	X	X	X	X	P	P
Auction gallery		X	X	X	P	X	X	X	X	X	P	P
Adult use	Subject to § 223-20.1	X	X	X	X	X	X	X	X	X	SP	X
Food/Lodging												
Restaurant or coffee house		X	X	X	P	P	P	P	SP*	P	X	X
Bar/brew pub/microbrewery/microdistillery		X	X	X	P	P	P	P	X	P	P	P
Food preparation business		X	X	X	P	SP	SP	X	X	X	P	P
Short-term rental	Subject to § 223-26.5	P	P	P	P	P	P	P	P	P	P	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP	SP	P	X	P	X	SP*	P	P	X
Inn		X	X	X	P	P	P	P	SP*	P	P	X
Hotel	Subject to § 223-14.1	X	X	X	P	P	P	P	X	PX	P	X
Social/Community												
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	P	X	X	X	X	SP	X
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X

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

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	TS	WP	FCD	LI	HI
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale business		X	X	X	P	X	X	X	X	X	P	P
Self-storage facility and warehouse storage	Subject to § 223-24.5	X	X	X	P/SP	X	X	X	X	X	P/SP	P/SP
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	P	P	P	P	P	P	P	P	P	P	P
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	P	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Drive-through facilities, standalone or accessory		X	X	X	X	X	X	X	X	X	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see →					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

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



**DUTCHESS COUNTY DEPARTMENT OF
PLANNING & DEVELOPMENT**

**GML 239
REFERRAL RESPONSE**

To: City of Beacon, Municipal Board
Project Name: Proposed Local Law Concerning the Fishkill
Development District and Hotels
Action: Zoning Amendments
Applicant: City of Beacon
Property Address:

Referral #: ZR26-164
Date Received: 8/14/2026
Date Requested: 9/2/2026
Date Issued: 9/1/2026

Reviewer: Dozier, Emily

Signed: 

The Dutchess County Department of Planning & Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m) based on the materials submitted.

ACTION

The proposed local law would amend the zoning code for the Fishkill Creek Development District to eliminate the minimum lot size area per unit (maximum residential density) while retaining the bulk standards, which limit height, lot coverage, etc; to revise the minimum setback to be measured from public streets only; and to allow hotels as a permitted principal use (similar to inns). It would also update the supplemental regulations for hotels to allow kitchens in hotel rooms and to allow hotels as part of mixed-use projects.

COMMENTS

We support the City's efforts to provide flexibility for development within the FCD district, while maintaining reasonable form-based regulations. We encourage the Board to provide additional flexibility; in particular, we suggest considering:

- Allow buildings of 4 or more stories (vs. 3), and/or provide a height limit based on topography (ground floor elevation), similar to the Waterfront Development zone
- Allow additional building coverage (vs. 35% maximum), but focus on limiting impermeable coverage
- Allow development on parcels of one acre or more (vs. 2 acres), to allow all parcels in the district (except the pump station) the opportunity for redevelopment.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotels		
Project Location (describe and attach a general location map): The Fishkill Creek Development Zoning District		
Brief Description of Proposed Action (include purpose or need): The Beacon City Council is considering a Local Law which will amend the City of Beacon's Fishkill Creek Development (FCD) Zoning District's regulations to allow hotel uses. The Local Law further eliminates the traditional numerical residential density limitation in the FCD. Instead, density within the FCD will be limited through the Beacon Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, height, setbacks, open space, etc.). Minimum setbacks for buildings in the FCD will only be measured from the public right-of-way instead of also considering distances to private streets. Finally, the Local Law will provide an update to the Zoning Code's regulations for hotel uses.		
Name of Applicant/Sponsor: City Council of the City of Beacon		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Ben Swanson, City Administrator		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor): N/A		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Beacon City Council	July 20, 2026
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway?		☒ Yes ☐ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☒ Yes ☐ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites:C314117, Remediation Sites:546031, Remediation Sites:C314118, Remediation Sites:314044

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☒ No

If Yes, identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential, commercial, and mixed-use.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Beacon City School District

b. What police or other public protection forces serve the project site?
Beacon Police Department & Metropolitan Transportation Authority Police Department

c. Which fire protection and emergency medical services serve the project site?
Beacon City Fire Department, Beacon Volunteer Ambulance Corps, and Empress Emergency Response Service.

d. What parks serve the project site?
Beacon City Parks & NY State Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

• Do existing sewer lines serve the project site? ☐ Yes ☐ No

• Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)? _____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____			
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____			
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____			
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____			
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No			

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If Yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____																
E.2. Natural Resources On or Near Project Site																
a. What is the average depth to bedrock on the project site? _____ feet																
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %																
c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 40%; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">%</td> </tr> </table>		%		%		%										
	%															
	%															
	%															
d. What is the average depth to the water table on the project site? Average: _____ feet																
e. Drainage status of project site soils: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;">☐</td> <td style="width: 200px;">Well Drained:</td> <td style="width: 100px; border-bottom: 1px solid black;"></td> <td style="width: 100px; text-align: right;">% of site</td> </tr> <tr> <td>☐</td> <td>Moderately Well Drained:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">% of site</td> </tr> <tr> <td>☐</td> <td>Poorly Drained</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">% of site</td> </tr> </table>	☐	Well Drained:		% of site	☐	Moderately Well Drained:		% of site	☐	Poorly Drained		% of site				
☐	Well Drained:		% of site													
☐	Moderately Well Drained:		% of site													
☐	Poorly Drained		% of site													
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30px;">☐</td> <td style="width: 100px;">0-10%:</td> <td style="width: 100px; border-bottom: 1px solid black;"></td> <td style="width: 100px; text-align: right;">% of site</td> </tr> <tr> <td>☐</td> <td>10-15%:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">% of site</td> </tr> <tr> <td>☐</td> <td>15% or greater:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">% of site</td> </tr> </table>	☐	0-10%:		% of site	☐	10-15%:		% of site	☐	15% or greater:		% of site				
☐	0-10%:		% of site													
☐	10-15%:		% of site													
☐	15% or greater:		% of site													
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____																
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px;">•</td> <td style="width: 100px;">Streams:</td> <td style="width: 300px;">Name _____</td> <td style="width: 100px;">Classification _____</td> </tr> <tr> <td>•</td> <td>Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>•</td> <td>Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>•</td> <td colspan="3">Wetland No. (if regulated by DEC) _____</td> </tr> </table>	•	Streams:	Name _____	Classification _____	•	Lakes or Ponds:	Name _____	Classification _____	•	Wetlands:	Name _____	Approximate Size _____	•	Wetland No. (if regulated by DEC) _____		
•	Streams:	Name _____	Classification _____													
•	Lakes or Ponds:	Name _____	Classification _____													
•	Wetlands:	Name _____	Approximate Size _____													
•	Wetland No. (if regulated by DEC) _____															
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If Yes, name of impaired water body/bodies and basis for listing as impaired: _____																
i. Is the project site in a designated Floodway? ☐ Yes ☐ No																
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No																
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No																
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____																

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

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

- a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No
b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No
c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

- i. drought? ☐ Yes ☐ No
ii. temperature extremes (hot or cold)? ☐ Yes ☐ No
iii. extreme storms, including high winds? ☐ Yes ☐ No
iv. landslides? ☐ Yes ☐ No
v. coastal erosion? ☐ Yes ☐ No
vi. stormwater flooding? ☐ Yes ☐ No
vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Beacon City Council Date July 30, 2026

Signature  Title City Attorney

Beacon – FEAF Part 1 Narrative
Proposed Local Law Concerning the Fishkill Creek Development District & Hotels

On July 20, 2026, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to amend certain regulations pertaining to the Fishkill Creek Development (“FCD”) Zoning District. The FCD District is a relatively small geographic zoning district along the Fishkill Creek consisting of nine (9) tax map parcels generally ranging from 0.03 acres to 11.07 acres. The legislative intent of the FCD District is to encourage the redevelopment of underutilized or former industrial properties through a mix of residential and nonresidential uses while preserving the environmental and recreational uses of the Fishkill Creek. All future development within the FCD will be subject to independent review in accordance with the State Environmental Quality Review Act (“SEQRA”).

Amendments to the Fishkill Creek Development District

1. Hotel Uses within the FCD District.

The proposed Local Law will permit Hotel uses in the FCD District. A Hotel is defined as under Zoning Code Section 223-63 as:

“A building, or portion thereof, containing rooms occupied primarily by transient guests, who are lodged with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary residence, such as dining, recreational facilities, public rooms and meeting rooms, and gift shops. The term "hotel" shall not include bed-and-breakfast establishment, boardinghouse, rooming house, short-term rental or single-room-occupancy building for the purposes of this chapter.”

Hotel uses are similar to bed-and-breakfast and inn uses, which are currently permitted uses within the FCD District. Specifically, an “inn” is defined under Zoning Code Section 223-63 as “[a] hotel containing no more than 10 guest rooms.” The City’s Zoning Code does not otherwise establish substantially different regulations and requirements for hotels and inns except for the number of guest rooms. Moreover, inns and hotels both provide transient lodging accommodations and typically include similar accessory amenities. As such, permitting hotel uses within the FCD District will be generally consistent with the stated legislative purpose of the FCD District which is to “[e]ncourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses.” Zoning Code § 223-41.12(A).

2. Density Limitation within the FCD District.

Density within the FCD is presently limited to no more than 11 dwelling units per acre. The Local Law will eliminate this traditional numerical based density limitation and instead regulate density through the Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, building height, setbacks, open space requirements, etc.). A form-based approach to density regulation is currently utilized in the City's Central Main Street (CMS), Linkage (L), and Transit Station (TS) zoning districts. The City's General Business (GB) and Light Industrial (LI) zoning districts both allow approximately 29 dwelling units per acre.

The use of a form-based zoning limitation for residential density is further consistent the City Council's continued efforts to encourage additional residential dwelling units thereby increasing the City's housing stock as well as the number of below-market rental units. Accordingly, the elimination of FCD District's numerical limitation for density is consistent with the City's other mixed-use zoning districts and furthers the City Council's housing goals.

3. Minimum Setback Requirements in the FCD District.

The Local Law revises the minimum setback requirements within the FCD District to measure the setback requirement for buildings to be measured from a public right-of-way. Eliminating the reference to private streets is consistent with the City's other zoning regulations. The Planning Board will still have an opportunity to address the distances of buildings from private streets during the site plan review process.

Updates to the Zoning Code's Supplemental Regulations for Hotels

The Local Law amends Zoning Code § 223-14.1 concerning supplemental regulations for hotel uses. This revision provides that any uses on the same site of a hotel "may include" usual hotel activities and incidental accessory uses, whereas the Zoning Code currently provides that all buildings or structures on the same site of a hotel "shall be limited to" usual hotel activities and incidental accessory uses. This update to permissive language better reflects contemporary hotel uses which more frequently function as part of a mixed-use project rather than a stand-alone use.

The Local Law also removes the prohibition on kitchen facilities in guest rooms. The prohibition on kitchen facilities in hotel guest rooms has traditionally distinguished hotels from multifamily dwellings and single-room occupancy uses. However, many modern hotels now feature kitchenettes in guest rooms, and such distinctions between these different uses are adequately addressed via modern building code requirements and Zoning Code definitions.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotels		
Project Location (describe and attach a general location map): The Fishkill Creek Development Zoning District		
Brief Description of Proposed Action (include purpose or need): The Beacon City Council is considering a Local Law which will amend the City of Beacon's Fishkill Creek Development (FCD) Zoning District's regulations to allow hotel uses. The Local Law further eliminates the traditional numerical residential density limitation in the FCD. Instead, density within the FCD will be limited through the Beacon Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, height, setbacks, open space, etc.). Minimum setbacks for buildings in the FCD will only be measured from the public right-of-way instead of also considering distances to private streets. Finally, the Local Law will provide an update to the Zoning Code's regulations for hotel uses.		
Name of Applicant/Sponsor: City Council of the City of Beacon		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Ben Swanson, City Administrator		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor): N/A		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Beacon City Council	July 20, 2026
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. <i>i.</i> Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? ☒ Yes ☐ No <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No <i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites:C314117, Remediation Sites:546031, Remediation Sites:C314118, Remediation Sites:314044

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☒ No

If Yes, identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential, commercial, and mixed-use.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Beacon City School District

b. What police or other public protection forces serve the project site?
Beacon Police Department & Metropolitan Transportation Authority Police Department

c. Which fire protection and emergency medical services serve the project site?
Beacon City Fire Department, Beacon Volunteer Ambulance Corps, and Empress Emergency Response Service.

d. What parks serve the project site?
Beacon City Parks & NY State Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

• Name of wastewater treatment plant to be used: _____

• Name of district: _____

• Does the existing wastewater treatment plant have capacity to serve the project?

☐ Yes ☐ No

• Is the project site in the existing district?

☐ Yes ☐ No

• Is expansion of the district needed?

☐ Yes ☐ No

• Do existing sewer lines serve the project site?

☐ Yes ☐ No

• Will a line extension within an existing district be necessary to serve the project?

☐ Yes ☐ No

If Yes:

• Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

☐ Yes ☐ No

If Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction?

☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

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

• Will stormwater runoff flow to adjacent properties?

☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No	
l. Hours of operation. Answer all items which apply. i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

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

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSO of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐ Yes ☐ No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐ Yes ☐ No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐ Yes ☐ No

i. new noise sources or expansions/modification of existing noise sources;

- noise from operational sources

- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	☐ Yes	☐ No
Solid Waste Management Facility	☐ Yes	☐ No
Hazardous Waste Management Facility	☐ Yes	☐ No
Air Pollution Control (Title V or Air State Facility)	☐ Yes	☐ No
Water Withdrawal over 20 MGD for Cooling Water	☐ Yes	☐ No
Waste Transporter	☐ Yes	☐ No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

- a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No
b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No
c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

- i. drought? ☐ Yes ☐ No
ii. temperature extremes (hot or cold)? ☐ Yes ☐ No
iii. extreme storms, including high winds? ☐ Yes ☐ No
iv. landslides? ☐ Yes ☐ No
v. coastal erosion? ☐ Yes ☐ No
vi. stormwater flooding? ☐ Yes ☐ No
vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Beacon City Council Date July 30, 2026

Signature Christian A.L. Gates Title City Attorney

Beacon – FEAF Part 1 Narrative
Proposed Local Law Concerning the Fishkill Creek Development District & Hotels

On July 20, 2026, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to amend certain regulations pertaining to the Fishkill Creek Development (“FCD”) Zoning District. The FCD District is a relatively small geographic zoning district along the Fishkill Creek consisting of nine (9) tax map parcels generally ranging from 0.03 acres to 11.07 acres. The legislative intent of the FCD District is to encourage the redevelopment of underutilized or former industrial properties through a mix of residential and nonresidential uses while preserving the environmental and recreational uses of the Fishkill Creek. All future development within the FCD will be subject to independent review in accordance with the State Environmental Quality Review Act (“SEQRA”).

Amendments to the Fishkill Creek Development District

1. Hotel Uses within the FCD District.

The proposed Local Law will permit Hotel uses in the FCD District. A Hotel is defined as under Zoning Code Section 223-63 as:

“A building, or portion thereof, containing rooms occupied primarily by transient guests, who are lodged with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary residence, such as dining, recreational facilities, public rooms and meeting rooms, and gift shops. The term "hotel" shall not include bed-and-breakfast establishment, boardinghouse, rooming house, short-term rental or single-room-occupancy building for the purposes of this chapter.”

Hotel uses are similar to bed-and-breakfast and inn uses, which are currently permitted uses within the FCD District. Specifically, an “inn” is defined under Zoning Code Section 223-63 as “[a] hotel containing no more than 10 guest rooms.” The City’s Zoning Code does not otherwise establish substantially different regulations and requirements for hotels and inns except for the number of guest rooms. Moreover, inns and hotels both provide transient lodging accommodations and typically include similar accessory amenities. As such, permitting hotel uses within the FCD District will be generally consistent with the stated legislative purpose of the FCD District which is to “[e]ncourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses.” Zoning Code § 223-41.12(A).

2. Density Limitation within the FCD District.

Density within the FCD is presently limited to no more than 11 dwelling units per acre. The Local Law will eliminate this traditional numerical based density limitation and instead regulate density through the Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, building height, setbacks, open space requirements, etc.). A form-based approach to density regulation is currently utilized in the City's Central Main Street (CMS), Linkage (L), and Transit Station (TS) zoning districts. The City's General Business (GB) and Light Industrial (LI) zoning districts both allow approximately 29 dwelling units per acre.

The use of a form-based zoning limitation for residential density is further consistent the City Council's continued efforts to encourage additional residential dwelling units thereby increasing the City's housing stock as well as the number of below-market rental units. Accordingly, the elimination of FCD District's numerical limitation for density is consistent with the City's other mixed-use zoning districts and furthers the City Council's housing goals.

3. Minimum Setback Requirements in the FCD District.

The Local Law revises the minimum setback requirements within the FCD District to measure the setback requirement for buildings to be measured from a public right-of-way. Eliminating the reference to private streets is consistent with the City's other zoning regulations. The Planning Board will still have an opportunity to address the distances of buildings from private streets during the site plan review process.

Updates to the Zoning Code's Supplemental Regulations for Hotels

The Local Law amends Zoning Code § 223-14.1 concerning supplemental regulations for hotel uses. This revision provides that any uses on the same site of a hotel "may include" usual hotel activities and incidental accessory uses, whereas the Zoning Code currently provides that all buildings or structures on the same site of a hotel "shall be limited to" usual hotel activities and incidental accessory uses. This update to permissive language better reflects contemporary hotel uses which more frequently function as part of a mixed-use project rather than a stand-alone use.

The Local Law also removes the prohibition on kitchen facilities in guest rooms. The prohibition on kitchen facilities in hotel guest rooms has traditionally distinguished hotels from multifamily dwellings and single-room occupancy uses. However, many modern hotels now feature kitchenettes in guest rooms, and such distinctions between these different uses are adequately addressed via modern building code requirements and Zoning Code definitions.

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

Agency Use Only [If applicable]
Project : Local Law re FCD & Hotels
Date : October 5, 2026

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the whole action.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts:		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached:	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:	E3c	☐	☐
c. Other impacts:		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts:		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts:		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☒	☐
b. The proposed action may result in development within a 100-year or a 500-year floodplain.	E2j, E5a, E5b	☒	☐
c. The proposed action may result in development in an area potentially affected by sea level rise.	E2k, E5c	☒	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☒	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☒	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☒	☐

g. Other impacts:		☐	☐
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6. Impacts on Air and Climate

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) or generate greenhouse gas emissions over 10,000 metric tons of carbon dioxide equivalents (See Part 1. D.2.h)

☒ NO

☐ YES

If “Yes”, answer questions a - i. If “No”, move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also have the potential to emit one or more regulated air contaminants at or above the following levels: i. More than 100 short tons/year of carbon monoxide (CO) ii. More than 100 short tons/year of oxides of nitrogen (NO _x) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island iii. More than 100 short tons/year of particulate matter (PM-10, PM-2.5) iv. More than 50 short tons/year of volatile organic compounds (VOC) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island v. More than 100 short tons/year of sulfur dioxide (SO ₂)	D2g D2g D2g D2g D2g	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐
b. The proposed action has the potential to emit 10 short tons/year or more of any one designated hazardous air pollutant, or 25 short tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may include a heat source capable of producing more than 20 million BTUs per hour.	D2f, D2g	☐	☐
d. The proposed action may exceed 50% of any of the thresholds in “a” or “b”, _____ above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of solid, hazardous, or hospital/medical/infectious waste.	D2f, D2s	☐	☐
f. The proposed action is subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231.	D2g	☐	☐
g. The proposed action will emit more than 10,000 metric tons of CO ₂ equivalents per year.	D2h	☐	☐
h. A municipality adopted comprehensive or individual plan addressing climate change applies to the proposed action and the proposed action would materially conflict with the achievement of one or more goals of the plan related to climate change.	C2d	☐	☐
i. Other impacts:		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☒ NO ☐ YES <i>If “Yes”, answer questions a - j. If “No”, move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

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

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action is obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☒	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☒	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☒ ☒	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism-based activities	E3h E2q, E1c	☒ ☒	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☒	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☒	☐
g. Other impacts:		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:	E3g	☐	☐

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

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts:		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts:		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO

☒ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts:		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☒ YES

(See Part 1. D.2.k)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☒	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
e. Other Impacts:		☐	☐

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☒ YES

(See Part 1. D.2.m., n., and o.)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts:		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off-site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts:		☐	☐

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other:		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts:		☐	☐

19. Impact on Disadvantaged Communities

The proposed project may impact a disadvantaged community.
(See Part 1. E.4)



NO



YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool ?	E.4.c	☐	☐
b. The proposed action may create new air emissions or increase existing air emissions within a disadvantaged community.	D.2.f-i, E.4	☐	☐
c. The proposed action may create new wastewater treatment or discharges, or expand existing wastewater treatment or discharges, within a disadvantaged community.	D.2.d	☐	☐
d. The proposed action creates or expands a solid or hazardous waste management facility, or involves the generation of solid or hazardous waste, within or near a disadvantaged community.	D.2.r, D.2.s, D.2.t, E.1.f, E.1.g	☐	☐
e. The proposed action may increase traffic within a disadvantaged community.	D.2.j	☐	☐
f. The proposed action affects or involves one or more of the following facility types: i. landfill; ii. other industrial, manufacturing, or mining land uses; iii. major oil or chemical bulk storage facility; iv. municipal waste combustor; v. power generation facility; vi. risk management plan site; vii. remediation site; or viii. scrap metal processor.	C.3.c, D.1.a, D.1.g, D.2.a, D.2.d, D.2.f, E.1.a, E.1.b, E.1.h, E.1.v, E.4	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
g. Other impacts:		☐	☐

20. Future Physical Climate Risks

The proposed project may be vulnerable to future physical climate risks or increase the vulnerability of human or ecological communities to future physical climate risks.

☒ NO ☐ YES

(See Part 1. E.5)

If “Yes”, answer questions a - e. If “No”, proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is vulnerable to damage from a projected 100-year flood.	E2j, E5a	☐	☐
b. The proposed action is vulnerable to damage from a 500-year flood.	E2k, E5b	☐	☐
c. The proposed action is in an area potentially affected by sea level rise.	E5c	☐	☐
d. The proposed action may increase the vulnerability of human or ecological communities to the following: i. drought ii. temperature extremes (hot or cold) iii. extreme storms, including high winds iv. landslides v. coastal erosion vi. stormwater flooding vii. other climate or weather hazards? If yes, describe: _____	E5d	☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐
e. Other impacts:		☐	☐

Project :

Date :

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 the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

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

See Attached.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

The proposed Local Law, the Full Environmental Assessment Forms Part 1 and Narrative, Part 2, the City of Beacon Schedule of Uses, the City of Beacon Schedule of Dimensional Regulations, memorandums from the City Planner, the Beacon Zoning Map, the Dutchess County Dept. of Planning & Development GML 239-m referral response letter (09.01.2026), and the City of Beacon Planning Board referral response letter (08.19.2026), and discussions at Beacon Council meetings.

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action: A Local Law amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotel Uses.

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

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

Title of Responsible Officer: **City Administrator**

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Christian A.L. Gates

Date: 10/2/2026

For Further Information:

Contact Person: Benjamin Swanson, City Administrator

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: (845) 838-5000

E-mail: cityofbeacon@beaconny.gov

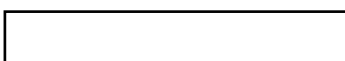
For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Beacon – FEAF Part 3 Attachment
Negative Declaration of Environmental Significant

Proposed Local Law Concerning the Fishkill Creek Development District and Hotels

On July 20, 2026, the Beacon City Council (the “City Council”) introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to revise the regulations pertaining to the Fishkill Creek Development district (“FCD”) and hotel uses. The proposed Local Law does not amend the City’s Zoning Map. By letter dated September 1, 2026, the Dutchess County Department of Planning and Development offered comments on the Local Law. By letter dated August 19, 2026, the City of Beacon Planning Board (the “Planning Board”) offered its comments on the Local Law. On September 21, 2026, the City Council discussed the comments from the Planning Board and the Dutchess County Department of Planning and Development.

The FCD consists of only nine (9) tax parcels, ranging in size from approximately 0.03 acres to 11.07 acres, with one (1) outlier parcel being 49.9 acres (a right-of-way along an abandoned rail line). Several parcels in the FCD have been recently developed, yet others remain vacant and/or underutilized. Parcels in the FCD are typically former industrial properties, vacant land, and portions of the rail line. The purpose of the proposed Local Law is to make narrowly tailored amendments to the FCD to encourage redevelopment of such vacant and underutilized properties. In summary, the proposed Local Law makes the following changes:

- Provide that “hotels” are a permitted use in the FCD. Presently, “hotels” are prohibited in the FCD, yet “inns” are permitted. An “inn” is defined as a “hotel” with fewer than ten (10) guest rooms. The Zoning Code also provides ambiguity as to whether a “hotel” could be construed as a “similar” use to an “inn” thereby authorizing approval of a “hotel” by the City Council pursuant to Zoning Code § 223-41.13(B)(12). Moreover, “bed-and-breakfast establishments” are also permitted in the FCD.
- Updating the regulations pertaining to “hotel” uses to better reflect modern hotels. Electronic or mobile check-in will be permitted, provided there is an on-site manager or other hotel representative present. The Local Law also eliminates the requirement that all buildings or structures on the site of a hotel be strictly limited to usual hotel activities and accessory uses of hotel. This will allow residential and other commercial components to be located on the same site as a hotel. The Local Law eliminates the prohibition on kitchen facilities in hotels. Modern building code requirements allow kitchen facilities in hotel rooms, and sufficient safeguards exist under State and local laws, rules, and regulations to ensure that hotels are not impermissibly converted into multifamily dwellings or single-room occupancy uses.
- Elimination of the 5,000 square foot restriction for restaurants, bars, brew pubs or other eating and drinking establishments in the FCD. This change was recommended

by the Planning Board as it can prevent establishments from expanding and effectively imposes a seating cap which may not otherwise apply.

- Reduction of the minimum lot size from two (2) acres to one (1) acre. This recommendation was offered by the Dutchess County Department of Planning and Development and will give all parcels in the FCD the opportunity to be developed (excluding a pump station).
- Elimination of the maximum dwelling unit density of 11 units per acre. The current maximum does not reflect the City's housing development and affordability goals. Accordingly, eliminating this maximum will add flexibility. New development will continue to be limited by the FCD's existing form-based dimensional and design standards (e.g., building coverage, open space, scale, height, setbacks, dwelling unit size, frontage, massing, etc.).
- Elimination of the reference to private streets when measuring the minimum building setback. This revision also adds that building setback measurements shall include the pavement edge of a public right-of-way. These revisions are consistent with the City's other Zoning Code regulations. The minimum building setback will also continue to be measured from the edge of the pavement of any public streets. There are no changes to the underlying 12-foot minimum building setback.
- Clarification of the Fishkill Creek buffer and minimum setback. This revision was recommended by the Planning Board and includes a citation to the relevant Zoning Code section. The revision also clarifies that the setback distance is to be measured "from the top of the creek bank."

The determination of environmental significance made herein pursuant to the State Environmental Quality Review Act ("SEQRA") is only applicable to the proposed Local Law and is not a review of environmental significance of any proposed development. For clarity, any and all subsequent development within the FCD or development of hotels shall be subject to project specific environmental review pursuant to SEQRA and the Beacon City Code.

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

The proposed Local Law is not inconsistent with the City's Zoning Code or Comprehensive Plan. The 2017 City of Beacon Comprehensive Plan supports the continued redevelopment of the Fishkill Creek corridor through a mix of residential, commercial, cultural, and recreational uses. The Plan specifically encourages expanded tourism opportunities, and amenities such as inns, spas, restaurants, and other destination-oriented uses to support the City's economic development opportunities. Importantly, the Plan recommends encouraging the redevelopment of vacant and underutilized industrial sites along the Fishkill Creek for new residential, commercial, or light industrial uses. Accordingly, the proposed Local Law is consistent with the Comprehensive Plan as it will expressly allow hotels within the FCD, which

is a hospitality and tourism use. Allowing “hotels” in the FCD is not inconsistent with the Zoning Code because “hotels” are the same type of land use as “inns”, which is a permitted use in the FCD. Moreover, the proposed Local Law includes narrowly tailored changes intended to encourage development of vacant or underutilized parcels. For example, reducing the minimum lot size to one (1) acre zoning will allow all parcels in the FCD to be developed in some manner (excluding the existing pump station). The elimination of the maximum number of dwelling units is also consistent with the City’s form-based Zoning Code requirements and furthers the City’s housing development goals. New development will continue to be regulated under existing bulk and design standards as well as existing features (e.g., lot coverage, setbacks, height, open space, the Fishkill Creek, the rail line right-of-way, steep slopes, etc.). As such, the proposed Local Law is consistent with existing permitted land uses in the FCD and is consistent with the Comprehensive Plan’s goals for redevelopment in the FCD.

The proposed Local Law does not create any adverse environmental impacts because the Local Law does not result in direct or physical impacts to the land. Instead, each application for land use approvals in the FCD or for the development of hotels will involve a unique and individual set of circumstances, the particular nature of which will be subject to the regulations and requirements of the Zoning Code, the City Code, and State law. The evaluation of such future uses will involve independent review for conformance with the Zoning Code as well as environmental impacts. However, the proposed Local Law alone will not have a direct impact on land. As such, the potential for secondary or indirect effects of the proposed Local Law does not support the conclusion that the legislation will or may create a significant adverse environmental impact requiring preparation of an environmental impact statement. Furthermore, potential secondary or indirect impacts do not give rise to any currently identifiable potential significant adverse environmental impacts. Therefore, an environmental impact statement need not be prepared.

The proposed Local Law does not propose any actions, or land uses which are sharply or drastically different from surrounding land use patterns. Full build out of the FCD is also unlikely due to limitations caused by the Fishkill Creek, steep slopes, and the rail line right-of-way.

The proposed Local Law will not result in a substantial adverse change or impact to existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage. The changes to the text of the Zoning Code are primarily to update existing regulations. For example, no changes are proposed to the applicable parking requirements, erosion control requirements, building heights, stormwater pollution prevention requirements, nor will new uses be permitted which are inconsistent with existing regulations. The changes to the setback requirements are consistent with other Zoning Code regulations and do not alter the underlying 12 foot minimum. The removal of the density limitation in the FCD is not expected to have significant impacts as development will continue to be regulated and constrained by the City’s form-based zoning regulations. The reduction to the one (1) acre lot size is also not anticipated to have significant impacts as a one (1) acre

minimum will still be one of the City's larger lot zones but will allow the development of certain underutilized and/or vacant parcels in the FCD. To the extent that this environmental review precedes future development, such development shall be subject to all City zoning and land use requirements, which is no less protective of the environment than the requirements of SEQRA.

The areas affected by the proposed Local Law have been developed for decades, including industrial and commercial uses. Given the FCD is a developed district, and the other changes to the hotel regulations do not impact the City's bulk regulations, the proposed Local Law will not have a direct impact on or cause the removal or destruction of large quantities of flora or fauna, nor substantially interfere with any protected flora or fauna, habitats, or environmentally sensitive areas.

The proposed Local Law will not result in the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources of the existing community or neighborhood. Nor will it create a hazard to human health or significant change in the intensity of land uses, or result in the loss of open space or recreation because the changes to the City's schedule of uses and dimensional requirements are limited.

As such, for the reasons herein and the reasons set forth in the Full Environmental Assessment form Parts 1 and 2, and the information contained in the record, the proposed Local Law will not have a significant adverse environmental impact.

City of Beacon City Council Agenda
10/05/2026

Title:

Public Hearing for a 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 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

<u>Tioronda Avenue</u>	<u>West</u>	<u>To a point 25 feet north from the intersection of Vine Street</u>
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 with respect to parking 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 <u>a distance of 140 feet south of Main Street to the intersection of Wolcott Avenue</u> a point 120 feet south except Sundays
<u>Tioronda Avenue</u>	<u>West</u>	<u>From the intersection of Vine Street to the intersection of Wolcott Avenue</u>
Tioronda Avenue	South	From No. 2 Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
...		

Section 3. 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 4. Numbering for Codification.

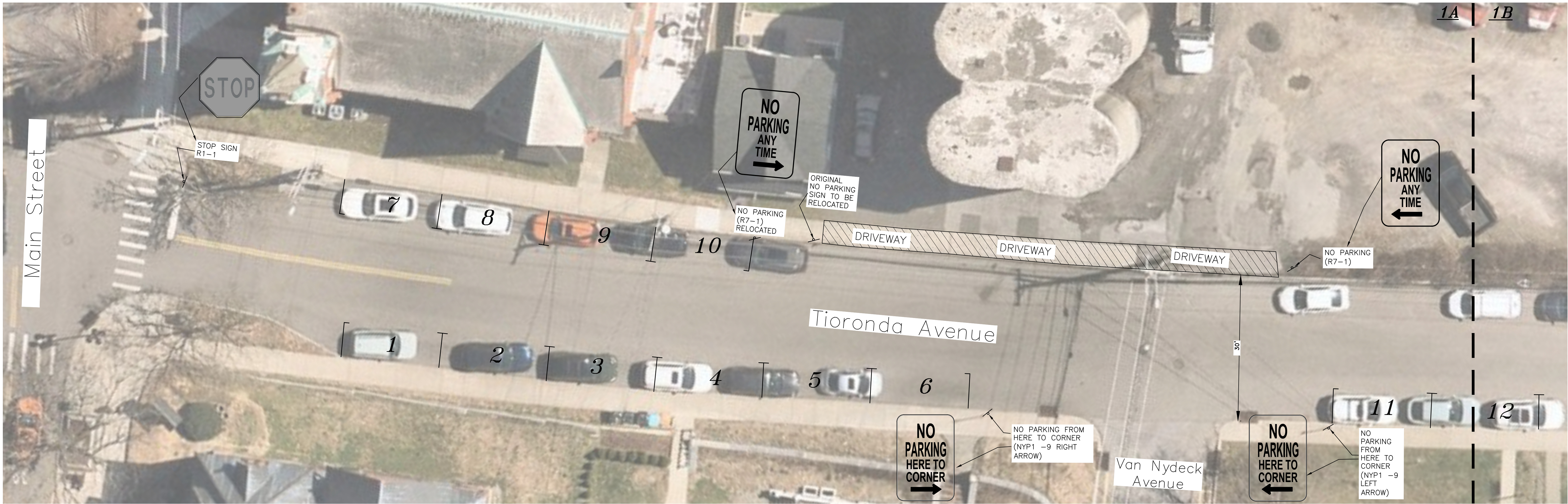
It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier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

Section 5. Severability.

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

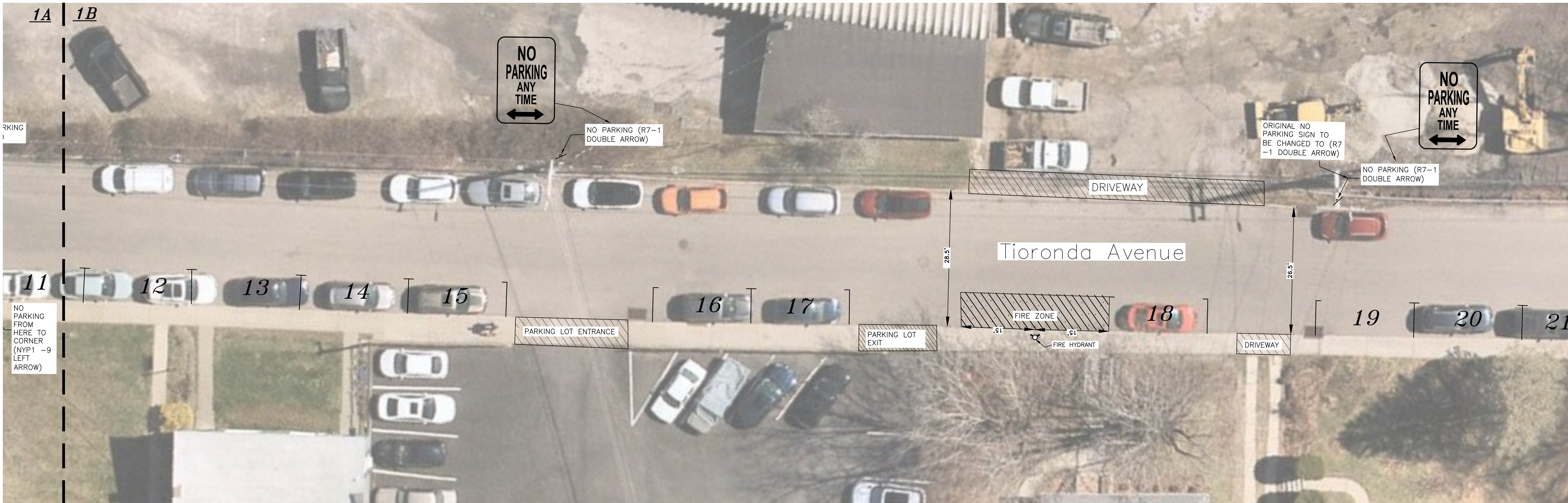
Section 6. Effective date.

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

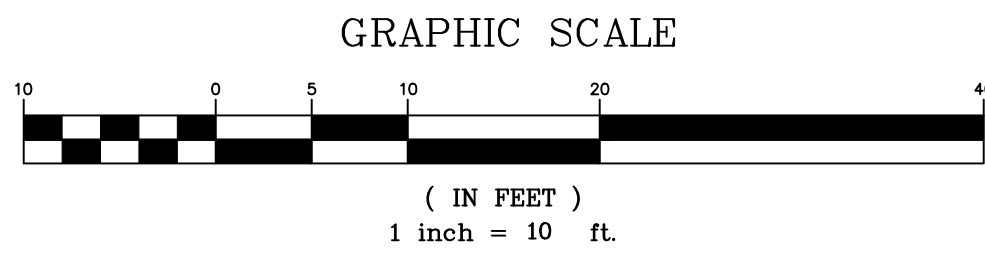


LOCATION PLAN
1 INCH = 500 FEET

1A
SCALE: 1" = 10'



1B
SCALE: 1" = 10'



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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

Drawn By: SEF Checked By: Scale: 1" = 10' Tax Map No.: N/A Date: JULY 14, 2026

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DATE: JULY 14, 2026
REVISIONS:
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LAYOUT: PARKING PLAN
Sheet No.: 1 OF 4
Drawing No.: C30
A- 26 - 6697 - 01



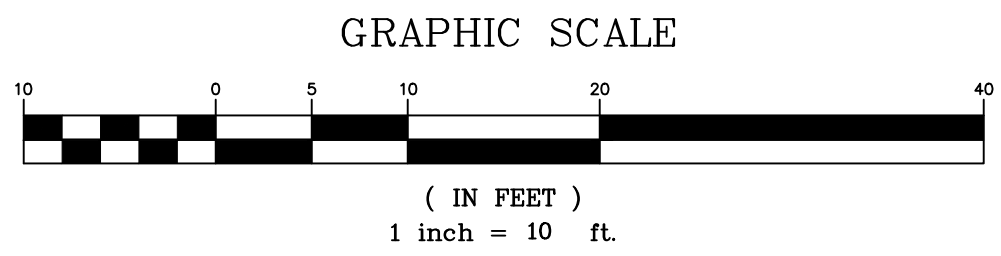
2A
SCALE: 1" = 10'



LOCATION PLAN
1 INCH = 500 FEET



2B
SCALE: 1" = 10'



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STREET PARKING PLAN PREPARED FOR

**TIORONDA AVE
(MAIN ST - WOLCOTT AVE)**

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Drawn By: SEP Checked By: Scale: 1" = 10' Tax Map No.: N/A Drawing No.: C30
A- 26 - 6697 - 01

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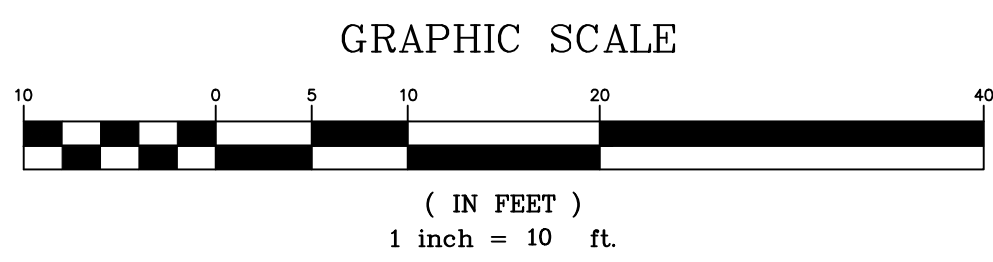




3A
SCALE: 1" = 10'



LOCATION PLAN
1 INCH = 500 FEET



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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.:	Drawing No.:
SEP		1" = 10'	N/A	A- 26 - 6697 - 01

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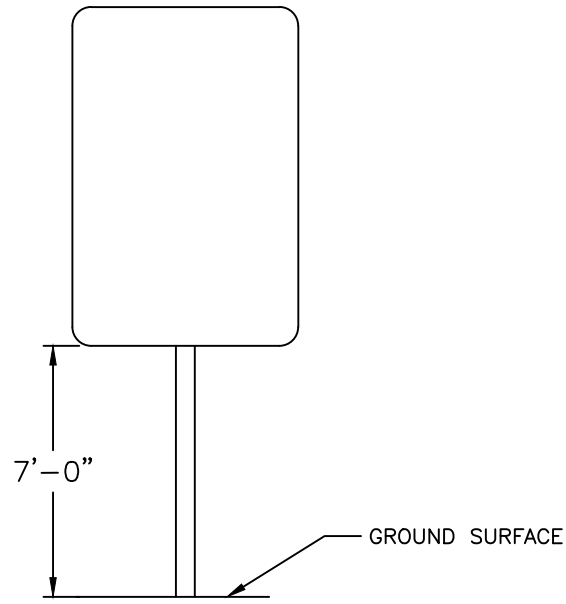


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Drawn By:	SEP
Checked By:	
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Tax Map No.:	N/A
Drawing No.:	A- 26 - 6697 - 01

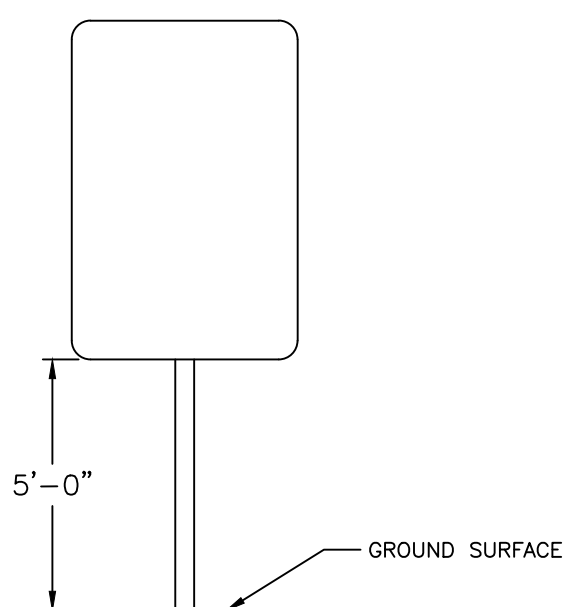


LOCATION PLAN
1 INCH = 500 FEET

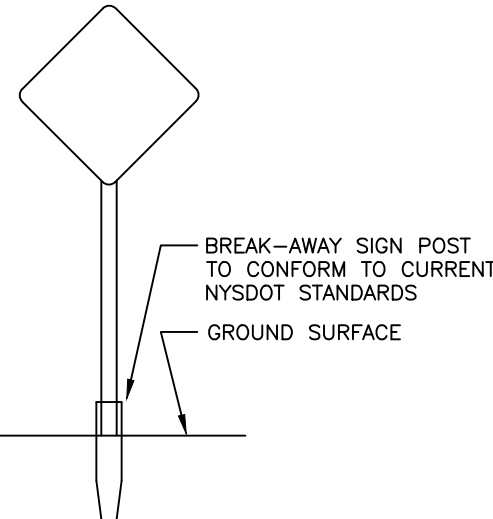
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	R7-1	12" X 18"
	NYP1-9	12" X 18"
	R7-1(Double Arrow)	12" X 18"



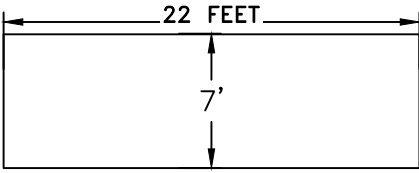
CURB/SIDEWALK SIGN HEIGHT



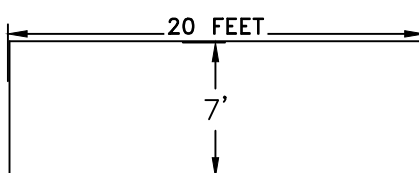
GRASS/SHOULDER/NO CURB SIGN HEIGHT



TYPICAL PERMANENT SIGN INSTALLATION



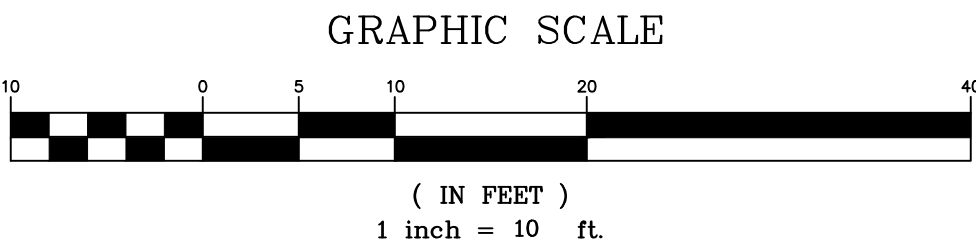
STANDARD PARKING STALL DETAIL



END PARKING STALL DETAIL

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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.:	Drawing No.:
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Date:	JULY 14, 2026
Revisions:	
CDP File:	66697-SITE PLAN.DWG
Layout:	TRAFFIC CONTROL
Sheet No.:	4 OF 4
A- 26 - 6697 - 01	

City of Beacon City Council Agenda
10/05/2026

Title:

Public Hearing for a Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers

ATTACHMENTS

[Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers](#)

LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING ARTICLE 4 OF THE BEACON CITY CHARTER
CONCERNING MID-YEAR SALARY INCREASES FOR APPOINTED
EMPLOYEES/OFFICERS

A LOCAL LAW to amend Article 4, Administrative Departments, concerning mid-year salary increases for appointed employees/officers.

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

Section 1. Article 4 of the Beacon City Charter – Administrative Departments, Section 4.00 entitled “General Provisions” is hereby amended as follows:

§ 4.00 **General provisions.**

- A. Creation of departments. The Council may establish city departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies.
- B. Personnel system. All appointments and promotions of city officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence, and according to the provisions and requirements of the **Civil Service Law**.
- C. Salaries. The Mayor shall fix reasonable salaries of all department heads and nonelected, nonaffiliated personnel, within the budgetary limits set by the Council.
The application of General City Law § 25 is hereby superseded and the Mayor is expressly authorized to prospectively increase these salaries during a fiscal year after the salary has been fixed in the annual budget, subject to approval by the Council via resolution.
- D. The Mayor and City Council shall approve in advance the creation of all employment positions within the City of Beacon, by roll call vote. Prior to such vote, the Mayor shall provide the Council with the position title, rate of pay, description of duties to be performed and the planned date of hire.

Section 2. State Law Superseded.

Pursuant to the authority vested in the City Council of the City of Beacon as set forth under N.Y. Municipal Home Rule § 10, this local law shall supersede N.Y. General City Law § 25 to allow increased compensation of appointed officers and employees during the fiscal year, after the same shall have been fixed and provided for in the budget of the City for such fiscal year.

Section 3. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Article 4 of the Beacon City Charter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. Numbering for Codification.

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

Section 5. Severability.

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

Section 6. Effective date.

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

City of Beacon City Council Agenda
10/05/2026

Title:

Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes (to be adjourned to October 19, 2026)

ATTACHMENTS

City of Beacon City Council Agenda
10/05/2026

Title:

Proposed 2027 Operating Budget

ATTACHMENTS

City of Beacon City Council Agenda

10/05/2026

Title:

Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

ATTACHMENTS

Keane & Beane, P.C. Memorandum Regarding Potential Amendments to Short-Term Rental Regulations

Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

MEMORANDUM

TO: Mayor Lee Kyriacou
Members of the City Council

FROM: Keane & Beane, P.C.

RE: Short-Term Rental Local Law - Decision Tree for Updates

DATE: September 8, 2026

At the July 20, 2026, and August 17, 2026 meetings of the City Council of the City of Beacon (the “City Council”), the City Council discussed amendments to the City of Beacon (the “City”) regulation of short-term rentals (“STRs”) pursuant to [Beacon City Code § 223-26.5](#) (the “STR Law”). This memorandum outlines questions the City Council considered in our office’s memorandum dated July 17, 2026, and the decisions made by the City Council concerning the STR Law. The City Council’s decisions pertaining to each question are incorporated into the attached proposed local law. For background information, the City Council is respectfully referred to our office’s July 17, 2026, memorandum.

I. DECISION TREE

1. **Question:** Should STRs be entirely banned in the City? N.Y. Real Property Law § 447-c(1)(d) expressly authorizes municipalities to prohibit STRs.

➤ **Answer:** No. STRs should not be entirely banned. Accordingly, the STR law does not need to be revised with respect to this item.

Discussion: The City Administration has also suggested that the City Council may want to address enforcement issues that will certainly arise from a ban. For example, additional budgeting for the hiring of additional code enforcement officers, additional budgeting to address illegal STRs in City Court, procurement of additional third-party services to identify illegal STRs.

2. **Question:** Where should STRs be permitted?

➤ **Answer:** STRs may continue to be allowed in all zoning districts. Accordingly, the STR law does not need to be revised with respect to this item.

3. **Question:** Should the number of STRs be limited?

- **Answer:** No. The number of STR permits which can be issued should not be capped. Accordingly, the STR law does not need to be revised with respect to this item.

4. **Question:** Should the owner-occupied requirement be eliminated?

- **Answer:** No. The owner-occupied requirement should remain in effect.

5. **Question:** Whether to increase the penalty for violations of the City's STR law.

- **Answer:** Yes. The penalty for violations of the City's STR law should be increased. Accordingly, our office has prepared and submitted herewith a separate local law amending Chapter 1 of the City Code to increase all penalties of violations of the City's Zoning Code, Chapter 223 of the City Code. As the STR local law expressly references the penalties set forth in Chapter 1 of the City Code, no revisions to STR law are necessary to incorporate this change.

6. **Question:** Whether to amend the Law to require short-term rental marketplaces to include only permitted STRs.

- **Answer:** Yes. The City Council desires to amend the STR law to require STR marketplaces to only market STRs which have been issued a permit. The draft STR law has incorporated such language.

cc: Ben Swanson, City Administrator
Natalie Quinn, City Planner
Bryan Murphy, Building Inspector

**CITY COUNCIL
CITY OF BEACON**

LOCAL LAW NO. ____ OF 2026

**A LOCAL LAW TO AMEND CHAPTER 223 OF THE BEACON CITY CODE
CONCERNING SHORT-TERM RENTALS**

A LOCAL LAW to amend Chapter 223, Zoning, of the Beacon City Code, concerning short-term rentals.

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

Section 1. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-26.5 entitled “Short-term rentals,” is hereby amended as follows:

§ 223-26.5. Short-term rentals.

- A.** Findings. The City Council of the City of Beacon has determined it is in the best interest of the City and its residents to regulate short-term rentals. The City Council recognizes the benefits of short-term rentals to allow homeowners to supplement their income to defray the cost of housing and to provide lodging for visitors to the City. However, in order to protect the health, safety and welfare of the City and its residents, it is necessary to restrict the rental of dwelling units for terms shorter than 30 consecutive days, a practice which is growing in popularity with the advent of internet and social media-based programs that connect property owners and persons seeking short-term rentals. In addition, studies have shown that short-term rentals are linked to increases in rent and housing costs because rental units are taken off the market and used as short-term rentals. Units are going to short-term renters rather than to permanent residents which results in a decrease in available housing stock within the City of Beacon. By this section, the City Council seeks to allow short-term rentals in dwelling units located in single-family homes, two-family homes, ~~accessory apartments~~ and multifamily dwellings. The City Council recognizes that the impacts of short-term rentals may be different in multifamily dwellings compared to short-term rentals in single-family and two-family homes. The impacts may be more acute in multifamily dwellings due to the shared style of community living, the proximity of dwelling units to one another, and use of shared community space. To address these concerns the City Council has adopted more stringent enforcement requirements for short-term rental units in multifamily dwellings. The City Council believes that the restrictions and requirements imposed herein further the City's goals and objectives and promote the protection of the health, safety and welfare of the City and its residents.

B. Definitions. As used in this section, the following words shall have the meanings indicated:

BOOKING SERVICE

Any offering, solicitation, marketing, reservation and/or payment service provided by a person, as defined herein, that facilitates a short-term rental transaction between an owner or tenant and a prospective guest of a short-term rental, and for which such person providing the offer, solicitation, marketing, reservation and/or payment service collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the offering, solicitation, marketing, reservation and/or payment services provided of the short-term rental from users of a short-term rental.

DWELLING UNIT

A building, or portion thereof, providing complete housekeeping facilities for one family.

GUEST

Any person who rents, leases, or otherwise occupies a short-term rental for less than 30 consecutive days and pays a fee to the owner, tenant or Booking Service in order to occupy said short-term rental.

OCCUPIED PRIMARY RESIDENCE

A dwelling unit used by the owner or tenant as his or her or their primary residence. All owners of the business entity must use the premises as his or her or their primary residence. When a property is titled in the name of a trustee, the property shall be considered an occupied primary residence if the grantor or grantee is the occupant of the property.

OWNER

Any individual or individuals, partnership or corporation or other organization in possession of and having a fee interest in the real property. The term "owner" shall include a corporation, limited liability company, partnership, association, trustee, or other business entity or nonbusiness forms of ownership.

PERSON

Any person, individual, corporation, governmental entity, partnership, association, trustee or other legal entity.

PRIMARY RESIDENCE

The primary location that a person inhabits and resides most of the year.

SHORT-TERM RENTAL

An entire dwelling unit, or a room or group of rooms within a dwelling unit, made

~~available to rent, lease or otherwise assigned for an occupancy of less than 30 consecutive days. The term "short-term rental" does not include dormitories, hotel or motel rooms, bed and breakfast inns or lodging houses, as permitted and regulated by the City of Beacon Zoning Ordinance.~~

TENANT

~~Any person holding a written lease to occupy, use and possess the whole or part of any building or real property, either alone or with others.~~

C.B. Permit required. It shall be unlawful to use, establish, maintain, operate, occupy, rent or lease any property as a short-term rental without first having obtained a short-term rental permit.

D.C. Any dwelling unit, or room(s) therein, located in a one-family home, two-family home, ~~accessory apartment~~, or multifamily dwelling may be used as short-term rentals subject to the requirements set forth in this section. Short-term rentals shall be permitted in all zoning districts within the City of Beacon. Pursuant to § 223-24.1G an accessory apartment shall not be utilized for short-term rentals.

E.D. Permit application.

- (1) An application for a short-term rental permit shall be filed and a short-term rental permit shall be obtained before the dwelling unit, or a room or group of rooms within a dwelling unit is advertised for short-term rental, and, if the spaces are not advertised, then such permit shall be obtained before said space is leased or rented.
- (2) Issuance of a short-term rental permit requires submission of an application to the Building Department and payment of the processing fee set forth in the City fee schedule.
- (3) If a tenant seeks a short-term rental permit, the tenant's application shall be signed by the landlord.
- (4) The form and content of the permit applications shall be as determined from time to time by the Building Department and shall contain such information and materials as the Building Department deems necessary to determine the sufficiency of the application. Such application ~~shall~~may contain, at a minimum:
 - (a) Proof of receipt of New York State STAR Credit or STAR property tax exemption for the short-term rental property;
 - (b) Copy of utility bill in the applicant's name;
 - (c) Property address; total number of rooms; location; number of persons.

[1] The property address;

- [2] The total number of dwelling units located within the building;
 - [3] The total number of bedrooms and bathrooms inside the dwelling unit;
 - [4] The total number of rooms proposed for short-term rental use;
 - [5] The location of each such dwelling unit or individual bedroom within the building; and
 - [6] The number of persons to be accommodated in each room available for short-term rental use;
- (d) A signed and notarized certification in a form acceptable to the Clerk by the applicant attesting to the fact that:
- [1] The applicant resides at the property and it is the applicant's primary residence;
 - [2] That the property is fit for human habitation and safe;
 - [3] That the applicant will comply with all of the conditions and restrictions of the permit;
 - [4] That no portion of the area used for short-term rentals will utilize a cellar or attic, or any portion thereof, as habitable space unless it meets the requirements of the International Fire, Residential and Building Codes or successor law;
 - [5] That the property is in compliance with all the provisions of this article, the applicable provisions of the City Code, the International Series of Codes and the New York State Code Supplement; and
 - [6] The required building permits and certificates of occupancy are in place for all existing structures on the property if applicable;
- (e) Proof of short-term rental insurance with minimum liability coverage in the amount of \$300,000.00 for third party claims arising out of property damage or bodily injury. Such insurance shall be issued by an insurer admitted in New York State or by insurance maintained by a Booking Service that provides equal or greater coverage;
- ~~(e)~~(f) _____ Such other information as the City may require to prove the property is an occupied primary residence and safe for renters; and
- ~~(f)~~(g) _____ If an applicant plans to rent the entire dwelling unit, the short-term rental application shall include the name and contact information of a responsible person with the right to enter and maintain possession of the dwelling. Such responsible person must be available 24 hours a day to respond in person to tenant and neighborhood concerns and be capable of

responding in person within two hours of notification from the City.

- (5) All permits issued pursuant to this section shall be for a period of two years and shall be renewable for subsequent two-year terms upon application, conformance with this section and payment of the permit fee.

- (6) If the information submitted as part of the permit application changes at any time after submittal of the application, it is the responsibility of the owner to submit such changes to the Building Department in writing within 30 days of the occurrence of such change. Failure to do so shall be deemed a violation of this section.

- (7) A short-term rental permit shall be nontransferable to another person.

- (8) Prior to the issuance of the short-term rental permit, the applicant shall comply with Article XIII of Chapter 199, Room Occupancy Tax, and provide proof of issuance of a Certificate of Authority, including the payment of any unpaid accommodation taxes.

F.E. Inspection. The property shall be inspected by the Building Department at the time of the initial application and prior to any permit renewal, to determine whether the property remains in compliance with the section and all other applicable provisions of the City Code, the International Series of Codes and New York State Code Supplement. If the Building Inspector determines that the short-term rental space is not in compliance, the owner shall cease use of the dwelling unit as a short-term rental until all noncomplying elements have been corrected and the owner shall apply for reinspection with the Building Department, subject to an additional fee as set forth in the City Fee Schedule.

G.F. Occupied primary residence. It shall be unlawful to use, establish, maintain operate, occupy, rent or lease any property as a short-term rental if the property is not an occupied primary residence. The property used as a short-term rental shall be the primary residence of the owner, tenant, grantor or grantee at all times during the term of the permit.

H.G. All short-term rentals shall comply with the following standards:

- (1) If a property owner or tenant is renting out the entire dwelling unit, the property owner must engage the services of an agent with the right to enter and maintain possession of the dwelling. This agent must be available 24 hours a day to respond to tenant and neighborhood concerns and be capable of responding within two hours of notification from the City.
- (2) No owner shall offer or use any part of the property as a short-term rental not approved for residential use, including but not limited to, vehicles parked on the property, a storage shed, recreation room, trailer, garage, or any temporary structure such as a tent.

(3) A short-term rental property shall not be rented for any other purpose, commercial or otherwise, not expressly permitted under this section, such as concerts or weddings.

~~(4) Short-term rental of an entire dwelling unit is limited to 100 days in any one calendar year. A rental day shall be deemed to mean any day that the property is occupied for rental overnight. Upon request, the property owner or tenant shall provide:~~

~~(a) A statement from any/all short-term rental website platforms used to advertise the short-term rental; such letter shall be provided on the company's letterhead and shall indicate the number of rentals for the entire dwelling unit that occurred within the year; and~~

~~(b) A certified letter indicating the number of days the entire dwelling unit was rented within the year through any short-term rental website or other means.~~

~~(5)~~(4) If a property owner advertises their rental, the short-term rental permit number must be included in the listing.

~~(6)~~(5) All guests are subject to the provisions of the Code of the City of Beacon. The property owner or tenant is responsible for informing each guest of these provisions.

~~(6) A conspicuously posted evacuation diagram identifying all means of egress from the short-term rental and the building in which it is located.~~

~~(7) A conspicuously posted list of emergency phone numbers for police, fire, and poison control.~~

~~(7)~~(8) A working fire-extinguisher which is readily accessible by a guest in the short-term rental.

I.H. Presumptive evidence. The presence or existence of the following shall create a rebuttable presumption that a property is being utilized as a short-term rental:

(1) The property is offered for lease or rent on a short-term rental website, including but not limited to Airbnb, HomeAway, VRBO and similar websites;
or

(2) The property is offered for lease or rent by the use of any other advertising mechanism for a period of less than 30 days.

J.I. A list of all short-term rental units located in the City of Beacon shall be maintained on the City's website, and a hard copy shall be available for review in the City Building Department. Such list shall be updated every six months.

K.J. Revocation of a permit.

- (1) The grounds upon which a permit can be revoked shall include but shall not be limited to:
 - (a) The permit was issued in error, or issued in whole or in part as a result of a false, untrue, or misleading statement on the permit application or other document submitted for filing, including but not limited to the schematic or certification;
 - (b) A short-term rental permit has been issued and the owner or tenant fails to continue to occupy the premises as ~~his, her or~~ their primary residence;
 - (c) Use of the property as a short-term rental creates a hazard or public nuisance, threat to public safety or other condition which negatively impacts the use and/or enjoyment of surrounding properties, or threatens the peace and good order, or quality of life in the surrounding community;
 - (d) Failure to comply or violating the conditions of the permit;
 - (e) Failure to comply or violating any federal, state, or local law, regulation or rule.
 - (f) Short-term rental permits for dwelling units located in multifamily buildings may be revoked if the Police Department or Building Inspector receives three substantiated written complaints in a twelve-month period concerning the use of the premises as a short-term rental. A written complaint can be substantiated by the Building Inspector of the Police Department if it is a complaint regarding the violation of a City law or ordinance and the complaint is supported by other evidence, including a police report, photograph, or video.
- (2) Any permit issued pursuant to this section may be revoked or suspended by the Building Inspector, after written notice to the owner. Written notice shall be served by registered or certified mail, return receipt requested, and by regular mail, to the applicant at the address shown on the application. The notice shall describe the reasons why the City is revoking the permit.

L.K. Appeals.

- (1) Upon the denial, suspension or revocation of a permit, the applicant may, within 15 business days from the date of the written notice, file a request for a hearing before the Zoning Board of Appeals. Such request shall be filed with the Zoning Board of Appeals' Secretary. Notice of the date, place and time of the hearing shall be given in writing by mail to the applicant at the address shown on the application. In the event that demand for a hearing is not made within the prescribed time or in the event that the applicant does not timely appear for the hearing, the Building Inspector's decision shall be final and conclusive.
- (2) The hearing shall commence no later than 30 days after the date on which the

request was filed.

- (3) The applicant shall be given an opportunity to present evidence why such denial of application, or such suspension or revocation of the permit, shall be modified or withdrawn. The Building Inspector or his or her designated agent may also present evidence. Upon consideration of the evidence presented, the Zoning Board of Appeals shall sustain, modify or reverse the decision of the Building Inspector or his or her designated agent.
- (4) In the event the applicant is not satisfied with the decision of the Zoning Board of Appeals, such aggrieved party may file an Article 78 proceeding under the New York Civil Practice Law and Rules. The Article 78 proceeding must be filed within 30 days of the filing of the Zoning Board of Appeals' decision with the City Clerk of the City of Beacon and service of the same upon the applicant.

L. Requirements for Booking Services.

- (1) It shall be unlawful for any person to engage in Booking Services for a short-term rental in the City of Beacon which does not have a valid permit required by this Section.
- (2) Any person engaging in Booking Services shall require the short-term rental permit holder to provide a copy of the permit before letting accepting any reservation or payment from a guest, tenant, or owner for such Book Services.
- (3) Any person engaging in Book Services shall provide all prospective guests of a short-term rental with the permit number prior to acceptance of any reservation or payment of the short-term rental.
- (4) In addition to any other civil or criminal penalties and remedies available to the City of Beacon under law or equity, the City Attorney's office shall be authorized to enforce this Subsection M in the name of the City of Beacon to enjoin and enforce the provisions hereunder.

M. Violations. A violation of any provision of this chapter is an offense, punishable as provided for in § 1-3, General penalty. When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he shall continue to be guilty of such violation shall constitute an additional, separate and distinct offense.

N. Short-term rentals in an accessory apartment. The City Council recognizes that short-term rentals can enable property owners and tenants to supplement their income by utilizing an accessory apartment as a short-term rental. However, the usage of an accessory apartment as a short-term rental conflicts with the very purpose of accessory apartments. Specifically, accessory apartments are intended to

increase the City's supply of long-term housing; however, short-term rentals by their very nature provide temporary housing accommodations for guests. Recognizing this conflict, the City Council hereby establishes a limited scope legacy structure for the continued use of preexisting accessory apartments as short-term rental, as follows:

(1) Short-term rentals shall not be permitted in an accessory apartment unless the following requirements are satisfied:

(a) The accessory apartment was utilized as a short-term rental on or before September 1, 2026;

(b) A short-term rental permit was issued for the accessory apartment on or before December 31, 2026; and

(c) The holder of the short-term rental permit for the accessory apartment complies with Article XIII of Chapter 199 of the City Code, Room Occupancy Tax, including the payment of any unpaid Room Occupancy Taxes on or before December 31, 2026.

(2) A short-term rental permit for an accessory apartment may be renewed provided that the application for renewal is submitted by no later than thirty (30) of the expiration of the permit.

Section 2. Chapter 223 of the Beacon City, Article IV – Definitions and Word Usage, Section 223-62 entitled “Word usage” is hereby amended as follows:

§ 223-62 **Word usage.**

All words used in the present tense include the future tense; all words in the singular number include the plural number and vice versa; the word "person" includes persons, individuals, corporations, governmental entities, partnerships, associations, trustees and all other legal entities; the words "lot," "plot," "parcel," "tract of land" and "premises" shall one include the other; the word "premises" shall include land and buildings thereon; the word "building" shall include "structure" and vice versa; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied," unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Unless otherwise specified, all distances shall be measured horizontally. The word "City" means the City of Beacon; the term "City Council" means the City Council of said City; the term "City Clerk" means the City Clerk of said City; the term "Building Inspector" means the Commissioner of Public Safety of said City or his designated agent; the term "Board of Appeals" means the Zoning Board of Appeals of said City; the term "City Development Plan" means the plan adopted by the Planning Board pursuant to § 28-a of Article 3 of the General City Law (Chapter 21 of the Consolidated Laws) of New York State.

Section 3. Chapter 223 of the Beacon City Code, Article VI – Definitions and Word Usage, Section 223-63 entitled “Definitions” amended to add the following definitions as follows:

§ 223-63 **Definitions.**

For the purposes of this chapter, certain words and terms used herein are defined as follows:

...

BOOKING SERVICE

Any offering, solicitation, marketing, reservation and/or payment service provided by a person, as defined herein, that facilitates a short-term rental transaction between an owner or tenant and a prospective guest of a short-term rental, and for which such person providing the offer, solicitation, marketing, reservation and/or payment service collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the offering, solicitation, marketing, reservation and/or payment services provided of the short-term rental from users of a short-term rental.

...

GUEST

For the purposes of Section 223-26.5 only, any person who rents, leases, or otherwise occupies a short-term rental for less than 30 consecutive days and pays a fee to the owner, tenant or Booking Service in order to occupy said short-term rental.

...

PRIMARY RESIDENCE

The primary location that a person inhabits and resides most of the year.

...

TENANT

Any person holding a written lease to occupy, use and possess the whole or part of any building or real property, either alone or with others.

...

Section 4. Ratification, Readoption and Confirmation.

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

Section 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.

City of Beacon City Council Agenda

10/05/2026

Title:

Resolution No. 79 - Adopting Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels

ATTACHMENTS

Resolution Adopting Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels

KARC Memorandum Regarding Potential Amendments to the Fishkill Creek District (Sept. 22, 2026)

Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels

Fishkill Creek District Map

Schedule of Dimensional Regulations

Schedule of Use Regulations

City of Beacon Planning Board Memorandum Regarding a Proposed Local Law Concerning the Fishkill Development District and Hotels

Dutchess County Planning Memorandum Regarding a Draft Schedule of Use Regulations

Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels - Full EAF, Part 1

Local Law No. 3 of 2026 Concerning the Fishkill Development District and Hotels - Full EAF, Part 1 Narrative

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 1 Narrative

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Parts 2 and 3

Proposed Local Law Concerning the Fishkill Development District and Hotels - Full EAF, Part 3
Negative Declaration



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 79 OF 2026

**ADOPTING LOCAL LAW NO. 3 OF 2026 TO AMEND THE BEACON CITY CODE
CONCERNING THE FISHKILL CREEK DEVELOPMENT DISTRICT AND HOTEL
REGULATIONS**

WHEREAS, pursuant to Resolution No. 2026-062, passed on July 20, 2026, the City of Beacon City Council set a public hearing for August 17, 2026, regarding a proposed Local Law to amend Chapter 223 of the City Code, Zoning, concerning the Fishkill Creek Development District and regulations pertaining to hotel uses; and

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

WHEREAS, on August 17, 2026, the scheduled public hearing was adjourned to September 8, 2026, at which time the City Council opened a duly noticed public hearing concerning the proposed Local Law, which was continued to and subsequently closed on October 5, 2025, and all those in attendance wishing to be heard on the proposed Local Law were given the opportunity to do so; and

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

WHEREAS, by letter dated August 19, 2026, the Beacon Planning Board issued its report on the proposed Local Law with comments; and

WHEREAS, by letter dated September 1, 2026, the Dutchess County Department of Planning & Development issued its report on the proposed Local Law with comments; and

WHEREAS, the proposed Local Law is a Type I Action pursuant to the State Environmental Quality Review Act ("SEQRA") as set forth in 6 NYCRR Part 617.4(b)(2); and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the City Council has reviewed the proposed Local Law in accordance with SEQRA and after taking a "hard look" at each of the relevant area of environmental concern through review of the FEAF, and all other materials prepared and/or presented in connection with the proposed Local Law, hereby adopts the Negative Declaration set forth in Part 3 of the FEAF finding that the proposed Local Law will not result in a significant adverse impact on the environment and thus an Environmental Impact Statement need not be prepared; and

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

BE IT FURTHER RESOLVED, that the City Council hereby adopts Local Law No. 3 of 2026, amending Chapter 223 of the Beacon City Code concerning the Fishkill Creek Development District and hotels.

Resolution No. 79 of 2026			Date: October 5, 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 Bennett Glauda					
		Mayor Lee Kyriacou					
Motion Carried							

MEMORANDUM

TO: Mayor Lee Kyriacou and Beacon City Council
FR: Natalie Quinn, KARC Planning Consultants, Inc.
DATE: September 22, 2026
RE: Fishkill Creek Development (FCD) and Hotels Local Law

At the September 21, 2026 City Council workshop, the Council reviewed comments from the Planning Board and Dutchess County Planning regarding the proposed amendments to the Fishkill Creek Development (FCD) District. Council discussed each of the comments and provided direction regarding the changes to be incorporated into the proposed Local Law.

This memorandum summarizes the policy decisions and drafting direction provided by the City Council during that discussion and identifies how those decisions have been incorporated into the accompanying revised Local Law.

1. **Hotel Occupancy and Kitchens.** The Planning Board asked whether hotel length of stay and kitchen facilities could blur the distinction between transient lodging and dwelling units.
 - ❖ The Council was not opposed to longer-term hotel stays and determined that the existing distinctions within the zoning and building codes provide sufficient safeguards. A majority therefore supported retaining the proposed removal of the hotel-room kitchen prohibition. The Local Law has been retained as drafted with respect to kitchen facilities, and no additional length-of-stay restriction has been added.
 - ❖ The discussion also raised whether hotels should be required to be part of a mixed-use development, including consideration of affordable/BMR housing. No consensus was reached on this separate issue, and no additional changes have been made at this time.
2. **Hotel Approval Process.** The Planning Board suggested making hotels a special permit use so that the Council or Planning Board could provide additional review and potentially regulate hotel size.
 - ❖ The Council determined that a special permit would not provide meaningful additional review beyond the existing FCD Concept Plan and Site Plan processes. Hotels have been retained as a permitted use in the revised Local Law.
3. **Hotel Check-In and On-Site Management.** The Planning Board recommended modernizing the existing requirement for a traditional lobby, registry desk, and staffing model to accommodate electronic and mobile check-in
 - ❖ The Council supported allowing electronic registration/check-in while retaining an on-site management presence. The hotel regulations have been revised to allow

electronic registration/check-in while requiring an on-site management presence, rather than requiring a particular physical registry desk or office.

4. **Restaurant Size Limitation.** The Planning Board recommended reconsidering the existing 5,000-square-foot maximum for restaurants and other eating/drinking establishments in the FCD.

- ❖ The Council supported eliminating the 5,000-square-foot restaurant cap City-wide, rather than limiting the change to the FCD. The Local Law has been revised accordingly to eliminate the 5,000-square-foot limitation within the FCD. Implementation of this change within the CMS and L Districts has been deferred pending further review of how removal of the limitation may affect existing businesses and potential development footprints within those districts.

5. **Fishkill Creek Buffer.** The Planning Board recommended clarifying the point from which the Fishkill Creek buffer is measured and considering whether the existing buffer dimensions should be increased based on DEC guidance.

- ❖ The Council supported retaining the existing Fishkill Creek buffer requirements, including the average 50-foot buffer and 25-foot minimum. The existing dimensional requirements have been retained, and a cross-reference between the related buffer and design provisions has been added to clarify that the requirements are to be read and applied together.

6. **Streetscape Standards.** The Planning Board recommended adding more prescriptive streetscape regulations and guidance within the FCD.

- ❖ The Council reviewed and was comfortable with the existing FCD streetscape and design standards. The existing standards have therefore been retained without additional prescriptive requirements.

7. **Viewsheds and Greenway Trail.** The Planning Board recommended considering additional viewshed regulations, including contextual renderings from Tioronda Bridge and other public vantage points.

- ❖ The Council discussed strengthening protections for views from and toward the Fishkill Creek Greenway and Heritage Trail. Upon further review, the existing FCD regulations already provide substantial protections addressing this concern. Specifically:
 - i. §223-41.13(F)(1)(h) requires the Concept Plan to describe how the proposal is consistent with the Fishkill Creek Greenway and Heritage Trail Master Plan, and §223-41.13(F)(2)(b)[4] requires the City Council to make a finding of consistency with that Plan as part of Concept Plan approval.

- ii. §223-41.13(F)(1)(i) requires consideration of the architectural treatment of views “from the site to Fishkill Creek,” “to the site from Fishkill Creek,” and “over the site from important viewsheds,” and expressly authorizes the City Council to require photo simulations as part of its review.
 - iii. §223-41.13(F)(2)(b)[8] requires FCD development to “maximize important views and view corridors” and to incorporate, protect and/or enhance important views and view corridors through site layout and design.
 - iv. The FCD design standards also require an interconnected pedestrian system providing access to the Greenway Trail and contain specific public-access requirements intended to create linkages with existing and anticipated pedestrian and bicycle trail systems.
- ❖ Accordingly, no additional amendment has been made at this time, as the existing FCD regulations provide the City Council and Planning Board with sufficient authority to evaluate views from the Greenway Trail and require appropriate visual information during project review.
- 8. Building Height.** Dutchess County Planning recommended considering four or more stories rather than the existing three-story/40-foot maximum and/or establishing a height framework responsive to topography similar to the Waterfront Development District.
- ❖ The Council supported retaining the existing three-story/40-foot maximum building height. The existing FCD height standard has therefore been retained without modification.
- 9. Building Coverage.** Dutchess County Planning recommended considering an increase to the existing 35% maximum building coverage and focusing instead on impervious coverage.
- ❖ The Council supported retaining the existing 35% maximum building coverage in the FCD at this time. Council expressed interest in separately considering a shift from building coverage to impervious coverage as part of a future City-wide zoning update. The existing 35% building-coverage standard has therefore been retained in the revised Local Law.
- 10. Minimum FCD Development-Site Size.** Dutchess County Planning recommended reducing the minimum FCD development-site size from two acres to one acre.
- ❖ The Council supported the recommendation. The Local Law has been revised to reduce the minimum FCD development-site size from 2 acres to 1 acre.

LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE
CONCERNING THE FISHKILL DEVELOPMENT DISTRICT AND HOTELS

A LOCAL LAW to amend
Chapter 223, Zoning, concerning
regulations governing hotels and
the Fishkill Development
District.

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

Section 1. Chapter 223 of the Beacon City Code, Article II – General Legislation, Section 223-14.1 entitled “Hotels” is hereby amended as follows:

§ 223-14.1 **Hotels.**

A. Permitted uses. If a site is to be used for a hotel, use of the site and any buildings or structures on the site ~~shall be limited to~~ may include usual hotel activities and accessory uses incidental to the operation of a hotel and of the same general character, provided that all such accessory uses shall be planned as an integral part and located on the same site with the hotel.

(1) Such accessory uses may include the following:

- (a) Dining facilities providing food and drink.
- (b) Newsstands, gift shops and other shops.
- (c) Recreation facilities which shall be for the exclusive use of guests or members.
- (d) Employees' quarters and facilities.
- (e) Spa facilities.
- (f) Conference center facilities

(2) All hotels shall include the following:

- (a) A lobby, registry desk, manager's office Facilities or systems for guest registration and check-in, which may include electronic or mobile registration and check-in; and an on-site manager or other responsible hotel representative; and public rest-room facilities.

- (b) Off-street parking facilities.
- (c) Access to all guest rooms from an interior hallway
- B. Screening. Outdoor parking areas and recreational facilities shall be screened with fencing, landscaping and/or buildings on all sides toward adjoining residential lots. Where hotel buildings are set back less than 100 feet from one-family residential lots, such buildings shall be suitably screened with planting.
- C. Off-street parking shall be in accordance with § 223-26.
- ~~D. — No kitchen facilities. There shall be no kitchen facilities in the hotel rooms except for a coffeemaker, a microwave oven and a small refrigerator.~~

Section 2. Chapter 223 of the Beacon City Code, Article IVC – Fishkill Creek Development District, Section 223-41.13 entitled “Uses; plan review; design standards,” Subsections B(3) and B(5) ~~are~~ hereby amended as follows:

§ 223-41.13 **Uses; plan review; review; design standards.**

...

- B. Principal uses permitted. A Fishkill Creek development may be a single use, or a mixed use which incorporates various permitted land use elements as part of a comprehensive development plan. These elements may include:
 - (1) Apartment, attached or multifamily dwelling.
 - (2) Artist live/work space, artist studio and workshop of artisan.
 - (3) Bed-and-breakfast establishment, ~~or inn, or hotel.~~
 - (4) Spa, fitness centers/noncommercial swimming pool, exercise studio, day-care center or similar use as determined by resolution of the City Council. Such uses shall be permitted in buildings that face a street.
 - (5) Restaurant, bar, brew pub or other eating and drinking establishment. Such restaurants and other eating and drinking establishments shall be permitted in buildings that face a street. ~~No such individual use shall contain more than 5,000 square feet of gross floor area.~~
 - (6) Professional and business office in buildings that face a street.
 - (7) Gallery, exhibit space or museum.
 - (8) Community facility that complements residential and commercial use, such as a public or semipublic performance and cultural center, live theater, concert hall, meeting room suitable for social, civic, cultural or education activities, bandshell, kiosk or gazebo.

- (9) Assembly, manufacturing, workshop or other light industrial use, as determined by the City Council, in fully enclosed buildings and not including any form of outdoor storage.
- (10) Day-care center.
- (11) Trade school or training program, college, private school, or nursery school.
- (12) Other nonresidential use similar to the above uses as determined by resolution of the City Council.

...

Section 3. Chapter 223 of the Beacon City Code, Article IVC – Fishkill Creek Development District, Section 223-41.14 entitled “Bulk regulations,” Subsections B, ~~and~~ G, ~~and~~ I are hereby amended as follows:

§ 223-41.14 **Bulk regulations.**

- A. Minimum size of FCD site: ~~two-one (1) acres~~. Notwithstanding the above, the owner of less than ~~two-one (1) acres~~ of land may apply for approval of a FCD project, where such land is adjacent to a proposed, approved or constructed FCD project.
- B. Development potential. ~~Maximum number of dwelling units per acre of lot area, after deducting on all development proposals involving a total lot area of more than three acres any lot area with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63, covered by surface water, within a federal regulatory floodway, or within a state or federally regulated wetland: 11. Additionally, a~~ minimum of 25% of the total development's floor area shall be permitted nonresidential uses other than dwelling units or artist live/work spaces, which must be built out before or concurrently with the residential development of the site. For good cause shown, the City Council may, upon imposition of such conditions as it deems appropriate, allow certificates of occupancy to be issued for dwelling units or artist live/work spaces prior to the nonresidential component being completed. Less nonresidential square footage may be granted by the City Council for the voluntary and guaranteed inclusion in the project of desirable environmental, transportation, or other substantial public benefits which would not otherwise be required of the project, as determined at the sole discretion of the City Council as part of the concept plan approval.
- C. Maximum dwelling unit size: 2,000 square feet of gross floor area.
- D. Maximum building coverage, including parking structures: 35%.
- E. Minimum open space: 30%.
- F. Maximum building height: three stories and 40 feet, as determined from the average grade level of the side of the building facing the primary street view. A corner or

centrally located elevator or stair tower projecting one story above the permitted building height may be approved by the City Council to add architectural interest and to encourage access to rooftop gardens.

- G. Minimum building setback from edge of pavement of ~~a public and private~~ streets right-of-way: 12 feet.
- H. Minimum frontage of overall FCD site on public street right-of-way: 50 feet.
- I. Minimum setback from and buffer width along Fishkill Creek, measured in accordance with §223-41.13I(15): an average of 50 feet, but not less than 25 feet at any point, from the top of the creek bank, except with respect to the existing building located at 555 South Avenue located in the Historic District and Landmark Overlay Zone, in which case the minimum setback and buffer requirement shall not apply.

Section 4. Ratification, Readoption and Confirmation.

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

Section 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.

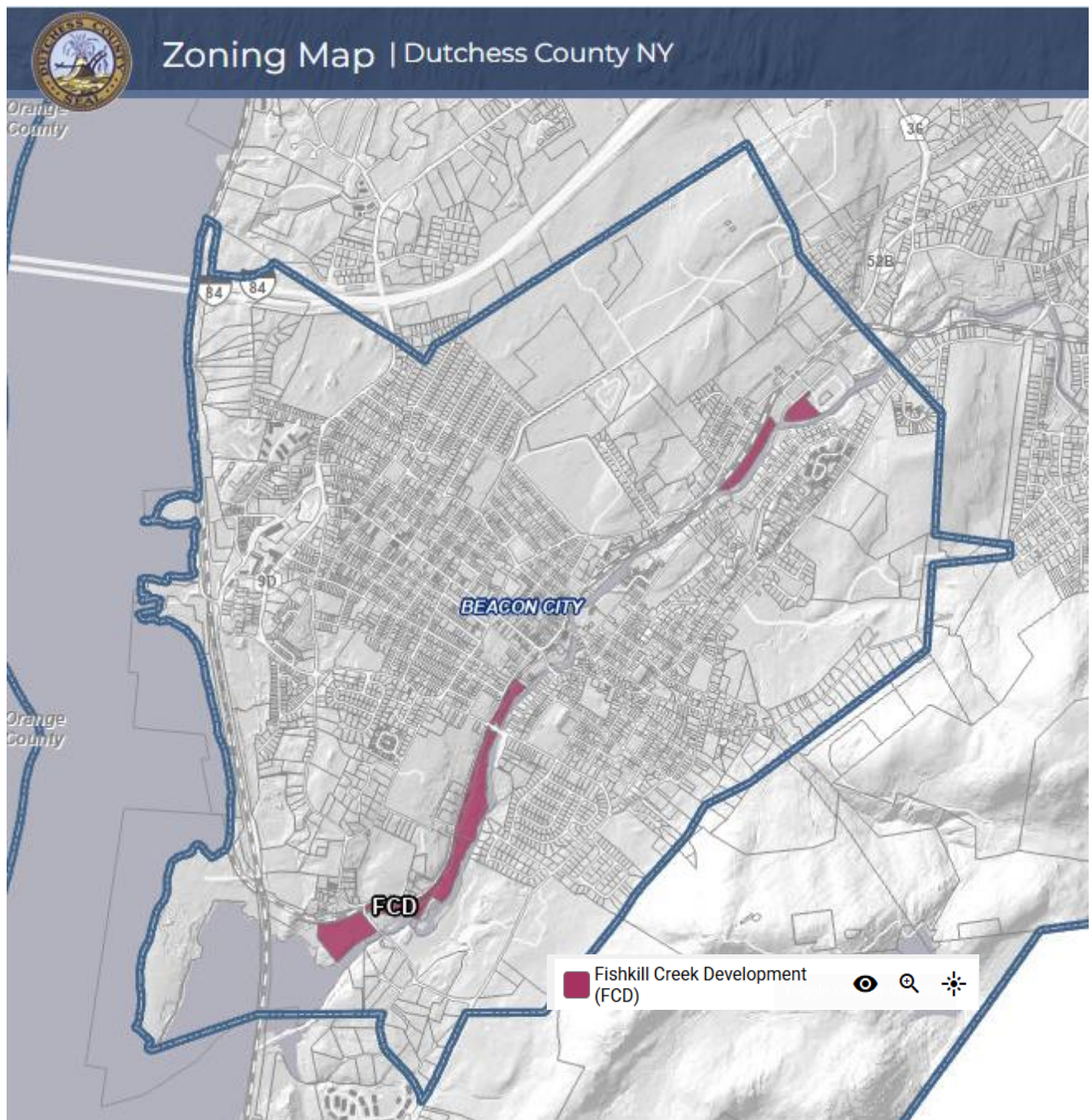
Section 6. Severability.

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



ZONING

223 Attachment 1

City of Beacon

§ 223-17. Schedule of Dimensional Regulations

[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 9-19-2022 by L.L. No. 8-2022; 9-3-2024 by L.L. No. 8-2024; 11-17-2025 by L.L. No. 12-2025; 12-1-2025 by L.L. No. 13-2025]

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

NOTES:

- ^a A private garage may be built across a common lot line in multifamily developments by mutual agreement between adjoining property owners, a copy of such agreement to be filed with the building permit application for such garage.
- ^b But not more than 65% of the dwelling units in a multifamily development may be contained in buildings more than 3 1/2 stories in height.
- ^c But not more than 24 dwelling units in any building 3 1/2 stories or less in height.
- ^d For multifamily developments, a well-designed and landscaped recreation or usable open space area, approved by the Planning Board, of 2,000 square feet for the first 20 dwelling units or part thereof, plus 100 square feet for each additional dwelling unit will be required.
- ^e In any RD or T District, the Planning Board may approve a subdivision of land into individual building lots containing a minimum of 1,800 square feet of area each and designed for attached or semi-attached single-family dwellings (townhouses), provided that the design is such that the gross dwelling unit density for the entire tract does not exceed that which can normally be permitted for multiple dwellings in the district in which the property is located and further provided that the Planning Board attaches such conditions and safeguards to its approval as, in its opinion, are necessary to assure that the entire property, including any designated common areas for open space, recreation or other purposes, will be properly maintained for the intended purpose(s) and not further subdivided in the future. In its sole discretion, the Planning Board may also reduce the required side yard setbacks to zero feet for subdivisions of land designed for attached or semi-attached single-family dwellings (townhouses) where appropriate, except that the minimum side yard setbacks for end unit dwellings shall not be reduced further than 1/2 the minimum side yard setback of the least restrictive adjoining residential district.

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

BEACON CODE

- ^f A maximum of one story of parking under a building shall not count toward the maximum building height limitation in feet and stories.
- ^g And each building shall not exceed 150 feet in length.
- ^h For all development proposals involving a total lot area of more than three acres within an R1, RD, or Fishkill Creek Development zoning district, the lot area per dwelling unit calculation shall first deduct any lot area covered by surface water, within a federal regulatory floodway, within a state or federally regulated wetland, or with existing, predevelopment very steep slopes of 25% or more as defined in § 223-63.
- ⁱ One-half the minimum lot size area per dwelling unit as the least restrictive adjoining residential district.

ZONING

223 Attachment 2

City of Beacon

§ 223-17. City of Beacon Schedule of Use Regulations

[Added 6-15-2020 by L.L. No. 7-2020;¹ amended 2-16-2021 by L.L. No. 2-2021; 9-19-2022 by L.L. No. 8-2022; 9-19-2022 by L.L. No. 9-2022; 5-5-2025 by L.L. No. 4-2025; 6-2-2025 by L.L. No. 5-2025; 7-7-2025 by L.L. No. 8-2025; 11-17-2025 by L.L. No. 12-2025; 12-1-2025 by L.L. No. 13-2025]

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	TS	WP	FCD	LI	HI
Residential												
One-family detached dwelling		P	P	P	X	X	X	X	X	X	X	X
One-family attached/semidetached	Including townhouses	P ²	P	P	X	X	P	X	X	P	X	X
Two-family dwelling		P ²	P	P	X	X	X	X	X	X	X	X
Multifamily dwelling		X	SP*	P	P	P	P	P	X	P	X	X
Artist live/work space	Subject to § 223-14.2	P ²	X	P	P	P	P	P	X	P	P	X
Retail/Office/Service												
Retail, personal service, or bank		X	X	X	P	P	P	P	X	X	P	X
Office		X	X	P	P	P	P	P	X	P	P	X
Artist studio, art gallery/exhibit space		X	X	P	P	P	P	P	X	P	P	X
Funeral home		X	X	X	P	X	X	X	X	X	P	X
Commercial recreation, indoor		X	X	X	P	P	X	X	X	X	P	P
Auction gallery		X	X	X	P	X	X	X	X	X	P	P
Adult use	Subject to § 223-20.1	X	X	X	X	X	X	X	X	X	SP	X
Food/Lodging												
Restaurant or coffee house		X	X	X	P	P	P	P	SP*	P	X	X
Bar/brew pub/microbrewery/microdistillery		X	X	X	P	P	P	P	X	P	P	P
Food preparation business		X	X	X	P	SP	SP	X	X	X	P	P
Short-term rental	Subject to § 223-26.5	P	P	P	P	P	P	P	P	P	P	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP	SP	P	X	P	X	SP*	P	P	X
Inn		X	X	X	P	P	P	P	SP*	P	P	X
Hotel	Subject to § 223-14.1	X	X	X	P	P	P	P	X	PX	P	X
Social/Community												
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	P	X	X	X	X	SP	X
Government facility		P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	X	X	X	X	X	X	X	X
Health Care												
Hospital or nursing home	Subject to 223-21.1/22	SP*	SP*	X	X	X	X	X	X	P	P	P
Animal care facility		SP	SP	X	SP	X	X	X	X	X	SP	X

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

BEACON CODE

Permitted Uses by District	Reference Notes	All R1	All RD	T	GB	CMS	L	TS	WP	FCD	LI	HI
Educational												
College or university		SP*	SP*	X	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	X	P	X	X	P	SP	X
Parking/Auto-Oriented												
Off-street parking or parking structure	Subject to § 223-26	X	X	SP	SP	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	X	X	X	X	X	SP	X
Gas filling station and/or car wash	Subject to Ch. 210/§ 223-21	X	X	X	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	X	X	X	X	X	P	X
Industrial or Assembly												
Wholesale business		X	X	X	P	X	X	X	X	X	P	P
Self-storage facility and warehouse storage	Subject to § 223-24.5	X	X	X	P/SP	X	X	X	X	X	P/SP	P/SP
Workshop		X	X	SP	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	X	X	SP	X	X	P	P	P
Other												
Wireless communication facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	X	X	X	X	X	P	X
Historic District Overlay Use	Subject to § 223-24.7	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*	SP*
Permitted Accessory Uses (includes uses/structures customarily incidental to a permitted principal use, but not an activity for commercial gain in a residential district)												
Accessory apartment	Subject to § 223-24.1	P	P	P	P	P	P	P	P	P	P	P
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	P	X	X	X	X
Parking structure		X	X	SP	X	P	P	P	X	P	X	X
Drive-through facilities, standalone or accessory		X	X	X	X	X	X	X	X	X	X	X
Garden, roof garden, or greenhouse		P	P	P	P	P	P	P	P	P	P	P
Solar collectors	Subject to Article X	P	P	P	P	P	P	P	P	P	P	P
X = Use Not Permitted P = Permitted Use SP = Special Permit Use by Planning Board SP* = Special Permit Use by City Council	For specific standards see →					Article IVD	Article IVE	Article IVA	Article IVA	Article IVC		

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



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

John Gunn, Chair

August 19, 2026

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

Subject: City Council Referral of Local Law Amending the Fishkill Creek Development (FCD) Zoning District

On referral from the City Council, the City of Beacon Planning Board reviewed the proposed Local Law concerning an amendment to the City's zoning code regarding regulations governing hotels and the Fishkill Creek Development (FCD) District. The proposed Local Law was reviewed during the August 11, 2026 Planning Board meeting. Planner, Natalie Quinn, summarized the proposed local law with the Planning Board.

After discussing the proposed local law, the Planning Board members in provided the following comments:

- Council and staff should investigate what, if any, other state or local regulations regulate the length of stay at hotels to ensure they do not revert to a dwelling unit
- Consider whether allowing kitchen facilities in hotel rooms would convert the hotel room to a "dwelling unit" (sleeping area, bathroom, food prep)
- Consider making "hotel" a special permit use so that Council or Planning Board can review and limit size if needed
- Board members showed support for modification of the hotel supplemental regulations to permit newer/more modern models of hotel that use technology for check-in rather than lobby and staff. These newer technologies are utilized to streamline check-in and reduce cost of bookings.
- With reference to Section 223-41.13.B(5) of the City Code (which is not currently proposed to be amended), the Council should consider the 5,000 sq foot size limitation currently placed on restaurants in the FCD. Many restaurants on Main Street are bumping up against seating caps that prevent them from expanding.
- With reference to Section 223-41.14.I, the Council should clearly establish a point from which the buffer zone is measured. Per DEC guidance, should also consider extending the required buffer area to 35-100ft for stream protection.
- Council should consider adding more prescriptive regulations and guidance for regulating streetscapes.
- Council should consider if regulations governing viewsheds from Tioronda Bridge and others vantage points would be appropriate. To this point, the Board recommends adding language like that which was added to the Train Station District to require contextual renderings of important viewsheds.



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

John Gunn, Chair

Sincerely,

John Gunn (MP)

John Gunn
Planning Board Chair

JG/mp



**DUTCHESS COUNTY DEPARTMENT OF
PLANNING & DEVELOPMENT**

**GML 239
REFERRAL RESPONSE**

To: City of Beacon, Municipal Board
Project Name: Proposed Local Law Concerning the Fishkill
Development District and Hotels
Action: Zoning Amendments
Applicant: City of Beacon
Property Address:

Referral #: ZR26-164
Date Received: 8/14/2026
Date Requested: 9/2/2026
Date Issued: 9/1/2026

Reviewer: Dozier, Emily

Signed: 

The Dutchess County Department of Planning & Development has reviewed the subject referral within the framework of General Municipal Law (Article 12B, §239-l/m) based on the materials submitted.

ACTION

The proposed local law would amend the zoning code for the Fishkill Creek Development District to eliminate the minimum lot size area per unit (maximum residential density) while retaining the bulk standards, which limit height, lot coverage, etc; to revise the minimum setback to be measured from public streets only; and to allow hotels as a permitted principal use (similar to inns). It would also update the supplemental regulations for hotels to allow kitchens in hotel rooms and to allow hotels as part of mixed-use projects.

COMMENTS

We support the City's efforts to provide flexibility for development within the FCD district, while maintaining reasonable form-based regulations. We encourage the Board to provide additional flexibility; in particular, we suggest considering:

- Allow buildings of 4 or more stories (vs. 3), and/or provide a height limit based on topography (ground floor elevation), similar to the Waterfront Development zone
- Allow additional building coverage (vs. 35% maximum), but focus on limiting impermeable coverage
- Allow development on parcels of one acre or more (vs. 2 acres), to allow all parcels in the district (except the pump station) the opportunity for redevelopment.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotels		
Project Location (describe and attach a general location map): The Fishkill Creek Development Zoning District		
Brief Description of Proposed Action (include purpose or need): The Beacon City Council is considering a Local Law which will amend the City of Beacon's Fishkill Creek Development (FCD) Zoning District's regulations to allow hotel uses. The Local Law further eliminates the traditional numerical residential density limitation in the FCD. Instead, density within the FCD will be limited through the Beacon Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, height, setbacks, open space, etc.). Minimum setbacks for buildings in the FCD will only be measured from the public right-of-way instead of also considering distances to private streets. Finally, the Local Law will provide an update to the Zoning Code's regulations for hotel uses.		
Name of Applicant/Sponsor: City Council of the City of Beacon		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Ben Swanson, City Administrator		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor): N/A		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Beacon City Council	July 20, 2026
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway?		☒ Yes ☐ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☒ Yes ☐ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites:C314117, Remediation Sites:546031, Remediation Sites:C314118, Remediation Sites:314044

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☒ No

If Yes, identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential, commercial, and mixed-use.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Beacon City School District

b. What police or other public protection forces serve the project site?
Beacon Police Department & Metropolitan Transportation Authority Police Department

c. Which fire protection and emergency medical services serve the project site?
Beacon City Fire Department, Beacon Volunteer Ambulance Corps, and Empress Emergency Response Service.

d. What parks serve the project site?
Beacon City Parks & NY State Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

• Name of wastewater treatment plant to be used: _____

• Name of district: _____

• Does the existing wastewater treatment plant have capacity to serve the project?

☐ Yes ☐ No

• Is the project site in the existing district?

☐ Yes ☐ No

• Is expansion of the district needed?

☐ Yes ☐ No

• Do existing sewer lines serve the project site?

☐ Yes ☐ No

• Will a line extension within an existing district be necessary to serve the project?

☐ Yes ☐ No

If Yes:

• Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

☐ Yes ☐ No

If Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction?

☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

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

• Will stormwater runoff flow to adjacent properties?

☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No	
l. Hours of operation. Answer all items which apply. i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSO of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐ Yes ☐ No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐ Yes ☐ No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐ Yes ☐ No

i. new noise sources or expansions/modification of existing noise sources;

- noise from operational sources

- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	☐ Yes	☐ No
Solid Waste Management Facility	☐ Yes	☐ No
Hazardous Waste Management Facility	☐ Yes	☐ No
Air Pollution Control (Title V or Air State Facility)	☐ Yes	☐ No
Water Withdrawal over 20 MGD for Cooling Water	☐ Yes	☐ No
Waste Transporter	☐ Yes	☐ No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

- a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No
b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No
c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

- i. drought? ☐ Yes ☐ No
ii. temperature extremes (hot or cold)? ☐ Yes ☐ No
iii. extreme storms, including high winds? ☐ Yes ☐ No
iv. landslides? ☐ Yes ☐ No
v. coastal erosion? ☐ Yes ☐ No
vi. stormwater flooding? ☐ Yes ☐ No
vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Beacon City Council Date July 30, 2026

Signature  Title City Attorney

Beacon – FEAF Part 1 Narrative
Proposed Local Law Concerning the Fishkill Creek Development District & Hotels

On July 20, 2026, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to amend certain regulations pertaining to the Fishkill Creek Development (“FCD”) Zoning District. The FCD District is a relatively small geographic zoning district along the Fishkill Creek consisting of nine (9) tax map parcels generally ranging from 0.03 acres to 11.07 acres. The legislative intent of the FCD District is to encourage the redevelopment of underutilized or former industrial properties through a mix of residential and nonresidential uses while preserving the environmental and recreational uses of the Fishkill Creek. All future development within the FCD will be subject to independent review in accordance with the State Environmental Quality Review Act (“SEQRA”).

Amendments to the Fishkill Creek Development District

1. Hotel Uses within the FCD District.

The proposed Local Law will permit Hotel uses in the FCD District. A Hotel is defined as under Zoning Code Section 223-63 as:

“A building, or portion thereof, containing rooms occupied primarily by transient guests, who are lodged with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary residence, such as dining, recreational facilities, public rooms and meeting rooms, and gift shops. The term "hotel" shall not include bed-and-breakfast establishment, boardinghouse, rooming house, short-term rental or single-room-occupancy building for the purposes of this chapter.”

Hotel uses are similar to bed-and-breakfast and inn uses, which are currently permitted uses within the FCD District. Specifically, an “inn” is defined under Zoning Code Section 223-63 as “[a] hotel containing no more than 10 guest rooms.” The City’s Zoning Code does not otherwise establish substantially different regulations and requirements for hotels and inns except for the number of guest rooms. Moreover, inns and hotels both provide transient lodging accommodations and typically include similar accessory amenities. As such, permitting hotel uses with the FCD District will be generally consistent with the stated legislative purpose of the FCD District which is to “[e]ncourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses.” Zoning Code § 223-41.12(A).

2. Density Limitation within the FCD District.

Density within the FCD is presently limited to no more than 11 dwelling units per acre. The Local Law will eliminate this traditional numerical based density limitation and instead regulate density through the Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, building height, setbacks, open space requirements, etc.). A form-based approach to density regulation is currently utilized in the City's Central Main Street (CMS), Linkage (L), and Transit Station (TS) zoning districts. The City's General Business (GB) and Light Industrial (LI) zoning districts both allow approximately 29 dwelling units per acre.

The use of a form-based zoning limitation for residential density is further consistent the City Council's continued efforts to encourage additional residential dwelling units thereby increasing the City's housing stock as well as the number of below-market rental units. Accordingly, the elimination of FCD District's numerical limitation for density is consistent with the City's other mixed-use zoning districts and furthers the City Council's housing goals.

3. Minimum Setback Requirements in the FCD District.

The Local Law revises the minimum setback requirements within the FCD District to measure the setback requirement for buildings to be measured from a public right-of-way. Eliminating the reference to private streets is consistent with the City's other zoning regulations. The Planning Board will still have an opportunity to address the distances of buildings from private streets during the site plan review process.

Updates to the Zoning Code's Supplemental Regulations for Hotels

The Local Law amends Zoning Code § 223-14.1 concerning supplemental regulations for hotel uses. This revision provides that any uses on the same site of a hotel "may include" usual hotel activities and incidental accessory uses, whereas the Zoning Code currently provides that all buildings or structures on the same site of a hotel "shall be limited to" usual hotel activities and incidental accessory uses. This update to permissive language better reflects contemporary hotel uses which more frequently function as part of a mixed-use project rather than a stand-alone use.

The Local Law also removes the prohibition on kitchen facilities in guest rooms. The prohibition on kitchen facilities in hotel guest rooms has traditionally distinguished hotels from multifamily dwellings and single-room occupancy uses. However, many modern hotels now feature kitchenettes in guest rooms, and such distinctions between these different uses are adequately addressed via modern building code requirements and Zoning Code definitions.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: A Local Law Amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotels		
Project Location (describe and attach a general location map): The Fishkill Creek Development Zoning District		
Brief Description of Proposed Action (include purpose or need): The Beacon City Council is considering a Local Law which will amend the City of Beacon's Fishkill Creek Development (FCD) Zoning District's regulations to allow hotel uses. The Local Law further eliminates the traditional numerical residential density limitation in the FCD. Instead, density within the FCD will be limited through the Beacon Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, height, setbacks, open space, etc.). Minimum setbacks for buildings in the FCD will only be measured from the public right-of-way instead of also considering distances to private streets. Finally, the Local Law will provide an update to the Zoning Code's regulations for hotel uses.		
Name of Applicant/Sponsor: City Council of the City of Beacon		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Project Contact (if not same as sponsor; give name and title/role): Ben Swanson, City Administrator		Telephone: (845) 838-5000
		E-Mail: cityofbeacon@beaconny.gov
Address: 1 Municipal Plaza		
City/PO: Beacon	State: NY	Zip Code: 12508
Property Owner (if not same as sponsor): N/A		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Beacon City Council	July 20, 2026
b. City, Town or Village ☐ Yes ☐ No Planning Board or Commission		
c. City, Town or ☐ Yes ☐ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☐ Yes ☐ No		
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. <i>i.</i> Is the project site within a Coastal Area or the waterfront area of a Designated Inland Waterway? ☒ Yes ☐ No <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No <i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule, or regulation be the only approval(s) that must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally adopted (city, town, village, or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other)? ☒ Yes ☐ No

If Yes, identify the plan(s):

Remediation Sites:C314117, Remediation Sites:546031, Remediation Sites:C314118, Remediation Sites:314044

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

d. Is the proposed action in a municipality with an adopted comprehensive or individual plan that addresses climate change? ☐ Yes ☒ No

If Yes, identify the elements of the plan that are relevant to the action:

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance? ☒ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential, commercial, and mixed-use.

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No
If Yes, what is the proposed new zoning for the site?

C.4. Existing community services.

a. In what school district is the project site located? Beacon City School District

b. What police or other public protection forces serve the project site?
Beacon Police Department & Metropolitan Transportation Authority Police Department

c. Which fire protection and emergency medical services serve the project site?
Beacon City Fire Department, Beacon Volunteer Ambulance Corps, and Empress Emergency Response Service.

d. What parks serve the project site?
Beacon City Parks & NY State Parks

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No

If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____

iii. If other than water, identify the type of impounded/contained liquids and their source. _____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No
If yes, describe. _____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐ Yes ☐ No

ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

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

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

iii. Will the proposed action use any existing public wastewater treatment facilities?

☐ Yes ☐ No

If Yes:

• Name of wastewater treatment plant to be used: _____

• Name of district: _____

• Does the existing wastewater treatment plant have capacity to serve the project?

☐ Yes ☐ No

• Is the project site in the existing district?

☐ Yes ☐ No

• Is expansion of the district needed?

☐ Yes ☐ No

• Do existing sewer lines serve the project site?

☐ Yes ☐ No

• Will a line extension within an existing district be necessary to serve the project?

☐ Yes ☐ No

If Yes:

• Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?

☐ Yes ☐ No

If Yes:

• Applicant/sponsor for new district: _____

• Date application submitted or anticipated: _____

• What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e., sheet flow) during construction or post construction?

☐ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources.

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water, or off-site surface waters)?

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

• Will stormwater runoff flow to adjacent properties?

☐ Yes ☐ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?

☐ Yes ☐ No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional energy demand? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____			
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____			
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____			
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____			
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticide) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No			

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled, or managed at facility: _____

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

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling, or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

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

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If Yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____															
E.2. Natural Resources On or Near Project Site															
a. What is the average depth to bedrock on the project site? _____ feet															
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %															
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="border-bottom: 1px solid black; width: 60%;"></td> <td style="border-bottom: 1px solid black; width: 10%; text-align: center;">%</td> <td style="border-bottom: 1px solid black; width: 30%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: center;">%</td> <td style="border-bottom: 1px solid black;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: center;">%</td> <td style="border-bottom: 1px solid black;"></td> </tr> </table>		%			%			%							
	%														
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d. What is the average depth to the water table on the project site? Average: _____ feet															
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;">☐</td> <td style="width: 100px;">Well Drained:</td> <td style="width: 100px; border-bottom: 1px solid black;"></td> <td style="width: 100px; text-align: center;">%</td> <td style="width: 100px;">of site</td> </tr> <tr> <td>☐</td> <td>Moderately Well Drained:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;">%</td> <td>of site</td> </tr> <tr> <td>☐</td> <td>Poorly Drained</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;">%</td> <td>of site</td> </tr> </table>	☐	Well Drained:		%	of site	☐	Moderately Well Drained:		%	of site	☐	Poorly Drained		%	of site
☐	Well Drained:		%	of site											
☐	Moderately Well Drained:		%	of site											
☐	Poorly Drained		%	of site											
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 30px;">☐</td> <td style="width: 100px;">0-10%:</td> <td style="width: 100px; border-bottom: 1px solid black;"></td> <td style="width: 100px; text-align: center;">%</td> <td style="width: 100px;">of site</td> </tr> <tr> <td>☐</td> <td>10-15%:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;">%</td> <td>of site</td> </tr> <tr> <td>☐</td> <td>15% or greater:</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: center;">%</td> <td>of site</td> </tr> </table>	☐	0-10%:		%	of site	☐	10-15%:		%	of site	☐	15% or greater:		%	of site
☐	0-10%:		%	of site											
☐	10-15%:		%	of site											
☐	15% or greater:		%	of site											
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____															
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds, or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____															
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If Yes, name of impaired water body/bodies and basis for listing as impaired: _____															
i. Is the project site in a designated Floodway? ☐ Yes ☐ No															
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No															
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No															
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____															

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYSO of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the New York State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic, or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail, or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

E.4. Disadvantaged Communities Designated Pursuant to ECL Article 75

a. Is the project located within, or within ½ mile of, a disadvantaged community? ☐ Yes ☐ No

If No, could impacts(see examples below in E.4.b) from the project affect a disadvantaged community? ☐ Yes ☐ No

If Yes to either question in E.4.a, answer the remaining questions in this section.

b. Will there be direct or indirect impacts that may affect a disadvantaged community, such as those listed below? ☐ Yes ☐ No

i. new noise sources or expansions/modification of existing noise sources;

- noise from operational sources

- noise from construction activities

ii. emissions of air pollutants including, mobile emissions;

iii. wastewater discharges;

iv. generation of odors;

v. light pollution;

vi. new or modified radiation sources;

vii. new or modified sources of solid waste generation, management, or disposal.

If Yes, describe the impacts:

c. Do any of the State agency approvals identified in question B.g include any of the following DEC permits?

State Pollutant Discharge Elimination System (SPDES)	☐ Yes	☐ No
Solid Waste Management Facility	☐ Yes	☐ No
Hazardous Waste Management Facility	☐ Yes	☐ No
Air Pollution Control (Title V or Air State Facility)	☐ Yes	☐ No
Water Withdrawal over 20 MGD for Cooling Water	☐ Yes	☐ No
Waste Transporter	☐ Yes	☐ No

E.5 Future Physical Climate Risks

Will the proposed action be vulnerable to the following future physical climate risks under current or projected future conditions:

- a. Is the proposed action vulnerable to damage from a projected 100-year flood? ☐ Yes ☐ No
b. Is the proposed action vulnerable to damage from a projected 500-year flood? ☐ Yes ☐ No
c. Is the proposed action in an area potentially affected by sea level rise? ☐ Yes ☐ No

d. Will the proposed action increase the vulnerability of human or ecological communities to the following:

- i. drought? ☐ Yes ☐ No
ii. temperature extremes (hot or cold)? ☐ Yes ☐ No
iii. extreme storms, including high winds? ☐ Yes ☐ No
iv. landslides? ☐ Yes ☐ No
v. coastal erosion? ☐ Yes ☐ No
vi. stormwater flooding? ☐ Yes ☐ No
vii. other climate or weather hazards? ☐ Yes ☐ No If Yes, describe: _____

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Beacon City Council Date July 30, 2026

Signature Christian A.L. Gates Title City Attorney

Beacon – FEAF Part 1 Narrative
Proposed Local Law Concerning the Fishkill Creek Development District & Hotels

On July 20, 2026, the Beacon City Council introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to amend certain regulations pertaining to the Fishkill Creek Development (“FCD”) Zoning District. The FCD District is a relatively small geographic zoning district along the Fishkill Creek consisting of nine (9) tax map parcels generally ranging from 0.03 acres to 11.07 acres. The legislative intent of the FCD District is to encourage the redevelopment of underutilized or former industrial properties through a mix of residential and nonresidential uses while preserving the environmental and recreational uses of the Fishkill Creek. All future development within the FCD will be subject to independent review in accordance with the State Environmental Quality Review Act (“SEQRA”).

Amendments to the Fishkill Creek Development District

1. Hotel Uses within the FCD District.

The proposed Local Law will permit Hotel uses in the FCD District. A Hotel is defined as under Zoning Code Section 223-63 as:

“A building, or portion thereof, containing rooms occupied primarily by transient guests, who are lodged with or without meals, and in which there may be provided such services as are accessory and incidental to the use thereof as a temporary residence, such as dining, recreational facilities, public rooms and meeting rooms, and gift shops. The term "hotel" shall not include bed-and-breakfast establishment, boardinghouse, rooming house, short-term rental or single-room-occupancy building for the purposes of this chapter.”

Hotel uses are similar to bed-and-breakfast and inn uses, which are currently permitted uses within the FCD District. Specifically, an “inn” is defined under Zoning Code Section 223-63 as “[a] hotel containing no more than 10 guest rooms.” The City’s Zoning Code does not otherwise establish substantially different regulations and requirements for hotels and inns except for the number of guest rooms. Moreover, inns and hotels both provide transient lodging accommodations and typically include similar accessory amenities. As such, permitting hotel uses with the FCD District will be generally consistent with the stated legislative purpose of the FCD District which is to “[e]ncourage the development and/or redevelopment of undeveloped or underutilized industrial properties along the Fishkill Creek in a manner that provides a mix of residential and nonresidential uses.” Zoning Code § 223-41.12(A).

2. Density Limitation within the FCD District.

Density within the FCD is presently limited to no more than 11 dwelling units per acre. The Local Law will eliminate this traditional numerical based density limitation and instead regulate density through the Zoning Code's existing form-based standards (e.g., lot size, building coverage, frontage, building height, setbacks, open space requirements, etc.). A form-based approach to density regulation is currently utilized in the City's Central Main Street (CMS), Linkage (L), and Transit Station (TS) zoning districts. The City's General Business (GB) and Light Industrial (LI) zoning districts both allow approximately 29 dwelling units per acre.

The use of a form-based zoning limitation for residential density is further consistent the City Council's continued efforts to encourage additional residential dwelling units thereby increasing the City's housing stock as well as the number of below-market rental units. Accordingly, the elimination of FCD District's numerical limitation for density is consistent with the City's other mixed-use zoning districts and furthers the City Council's housing goals.

3. Minimum Setback Requirements in the FCD District.

The Local Law revises the minimum setback requirements within the FCD District to measure the setback requirement for buildings to be measured from a public right-of-way. Eliminating the reference to private streets is consistent with the City's other zoning regulations. The Planning Board will still have an opportunity to address the distances of buildings from private streets during the site plan review process.

Updates to the Zoning Code's Supplemental Regulations for Hotels

The Local Law amends Zoning Code § 223-14.1 concerning supplemental regulations for hotel uses. This revision provides that any uses on the same site of a hotel "may include" usual hotel activities and incidental accessory uses, whereas the Zoning Code currently provides that all buildings or structures on the same site of a hotel "shall be limited to" usual hotel activities and incidental accessory uses. This update to permissive language better reflects contemporary hotel uses which more frequently function as part of a mixed-use project rather than a stand-alone use.

The Local Law also removes the prohibition on kitchen facilities in guest rooms. The prohibition on kitchen facilities in hotel guest rooms has traditionally distinguished hotels from multifamily dwellings and single-room occupancy uses. However, many modern hotels now feature kitchenettes in guest rooms, and such distinctions between these different uses are adequately addressed via modern building code requirements and Zoning Code definitions.

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

Agency Use Only [If applicable]
Project : Local Law re FCD & Hotels
Date : October 5, 2026

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the whole action.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts:		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached:	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature:	E3c	☐	☐
c. Other impacts:		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts:		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source:	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts:		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☒	☐
b. The proposed action may result in development within a 100-year or a 500-year floodplain.	E2j, E5a, E5b	☒	☐
c. The proposed action may result in development in an area potentially affected by sea level rise.	E2k, E5c	☒	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☒	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☒	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☒	☐

g. Other impacts:		☐	☐
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6. Impacts on Air and Climate

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) or generate greenhouse gas emissions over 10,000 metric tons of carbon dioxide equivalents (See Part 1. D.2.h)

☒ NO

☐ YES

If “Yes”, answer questions a - i. If “No”, move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also have the potential to emit one or more regulated air contaminants at or above the following levels: i. More than 100 short tons/year of carbon monoxide (CO) ii. More than 100 short tons/year of oxides of nitrogen (NO _x) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island iii. More than 100 short tons/year of particulate matter (PM-10, PM-2.5) iv. More than 50 short tons/year of volatile organic compounds (VOC) outside the NYC Metropolitan Area or Long Island OR 25 short tons/year within the NYC Metropolitan Area or Long Island v. More than 100 short tons/year of sulfur dioxide (SO ₂)	D2g D2g D2g D2g D2g	☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐
b. The proposed action has the potential to emit 10 short tons/year or more of any one designated hazardous air pollutant, or 25 short tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may include a heat source capable of producing more than 20 million BTUs per hour.	D2f, D2g	☐	☐
d. The proposed action may exceed 50% of any of the thresholds in “a” or “b”, _____ above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of solid, hazardous, or hospital/medical/infectious waste.	D2f, D2s	☐	☐
f. The proposed action is subject to the Nonattainment New Source Review or Prevention of Significant Deterioration requirements discussed in 6 NYCRR Part 231.	D2g	☐	☐
g. The proposed action will emit more than 10,000 metric tons of CO ₂ equivalents per year.	D2h	☐	☐
h. A municipality adopted comprehensive or individual plan addressing climate change applies to the proposed action and the proposed action would materially conflict with the achievement of one or more goals of the plan related to climate change.	C2d	☐	☐
i. Other impacts:		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☒ NO ☐ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

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

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action is obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☒	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☒	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☒ ☒	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism-based activities	E3h E2q, E1c	☒ ☒	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☒	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☒	☐
g. Other impacts:		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source:	E3g	☐	☐

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

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts:		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts:		☐	☐

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☐ NO

☒ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts:		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☒ YES

(See Part 1. D.2.k)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☒	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
e. Other Impacts:		☐	☐

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☒ YES

(See Part 1. D.2.m., n., and o.)

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts:		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off-site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts:		☐	☐

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other:		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts:		☐	☐

19. Impact on Disadvantaged Communities

The proposed project may impact a disadvantaged community.
(See Part 1. E.4)



NO



YES

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

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Is the potentially affected disadvantaged community identified as having comparatively higher burdens or vulnerabilities by the Disadvantaged Community Assessment Tool ?	E.4.c	☐	☐
b. The proposed action may create new air emissions or increase existing air emissions within a disadvantaged community.	D.2.f-i, E.4	☐	☐
c. The proposed action may create new wastewater treatment or discharges, or expand existing wastewater treatment or discharges, within a disadvantaged community.	D.2.d	☐	☐
d. The proposed action creates or expands a solid or hazardous waste management facility, or involves the generation of solid or hazardous waste, within or near a disadvantaged community.	D.2.r, D.2.s, D.2.t, E.1.f, E.1.g	☐	☐
e. The proposed action may increase traffic within a disadvantaged community.	D.2.j	☐	☐
f. The proposed action affects or involves one or more of the following facility types: i. landfill; ii. other industrial, manufacturing, or mining land uses; iii. major oil or chemical bulk storage facility; iv. municipal waste combustor; v. power generation facility; vi. risk management plan site; vii. remediation site; or viii. scrap metal processor.	C.3.c, D.1.a, D.1.g, D.2.a, D.2.d, D.2.f, E.1.a, E.1.b, E.1.h, E.1.v, E.4	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐	☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
g. Other impacts:		☐	☐

20. Future Physical Climate Risks

The proposed project may be vulnerable to future physical climate risks or increase the vulnerability of human or ecological communities to future physical climate risks.

☒ NO ☐ YES

(See Part 1. E.5)

If “Yes”, answer questions a - e. If “No”, proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is vulnerable to damage from a projected 100-year flood.	E2j, E5a	☐	☐
b. The proposed action is vulnerable to damage from a 500-year flood.	E2k, E5b	☐	☐
c. The proposed action is in an area potentially affected by sea level rise.	E5c	☐	☐
d. The proposed action may increase the vulnerability of human or ecological communities to the following: i. drought ii. temperature extremes (hot or cold) iii. extreme storms, including high winds iv. landslides v. coastal erosion vi. stormwater flooding vii. other climate or weather hazards? If yes, describe: _____	E5d	☐ 	☐
e. Other impacts:		☐	☐

Project :

Date :

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 the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

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

See Attached.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

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

Upon review of the information recorded on this EAF, as noted, plus this additional support information

The proposed Local Law, the Full Environmental Assessment Forms Part 1 and Narrative, Part 2, the City of Beacon Schedule of Uses, the City of Beacon Schedule of Dimensional Regulations, memorandums from the City Planner, the Beacon Zoning Map, the Dutchess County Dept. of Planning & Development GML 239-m referral response letter (09.01.2026), and the City of Beacon Planning Board referral response letter (08.19.2026), and discussions at Beacon Council meetings.

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

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

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

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

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

Name of Action: A Local Law amending Chapter 223 of the Beacon City Code Concerning the Fishkill Creek Development District and Hotel Uses.

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

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

Title of Responsible Officer: **City Administrator**

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Christian A.L. Gates

Date: 10/2/2026

For Further Information:

Contact Person: Benjamin Swanson, City Administrator

Address: 1 Municipal Plaza, Beacon, NY 12508

Telephone Number: (845) 838-5000

E-mail: cityofbeacon@beaconny.gov

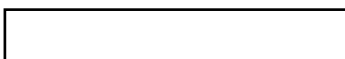
For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>



Beacon – FEAF Part 3 Attachment
Negative Declaration of Environmental Significant

Proposed Local Law Concerning the Fishkill Creek Development District and Hotels

On July 20, 2026, the Beacon City Council (the “City Council”) introduced a Local Law to amend Chapter 223 of the Beacon City Code (the “Zoning Code”) to revise the regulations pertaining to the Fishkill Creek Development district (“FCD”) and hotel uses. The proposed Local Law does not amend the City’s Zoning Map. By letter dated September 1, 2026, the Dutchess County Department of Planning and Development offered comments on the Local Law. By letter dated August 19, 2026, the City of Beacon Planning Board (the “Planning Board”) offered its comments on the Local Law. On September 21, 2026, the City Council discussed the comments from the Planning Board and the Dutchess County Department of Planning and Development.

The FCD consists of only nine (9) tax parcels, ranging in size from approximately 0.03 acres to 11.07 acres, with one (1) outlier parcel being 49.9 acres (a right-of-way along an abandoned rail line). Several parcels in the FCD have been recently developed, yet others remain vacant and/or underutilized. Parcels in the FCD are typically former industrial properties, vacant land, and portions of the rail line. The purpose of the proposed Local Law is to make narrowly tailored amendments to the FCD to encourage redevelopment of such vacant and underutilized properties. In summary, the proposed Local Law makes the following changes:

- Provide that “hotels” are a permitted use in the FCD. Presently, “hotels” are prohibited in the FCD, yet “inns” are permitted. An “inn” is defined as a “hotel” with fewer than ten (10) guest rooms. The Zoning Code also provides ambiguity as to whether a “hotel” could be construed as a “similar” use to an “inn” thereby authorizing approval of a “hotel” by the City Council pursuant to Zoning Code § 223-41.13(B)(12). Moreover, “bed-and-breakfast establishments” are also permitted in the FCD.
- Updating the regulations pertaining to “hotel” uses to better reflect modern hotels. Electronic or mobile check-in will be permitted, provided there is an on-site manager or other hotel representative present. The Local Law also eliminates the requirement that all buildings or structures on the site of a hotel be strictly limited to usual hotel activities and accessory uses of hotel. This will allow residential and other commercial components to be located on the same site as a hotel. The Local Law eliminates the prohibition on kitchen facilities in hotels. Modern building code requirements allow kitchen facilities in hotel rooms, and sufficient safeguards exist under State and local laws, rules, and regulations to ensure that hotels are not impermissibly converted into multifamily dwellings or single-room occupancy uses.
- Elimination of the 5,000 square foot restriction for restaurants, bars, brew pubs or other eating and drinking establishments in the FCD. This change was recommended

by the Planning Board as it can prevent establishments from expanding and effectively imposes a seating cap which may not otherwise apply.

- Reduction of the minimum lot size from two (2) acres to one (1) acre. This recommendation was offered by the Dutchess County Department of Planning and Development and will give all parcels in the FCD the opportunity to be developed (excluding a pump station).
- Elimination of the maximum dwelling unit density of 11 units per acre. The current maximum does not reflect the City's housing development and affordability goals. Accordingly, eliminating this maximum will add flexibility. New development will continue to be limited by the FCD's existing form-based dimensional and design standards (e.g., building coverage, open space, scale, height, setbacks, dwelling unit size, frontage, massing, etc.).
- Elimination of the reference to private streets when measuring the minimum building setback. This revision also adds that building setback measurements shall include the pavement edge of a public right-of-way. These revisions are consistent with the City's other Zoning Code regulations. The minimum building setback will also continue to be measured from the edge of the pavement of any public streets. There are no changes to the underlying 12-foot minimum building setback.
- Clarification of the Fishkill Creek buffer and minimum setback. This revision was recommended by the Planning Board and includes a citation to the relevant Zoning Code section. The revision also clarifies that the setback distance is to be measured "from the top of the creek bank."

The determination of environmental significance made herein pursuant to the State Environmental Quality Review Act ("SEQRA") is only applicable to the proposed Local Law and is not a review of environmental significance of any proposed development. For clarity, any and all subsequent development within the FCD or development of hotels shall be subject to project specific environmental review pursuant to SEQRA and the Beacon City Code.

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

The proposed Local Law is not inconsistent with the City's Zoning Code or Comprehensive Plan. The 2017 City of Beacon Comprehensive Plan supports the continued redevelopment of the Fishkill Creek corridor through a mix of residential, commercial, cultural, and recreational uses. The Plan specifically encourages expanded tourism opportunities, and amenities such as inns, spas, restaurants, and other destination-oriented uses to support the City's economic development opportunities. Importantly, the Plan recommends encouraging the redevelopment of vacant and underutilized industrial sites along the Fishkill Creek for new residential, commercial, or light industrial uses. Accordingly, the proposed Local Law is consistent with the Comprehensive Plan as it will expressly allow hotels within the FCD, which

is a hospitality and tourism use. Allowing “hotels” in the FCD is not inconsistent with the Zoning Code because “hotels” are the same type of land use as “inns”, which is a permitted use in the FCD. Moreover, the proposed Local Law includes narrowly tailored changes intended to encourage development of vacant or underutilized parcels. For example, reducing the minimum lot size to one (1) acre zoning will allow all parcels in the FCD to be developed in some manner (excluding the existing pump station). The elimination of the maximum number of dwelling units is also consistent with the City’s form-based Zoning Code requirements and furthers the City’s housing development goals. New development will continue to be regulated under existing bulk and design standards as well as existing features (e.g., lot coverage, setbacks, height, open space, the Fishkill Creek, the rail line right-of-way, steep slopes, etc.). As such, the proposed Local Law is consistent with existing permitted land uses in the FCD and is consistent with the Comprehensive Plan’s goals for redevelopment in the FCD.

The proposed Local Law does not create any adverse environmental impacts because the Local Law does not result in direct or physical impacts to the land. Instead, each application for land use approvals in the FCD or for the development of hotels will involve a unique and individual set of circumstances, the particular nature of which will be subject to the regulations and requirements of the Zoning Code, the City Code, and State law. The evaluation of such future uses will involve independent review for conformance with the Zoning Code as well as environmental impacts. However, the proposed Local Law alone will not have a direct impact on land. As such, the potential for secondary or indirect effects of the proposed Local Law does not support the conclusion that the legislation will or may create a significant adverse environmental impact requiring preparation of an environmental impact statement. Furthermore, potential secondary or indirect impacts do not give rise to any currently identifiable potential significant adverse environmental impacts. Therefore, an environmental impact statement need not be prepared.

The proposed Local Law does not propose any actions, or land uses which are sharply or drastically different from surrounding land use patterns. Full build out of the FCD is also unlikely due to limitations caused by the Fishkill Creek, steep slopes, and the rail line right-of-way.

The proposed Local Law will not result in a substantial adverse change or impact to existing air quality, ground or surface water, traffic or noise levels, nor a substantial adverse change or impact for erosion, flooding, leaching or drainage. The changes to the text of the Zoning Code are primarily to update existing regulations. For example, no changes are proposed to the applicable parking requirements, erosion control requirements, building heights, stormwater pollution prevention requirements, nor will new uses be permitted which are inconsistent with existing regulations. The changes to the setback requirements are consistent with other Zoning Code regulations and do not alter the underlying 12 foot minimum. The removal of the density limitation in the FCD is not expected to have significant impacts as development will continue to be regulated and constrained by the City’s form-based zoning regulations. The reduction to the one (1) acre lot size is also not anticipated to have significant impacts as a one (1) acre

minimum will still be one of the City's larger lot zones but will allow the development of certain underutilized and/or vacant parcels in the FCD. To the extent that this environmental review precedes future development, such development shall be subject to all City zoning and land use requirements, which is no less protective of the environment than the requirements of SEQRA.

The areas affected by the proposed Local Law have been developed for decades, including industrial and commercial uses. Given the FCD is a developed district, and the other changes to the hotel regulations do not impact the City's bulk regulations, the proposed Local Law will not have a direct impact on or cause the removal or destruction of large quantities of flora or fauna, nor substantially interfere with any protected flora or fauna, habitats, or environmentally sensitive areas.

The proposed Local Law will not result in the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources of the existing community or neighborhood. Nor will it create a hazard to human health or significant change in the intensity of land uses, or result in the loss of open space or recreation because the changes to the City's schedule of uses and dimensional requirements are limited.

As such, for the reasons herein and the reasons set forth in the Full Environmental Assessment form Parts 1 and 2, and the information contained in the record, the proposed Local Law will not have a significant adverse environmental impact.

City of Beacon City Council Agenda
10/05/2026

Title:

Resolution No. 80 - Adopting Local Law No. 4 of 2026 Concerning Parking, Standing, and Stopping

ATTACHMENTS

Resolution Adopting Local Law No. 4 of 2026 Concerning Parking, Standing, and Stopping

Local Law No. 4 of 2026 Concerning Parking, Standing, and Stopping

Proposed Tioronda Parking Plans



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 80 OF 2026

**ADOPTING LOCAL LAW NO. 4 OF 2026 TO AMEND THE BEACON CITY CODE
CONCERNING PARKING, STANDING, AND STOPPING**

WHEREAS, pursuant to Resolution No. 2026-064, passed on August 3, 2026, the City of Beacon City Council set a public hearing for August 17, 2026 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning parking, standing, and stopping; and

WHEREAS, notice for said Public Hearing was published in the City's official newspaper on August 16, 2026; and

WHEREAS, the originally scheduled public hearing was adjourned to September 8, 2026, at which time the duly noticed Public Hearing was opened, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law, and was adjourned until October 5, 2026; and

WHEREAS, on October 5, 2026, the City Council closed the duly noticed Public Hearing on the proposed Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 4 of 2026 to amend the Beacon City Code concerning parking, standing, and stopping.

Resolution No. 80 of 2026			Date: October 5, 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 Bennett 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 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 <u>West</u>	To a point 20 feet in both directions from the intersection of Van Nydeck Avenue

<u>Tioronda Avenue</u>	<u>West</u>	<u>To a point 25 feet north from the intersection of Vine Street</u>
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 with respect to parking 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 <u>a distance of 140 feet south of Main Street to the intersection of Wolcott Avenue</u> a point 120 feet south except Sundays
<u>Tioronda Avenue</u>	<u>West</u>	<u>From the intersection of Vine Street to the intersection of Wolcott Avenue</u>
Tioronda Avenue	South	From No. 2 Tioronda Avenue to a point 125 feet west
Tioronda Avenue	West	From Knevels Avenue to South Avenue
...		

Section 3. 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 4. Numbering for Codification.

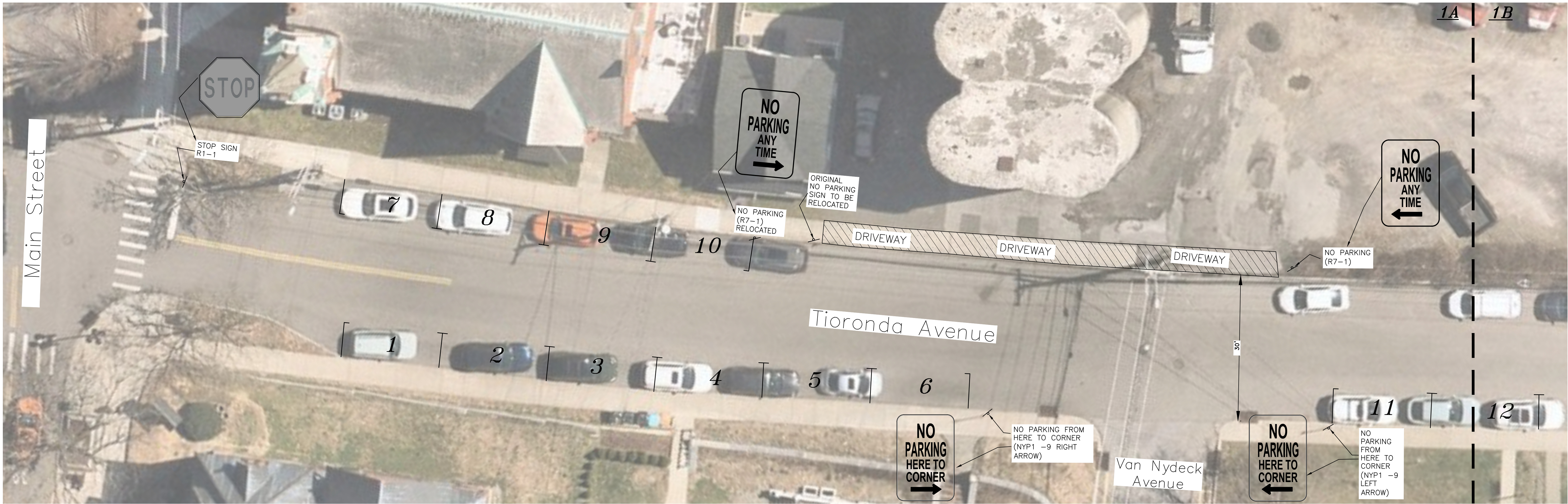
It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and subsections of this Local Law may be re-numbered or re-lettered by the Codifier to accomplish such intention; that the Codifier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

Section 5. Severability.

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

Section 6. Effective date.

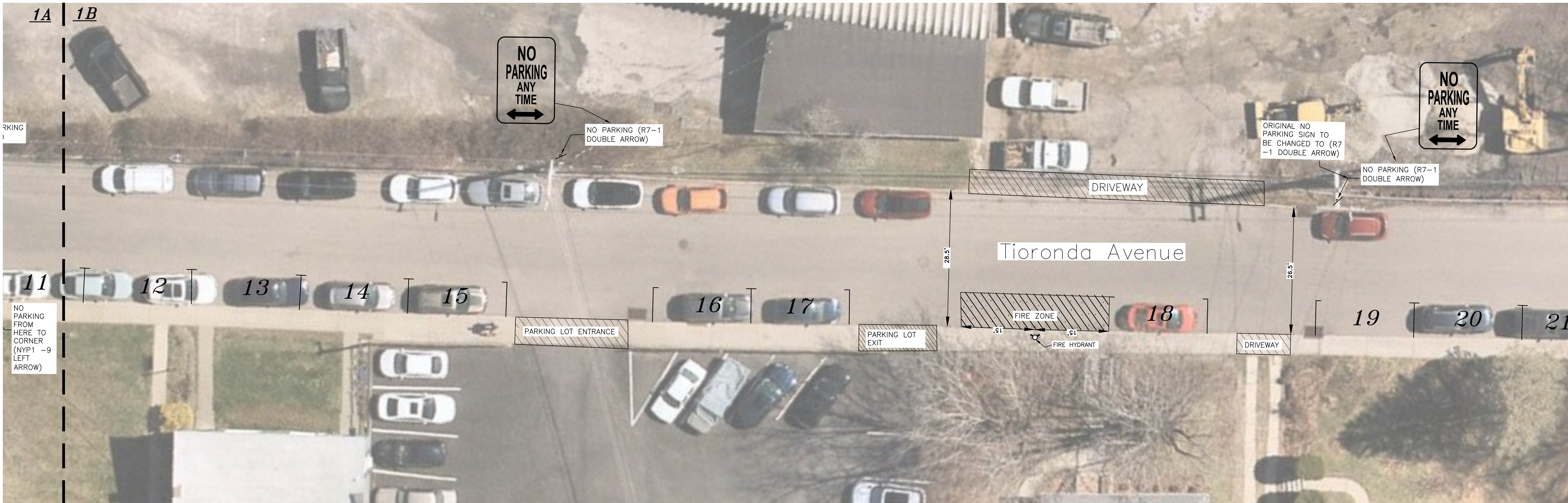
This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.



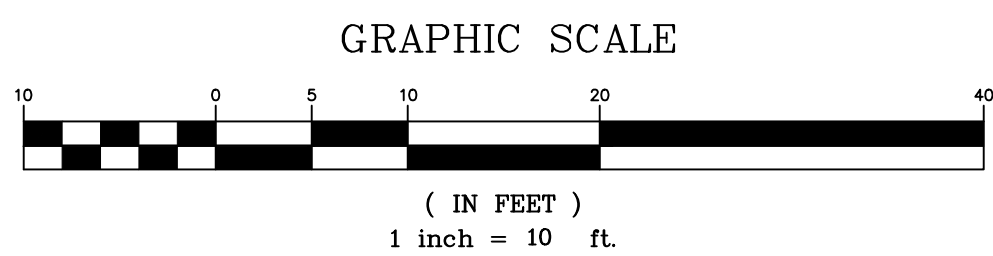
1A
SCALE: 1" = 10'



LOCATION PLAN
1 INCH = 500 FEET



1B
SCALE: 1" = 10'



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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

Drawn By: SEF Checked By: Scale: 1" = 10' Tax Map No.: N/A Date: JULY 14, 2026

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DATE: JULY 14, 2026
REVISIONS:
TAD File: 66697-SITE PLAN.DWG
LAYOUT: PARKING PLAN
Sheet No.: 1 OF 4
Drawing No.: C30
A- 26 - 6697 - 01



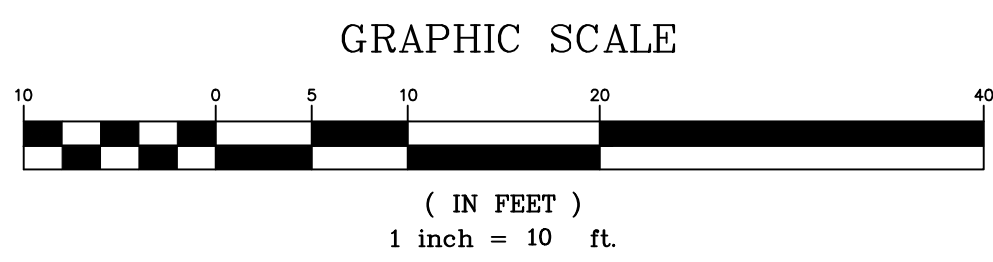
3A

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET



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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

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

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Date: JULY 14, 2026

Revisions:

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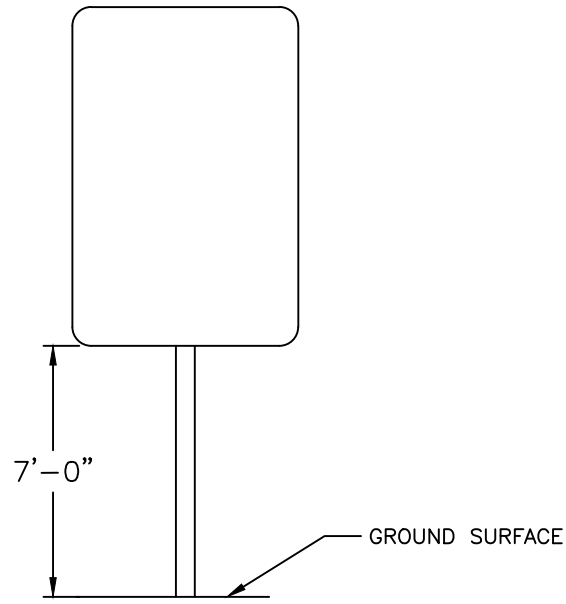
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Sheet No.: 3 OF 4

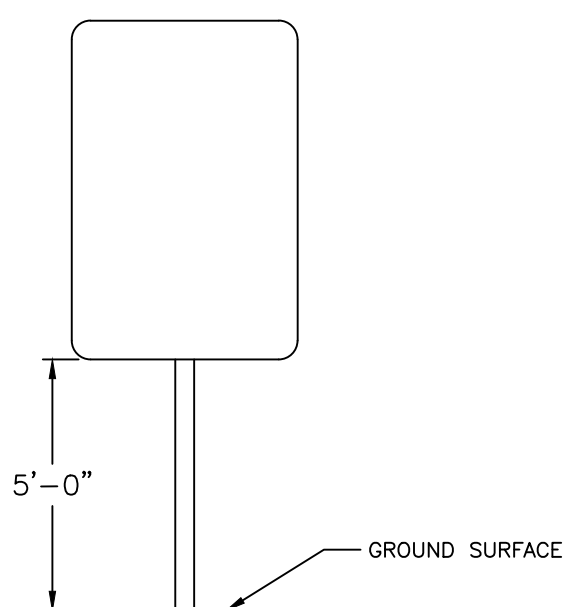


LOCATION PLAN
1 INCH = 500 FEET

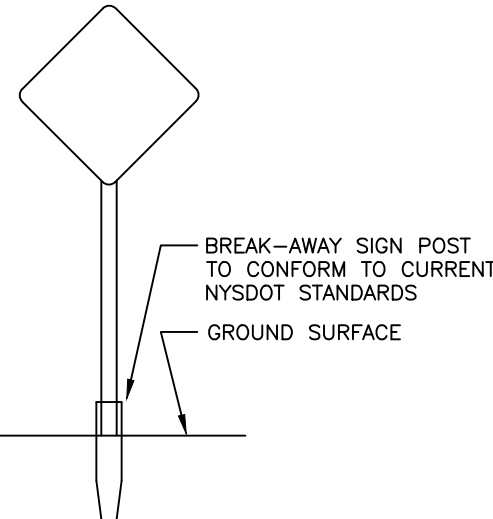
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	NYP1-9	12" X 18"
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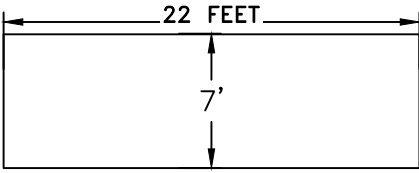
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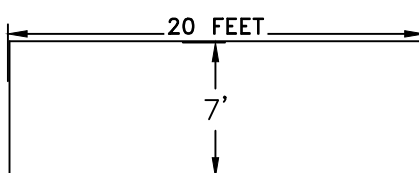
GRASS/SHOULDER/NO CURB SIGN HEIGHT



TYPICAL PERMANENT SIGN INSTALLATION



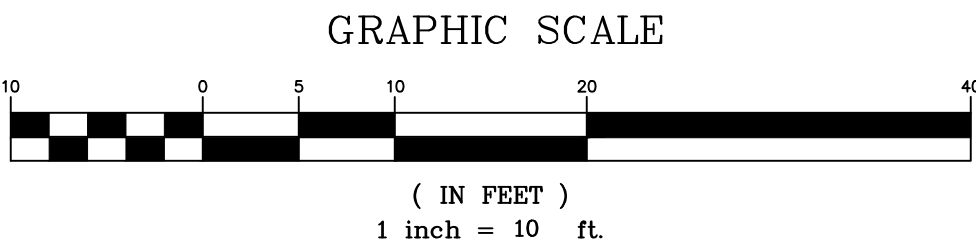
STANDARD PARKING STALL DETAIL



END PARKING STALL DETAIL

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STREET PARKING PLAN PREPARED FOR

**TIORONDA AVE
(MAIN ST - WOLCOTT AVE)**

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Drawn By: SEP	Checked By:	Scale: 1" = 10'	Tax Map No.: N/A	Date: JULY 14, 2026
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Revisions:

Drawn By: SEP	Checked By:	Scale: 1" = 10'	Tax Map No.: N/A	Date: JULY 14, 2026
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Sheet No.: 4 OF 4
Drawing No.: C30
A- 26 - 6697 - 01

City of Beacon City Council Agenda

10/05/2026

Title:

Resolution No. 81 - Adopting Local Law No. 5 of 2026 Concerning Mid-Year Salary Increases for Appointed Employees and Officers

ATTACHMENTS

Resolution Adopting Local Law No. 5 of 2026 Concerning Mid-Year Salary Increases for Appointed Employees and Officers

Local Law No. 5 of 2026 Concerning Mid-Year Salary Increases for Appointed Employees and Officers



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 81 OF 2026

**ADOPTING LOCAL LAW NO. 5 OF 2026 TO AMEND THE BEACON CITY CODE
CONCERNING MID-YEAR SALARY INCREASES FOR APPOINTED EMPLOYEES AND
OFFICERS**

WHEREAS, pursuant to Resolution No. 2026-072, passed on September 8, 2026, the City of Beacon City Council set a public hearing for September 21, 2026 regarding a Proposed City of Beacon Local Law amend the Beacon City Code concerning mid-year salary increases for appointed employees and officers; and

WHEREAS, notice for said Public Hearing was published in the City's official newspaper on September 18, 2026; and

WHEREAS, the originally scheduled public hearing was adjourned to October 5, 2026, at which time the City Council opened and closed a duly noticed Public Hearing on the proposed Local Law, and all those in attendance wishing to be heard were given the opportunity to comment on the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the City of Beacon City Council hereby adopts Local Law No. 5 of 2026 to amend the Beacon City Code concerning mid-year salary increases for appointed employees and officers.

Resolution No. 81 of 2026			Date: October 5, 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 Bennett Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING ARTICLE 4 OF THE BEACON CITY CHARTER
CONCERNING MID-YEAR SALARY INCREASES FOR APPOINTED
EMPLOYEES/OFFICERS

A LOCAL LAW to amend Article 4, Administrative Departments, concerning mid-year salary increases for appointed employees/officers.

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

Section 1. Article 4 of the Beacon City Charter – Administrative Departments, Section 4.00 entitled “General Provisions” is hereby amended as follows:

§ 4.00 **General provisions.**

- A. Creation of departments. The Council may establish city departments, offices or agencies in addition to those created by this Charter and may prescribe the functions of all departments, offices and agencies.
- B. Personnel system. All appointments and promotions of city officers and employees shall be made solely on the basis of merit and fitness demonstrated by examination or other evidence of competence, and according to the provisions and requirements of the **Civil Service Law**.
- C. Salaries. The Mayor shall fix reasonable salaries of all department heads and nonelected, nonaffiliated personnel, within the budgetary limits set by the Council.
The application of General City Law § 25 is hereby superseded and the Mayor is expressly authorized to prospectively increase these salaries during a fiscal year after the salary has been fixed in the annual budget, subject to approval by the Council via resolution.
- D. The Mayor and City Council shall approve in advance the creation of all employment positions within the City of Beacon, by roll call vote. Prior to such vote, the Mayor shall provide the Council with the position title, rate of pay, description of duties to be performed and the planned date of hire.

Section 2. State Law Superseded.

Pursuant to the authority vested in the City Council of the City of Beacon as set forth under N.Y. Municipal Home Rule § 10, this local law shall supersede N.Y. General City Law § 25 to allow increased compensation of appointed officers and employees during the fiscal year, after the same shall have been fixed and provided for in the budget of the City for such fiscal year.

Section 3. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Article 4 of the Beacon City Charter is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 4. Numbering for Codification.

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

Section 5. Severability.

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

Section 6. Effective date.

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

City of Beacon City Council Agenda

10/05/2026

Title:

Resolution No. 82 - Referring a Local law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes to the City of Beacon Planning Board

ATTACHMENTS

Resolution Referring a Local law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes to the City of Beacon Planning Board

Proposed Local Law Local law Concerning Penalties for Violations of the City's Zoning, Fire Prevention



**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. 82 OF 2026

**REFERRING A PROPOSED LOCAL LAW CONCERNING
PENALTIES FOR VIOLATIONS OF THE CITY'S ZONING, FIRE PREVENTION, AND
BUILDING CODES**

WHEREAS, the City of Beacon is considering a local law which would amend the City's code concerning penalties for violations of the City's zoning, fire prevention, and zoning codes; and

WHEREAS, pursuant to Resolution No. 2026-073, passed on September 8, 2026, the City Council previously referred the proposed Local Law to the City of Beacon Planning Board; and

WHEREAS, the City Council has since made substantive changes to the proposed Local Law and wishes for the City of Beacon Planning Boards to provide a report and recommendation on the proposed local law, as amended.

NOW THEREFORE, BE IT RESOLVED THAT, the City Council hereby refers a Proposed Local Law amending City Code concerning penalties for violations of the City's zoning, fire prevention, and zoning codes to the City of Beacon Planning Board for a report and recommendation to the City Council.

Resolution No. 82 of 2026			Date: October 5, 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 Bennett Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

PROPOSED LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 1 OF THE BEACON CITY CODE
CONCERNING ZONING AND BUILDING ENFORCEMENT PENALTIES

A LOCAL LAW to amend Chapter 1 of the Beacon City concerning penalties for violations of the City's Zoning Code and Fire Prevention and Building Code.

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

Section 1. Chapter 1 of the Beacon City Code, section 1-3 entitled "General Penalty," Subsection C is hereby amended as follows:

§ 1-3 **General Penalty.**

...

C. Where—Any owner, lessee, contractor, corporation, architect, builder, engineer, surveyor, agent, employee, or other natural or non-natural person, or the agent or employee of any of them, who commits a violation of Chapter 119, Fire Prevention and Building Code, Uniform, or Chapter 223, Zoning, shall, is found upon conviction by a court of competent jurisdiction, be guilty of a violation under this Code (and not pursuant to the Penal Law of the State of New York), and the court must impose a fine of not less than \$25 per day from the compliance date set forth in the Building Department's order to remedy as follows:

- (1) First offense, by a fine not less than \$500, not to exceed \$1,000, or by imprisonment not exceeding 15 days, or both. The penalty for a corporate offender's first offense, by fine not less than \$2,500, not to exceed \$5,000, or any higher amount not exceeding double the amount of the corporation's gain from the commission of the offense. Each day that any such violation shall continue or exist shall constitute a separate and distinct offense hereunder.
- (2) For a second offense within five years after a conviction of a first offense, by a fine not less than \$1,500, not to exceed \$2,500, or by imprisonment not exceeding 15 days, or both. The penalty for a corporate offender's second offense, by fine not less than \$7,500, not to exceed \$15,000, or any higher

amount not exceeding double the amount of the corporation's gain from the commission of the offense. Each day that any such violation shall continue or exist shall constitute a separate and distinct offense hereunder.

- (3) For a third offense within five years after a conviction of a second offense, which took place within three years after a conviction of the first offense, by a fine not less than \$4,000, not to exceed \$6,000, or by imprisonment not exceeding 15 days, or both. The penalty for a corporate offender's third offense, by fine not less than \$25,000, not to exceed \$50,000, or any higher amount not exceeding double the amount of the corporation's gain from the commission of the offense. Each day that any such violation shall continue or exist shall constitute a separate and distinct offense hereunder.
- (4) In addition to those penalties prescribed above, any person who violates any provision of this chapter shall be liable to a civil penalty not to exceed \$50,000. The civil penalty provided by this subsection shall be recoverable in an action instituted in the name of the City of Beacon.
- (5) The Building Inspector may, upon prior written notice and an opportunity to be heard, revoke a certificate of occupancy for a building or structure which is occupied or utilized in violation of Chapter 223. The Building Inspector may revoke a certificate of occupancy for some or all areas of the building or structure being occupied or utilized in violation of Chapter 223. A determination to revoke a building or structures certificate of occupancy shall be reviewable by the Zoning Board of Appeals in accordance with Article V of Chapter 223 and Sections 81-A and 82-B of the N.Y. General City Law. Any person or entity which continues to occupy or utilize a building or structure which does not have a certificate of occupancy shall, in addition to any other penalties and fines which may be applicable, be subject to a fine no less than \$1,000, not to exceed \$2,500, for each and every day that such violation continues, recoverable by suit brought by the City of Beacon and to be retained by it.
- (6) A civil action may also be commenced in the name of the City of Beacon seeking to disgorge profits realized by any person, entity, or business who violates any provision of Chapter 119, Fire Prevention and Building Code, Uniform, or Chapter 223, Zoning.
- (7) Any violation of Chapter 119, Fire Prevention and Building Code, Uniform, or Chapter 223, Zoning, may also be enjoined pursuant to law.
- (8) The remedies provided for herein shall be cumulative and shall be in addition to any other remedies provided by law.

...

Section 2. Chapter 64 of the Beacon City Code concerning the issuance of summonses, Section 64-2 entitled “Authorization” is hereby amended as follows:

§ 64-2 Authorization.

The Building Inspector, Deputy Building Inspector and Code Enforcement Officer of the City of Beacon are authorized to issue summonses returnable ~~within 10 days~~ in the City Court for any violation of any provision of the City of Beacon Zoning Ordinance and the Beacon Code of Ordinances. The term "summons," as used herein, shall include an appearance ticket within the meaning of § 150.10 of the Criminal Procedure Law of New York State.

Section 3. Chapter 223 of the Beacon City Code concerning penalties for violations of the Beacon Zoning Code, Article V – Administration and Enforcement, Section 223-53 entitled “Penalties for offenses; additional remedies,” Subsection B is hereby amended as follows:

§ 223-53 Penalties for offenses; additional remedies.

...

- B.** Violations and penalties. A violation of any provision of this chapter is an offense, punishable as provided for in § 1-3, General penalty. ~~When a person has received written notice from the Building Inspector or has been served with a summons and complaint in an action to enjoin continuance of any violation, each day in excess of 10 days thereafter that he shall continue to be guilty of such violation shall constitute an additional, separate and distinct offense.~~

...

Section 4. Ratification, Readoption and Confirmation.

Except as specifically modified by the amendments contained herein, Chapter 1 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 6. Effective date.

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

City of Beacon City Council Agenda
10/05/2026

Title:

September 21, 2026 Minutes

ATTACHMENTS

[September 21, 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

**September 21, 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

Mayor Lee Kyriacou

Councilmember Amber Grant, At Large

Councilmember Paloma Wake, 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

Christian A.L. Gates, City Attorney

Call to Order

Pledge of Allegiance

Roll Call

Public Comment

Motion to amend the agenda to move the workshop and vote on the Appointment of Tweeps Phillips Woods before the Community Segment by Councilmember Grant.

Second by Mayor Kyriacou.

Motion passes 7 - 0.

Workshop

[Appointment of Tweeps Phillips Woods to the Position of Deputy City Administrator](#)

Local Laws and Resolutions

1. [Resolution No. 75 - Appointment of Tweeps Phillips Woods to the Position of Deputy City Administrator](#)

Motion to adopt the resolution by Councilmember Grant.

Second by Councilmember Smith.

Motion passes 6 - 1. Councilmember Gorton voted against the resolution.

Community Segment

[Police Department Presentation Concerning Flock Automatic License Plate Readers](#)

Public Hearings

[Public Hearing for a Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers \(to be adjourned to 10/5/2026\)](#)

Motion to adjourn the public hearing to October 5, 2026 by Councilmember Gorton.

Second by Councilmember Glauda.

Motion passes 7 - 0.

[Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes \(to be adjourned to 10/5/2026\)](#)

Motion to adjourn the public hearing to October 5, 2026 by Councilmember Krasikov.

Second by Councilmember Wake.

Motion passes 7 - 0.

Reports: Mayor, City Council, and City Administrator

1. [Proclamation in Honor and Remembrance of Chief Dennis J. Lahey](#)
2. [Proclamation in Honor of Barbara J. Sims](#)

Workshop

[Extension Agreement with Royal Carting Service Co. for Waste Collection](#)

[Services](#)

Motion to amend the agenda to move the workshop of Short-Term Rentals before the Proposed Local Law Concerning the Fishkill Development District and Hotels by Councilmember Wake.

Second by Mayor Gorton.

Motion passes 7 - 0.

[Discussion of Potential Amendments to Short-Term Rentals](#)

[Proposed Local Law Concerning the Fishkill Development District and Hotels](#)

[Discussion of the Fishkill Avenue District/Eastern Gateway District](#)

[Proposed Local Law Concerning Parking, Standing, and Stopping](#)

Local Laws and Resolutions

1. [Resolution No. 76 - Authorizing the City Administrator to Execute an Extension Agreement with Royal Carting Service Co. for Waste Collection Services](#)

Motion to adopt the resolution by Councilmember Grant.

Second by Councilmember Smith.

Motion passes 7 - 0.

2. [Resolution No. 77- Setting a Public Hearing for a Proposed Local Law Concerning the East Gateway District](#)

Motion to table the resolution by Councilmember Grant.

Second by Councilmember Gorton.

Motion passes 7 - 0.

3. [Resolution No. 78 - Setting a Public Hearing for a Proposed Local Law Concerning Short-Term Rentals](#)

Motion to adopt the resolution, as amended, by Councilmember Gorton.

Second by Councilmember Wake.

Motion passes 7 - 0.

Approval of Minutes

1. [September 8, 2026 Minutes](#)

Motion to approve the minutes by Councilmember Glauda.

Second by Councilmember Gorton.

Motion passes 6 - 0.

Public Comment - Second Opportunity

Announcement of Next Meeting: October 5, 2026 at 7:00 p.m.

Adjournment

Motion to adjourn by Councilmember Gorton.

Second by Councilmember Smith.

Motion passes 7 - 0.

City of Beacon City Council Agenda
10/05/2026

Title:

Executive Session: Real Property

ATTACHMENTS