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 8, 2026
7:00 PM
City Council Agenda

Call to Order

Pledge of Allegiance

Roll Call

Executive Session

1. Executive Session: Personnel

Public Comment (to begin at approximately 7:30 p.m.)

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

Reports: Mayor, City Council, and City Administrator

1. Beacon Trails Ad Hoc Committee

Workshop

Discussion of the Fishkill Avenue District/East Gateway District

Discussion of Potential Amendments to Short-Term Rentals

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

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

Local Laws and Resolutions

1. Resolution No. 71 - Granting an Amended Special Use Permit for Edgewater Place
2. Resolution No. 72 - Setting a Public Hearing for a Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers

3. Resolution No. 73 - Setting a Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

Approval of Minutes

1. August 17, 2026 Minutes

Public Comment - Second Opportunity

Announcement of Next Meeting: September 21, 2026 at 7:00 p.m.

Executive Session

Executive Session: Contracts

Adjournment

City of Beacon City Council Agenda
09/08/2026

Title:

Executive Session: Personnel

ATTACHMENTS

City of Beacon City Council Agenda
09/08/2026

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

Proposed Local Law Concerning the Fishkill Development District and Hotels

Fishkill Creek District Map

Draft Schedule of Dimensional Regulations

Draft 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

KARC
PLANNING CONSULTANTS, INC.

MEMORANDUM

TO: Mayor Lee Kyriacou and Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants

DATE: July 15, 2026

RE: Fishkill Creek Development District (FCD) – Policy Considerations and Proposed Text Amendments

---

During the July 6, 2026 City Council Workshop, the Council discussed potential amendments to the Fishkill Creek Development (FCD) District regulations in response to preliminary discussions regarding the potential redevelopment of property located at 555 South Avenue. While no formal application has been submitted, the discussion identified several policy questions regarding the FCD District that warrant consideration independent of any specific project.

This memorandum summarizes the existing FCD regulations, consistency with the City's Comprehensive Plan, and the proposed zoning text amendments prepared in response to the Council's discussion.

Inventory of FCD Parcels

The Fishkill Creek Development (FCD) District encompasses a relatively small geographic area consisting of only nine (9) tax parcels ranging in size from approximately 0.03 acres to 11.07 acres. An outlier parcel of 49.9 acres represents a linear strip of right-of-way land along the abandoned rail line that is being considered for the Hopewell- Beacon rail Trail. Several parcels within the district have been recently developed, while others remain vacant or underutilized and represent future redevelopment opportunities. The district includes former industrial properties, vacant land, and portions of the rail line. A summary of the parcels is provided below, with Attachment A depicting the location of FCD parcels within the city.

Parcel	Lot #	Address	Size	Notes
1	751258	555 South Ave	11.07 Ac	Former Tioronda Hat Works Factory
2	96715	N/A	49.9 Ac	Rail Line
3	894286	Tioronda Ave	1.3 Ac	Vacant parcel
4	951357	Tioronda Ave	4.9 Ac	Vacant parcel
5	12574	200-300 Arno Dr	9.17 Ac	Project also referred to as 248 Tioronda
6	37625	25-28 Creek Dr	3.14 Ac	Developed site
7	459057	Fishkill Ave	4.9 Ac	Vacant parcel
8	535128	Front Street	3.5 Ac	Vacant parcel; Concept plan previously reviewed by Council
9	516113	Front Street	0.03 Ac	Private sewage pump station

Comprehensive Plan Consistency

The 2017 City of Beacon Comprehensive Plan generally supports the continued redevelopment of the Fishkill Creek corridor through a mix of residential, commercial, cultural, and recreational uses. The Plan specifically encourages the redevelopment of underutilized industrial properties, the adaptive reuse of former industrial buildings, environmental remediation of brownfield sites, expanded tourism opportunities, and amenities such as inns, spas, restaurants, and other destination-oriented uses that support the City's economic development objectives.

More specifically, the Comprehensive Plan recommends encouraging the redevelopment of vacant and underutilized industrial sites along Fishkill Creek for new residential, commercial, or light industrial uses, as appropriate, while also promoting tourism, business development, and employment opportunities throughout the City.

While the Comprehensive Plan references hospitality uses and tourism, it does not specifically distinguish between an "inn" and a "hotel," nor does it expressly address whether hotels should be permitted within the Fishkill Creek Development District. Likewise, the Comprehensive Plan does not identify a recommended residential density or establish a target number of dwelling units per acre for the FCD District.

Overall, the Comprehensive Plan appears generally supportive of mixed-use redevelopment, adaptive reuse, tourism, and economic development within the Fishkill Creek corridor. However, it leaves the specific questions of hotel accommodations and residential density to future legislative policy decisions by the City Council.

Purpose of FCD District

In addition to the Comprehensive Plan, the stated purpose of the Fishkill Creek Development (FCD) District provides further guidance regarding the City's intent for this area. The FCD District is specifically intended to encourage the redevelopment of underutilized industrial properties through a mix of residential and nonresidential uses on larger, flexible development sites while preserving the environmental and recreational resources associated with Fishkill Creek. The district also emphasizes the protection of open space corridors, expansion of public access and greenway connections, and enhancement of recreational opportunities along the creek. Consistent with the Comprehensive Plan, the purpose statement establishes the desired character and land use mix for the district but does not prescribe a specific residential density.

FCD Form-Based Development Standards

The Fishkill Creek Development (FCD) District is a form-based mixed-use district that regulates development through detailed bulk, design, and site planning standards. In addition to residential density, the district establishes controls for building height, building coverage, open space, setbacks, creek buffers, architecture, landscaping, parking, pedestrian connections, and

viewsheds, all of which are subject to City Council concept plan approval and Planning Board site plan review. As a result, eliminating or increasing the maximum residential density would not, by itself, permit larger or taller buildings. The overall scale and massing of development would continue to be regulated through the district's existing form-based standards.

Existing Zoning Density Comparison

The current FCD regulations permit one dwelling unit for every 3,960 square feet of lot area, equivalent to approximately 11 dwelling units per acre. The draft Local Law proposes eliminating this maximum residential density limitation while retaining the district's existing form-based bulk and design standards.

The FCD District is somewhat unique in that it combines form-based development standards with a traditional residential density limitation. The General Business (GB) and Light Industry (LI) Districts permit one dwelling unit per 1,500 square feet of lot area (approximately 29 dwelling units per acre), while the City's principal form-based mixed-use districts (CMS, L and WD) do not regulate residential density through a minimum lot area per dwelling unit. Instead, development intensity in those districts is controlled through building height, setbacks, lot coverage, frontage requirements, and other form-based standards.

Accordingly, the Council may wish to consider whether the current FCD density standard continues to reflect the intended character of the district and the city's housing development goals, or whether additional flexibility could be provided while continuing to rely on the district's existing form-based dimensional and design standards to regulate building scale and massing.

District	Min. Area Per Unit (sq. ft per unit)	Units Per Acre
FCD	3,960	11
CMS, L, WD	--	--
GB, LI	1,500	29
RD-1.7	1,700	25
RD-1.8	1,800	24
RD-3	3,000	14
RD-4	4,000	10
RD-5	5,000	8
RD-6	6,000	7
RD-7.5	7,500	5

Definitions: Hotel Versus Inn

The Council requested additional information regarding the distinction between a hotel and an inn under the City's zoning regulations. While hotels are listed as a prohibited use within the Fishkill Creek Development (FCD) District, inns are expressly permitted. However, Section 223-41.13(B)(12) also permits "[o]ther nonresidential use[s] similar to the above uses as determined by resolution of the City Council." As a result, the Code creates some ambiguity regarding whether certain hospitality uses could be considered sufficiently similar to an inn to warrant approval by the Council.

Section 223-63 of the Zoning Code defines these uses as follows:

> **HOTEL:** *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.*
>
> **INN:** *A hotel containing no more than 10 guest rooms.*

Based on these definitions, an inn is simply a hotel with ten (10) or fewer guest rooms. The zoning code does not establish substantially different operational or land use characteristics between the two uses beyond the number of guest rooms. From a land use planning perspective, both provide transient lodging accommodations and may include similar accessory amenities.

Accordingly, if the Council wishes to permit larger hospitality accommodations within the FCD District, a legislative amendment provides the clearest means of resolving this ambiguity rather than relying on the "similar use" provision.

Section 223-14.1 Hotel Regulations

The accompanying draft Local Law includes revisions to §223-14.1 intended to modernize the City's hotel regulations and better accommodate mixed-use development within the FCD District. Specifically, the amendments would permit hotels to function as part of a mixed-use development and remove the existing prohibition on guest room kitchen facilities, while maintaining the existing operational standards applicable to hotel uses.

KARC
PLANNING CONSULTANTS, INC.

Summary of Proposed Local Law

Based on the Council's discussion at the July 6, 2026 Workshop, a draft Local Law has been prepared for the Council's consideration. The proposed amendments are intended to provide greater flexibility for mixed-use redevelopment within the Fishkill Creek Development (FCD) District while continuing to rely on the district's existing form-based standards to regulate the scale, massing, and character of development. The proposed amendments include the following:

- **Permit hotels within the FCD District** by adding "hotel" as a permitted principal use alongside bed-and-breakfast establishments and inns within § 223-41.13(B)(3).

- **Remove the maximum dwelling unit density limitation** of 11 dwelling units per acre from § 223-41.14(B), while retaining all existing bulk, design, open space, and form-based development standards applicable to the district.

- **Update the hotel supplemental regulations (§ 223-14.1)** to better reflect contemporary mixed-use development by permitting hotels to function as part of a mixed-use project rather than solely as a stand-alone use, and by removing the prohibition on guest room kitchen facilities. The existing prohibition was historically intended to distinguish hotels from multifamily dwellings and single-room occupancy uses; however, those distinctions are already addressed through the zoning code definitions and applicable building code requirements.

- **Revise the minimum building setback requirement** within § 223-41.14 to measure the setback only from a public street right-of-way, eliminating the reference to private streets for consistency with the City's other zoning regulations.

Next Steps

If the City Council concurs with the proposed amendments, the next step would be to authorize the preparation and circulation of the draft Local Law for referral to the Dutchess County Department of Planning and Development pursuant to General Municipal Law §239-m and to the City of Beacon Planning Board for review and recommendation. The City Council would also be in a position to schedule a public hearing on the proposed Local Law to provide residents, property owners, and other interested stakeholders an opportunity to provide additional input. Following receipt of the referral comments and completion of the public hearing, the City Council may consider adoption of the Local Law.

Cc: Benjamin Swanson, City Administrator
Nick Ward-Willis, Keane & Beane, P.C.

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 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," Subsection B(3) is 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.

DRAFT

(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 are hereby amended as follows:

§ 223-41.14 **Bulk regulations.**

A. Minimum size of FCD site: two acres. Notwithstanding the above, the owner of less than two 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~~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~~ street~~s~~ 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: an average of 50 feet, but not less than 25 feet at any point, 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 211 of the Beacon City Code is otherwise to remain in full force and effect and is otherwise ratified, readopted and confirmed.

Section 5. Numbering for Codification.

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

Section 6. Severability.

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

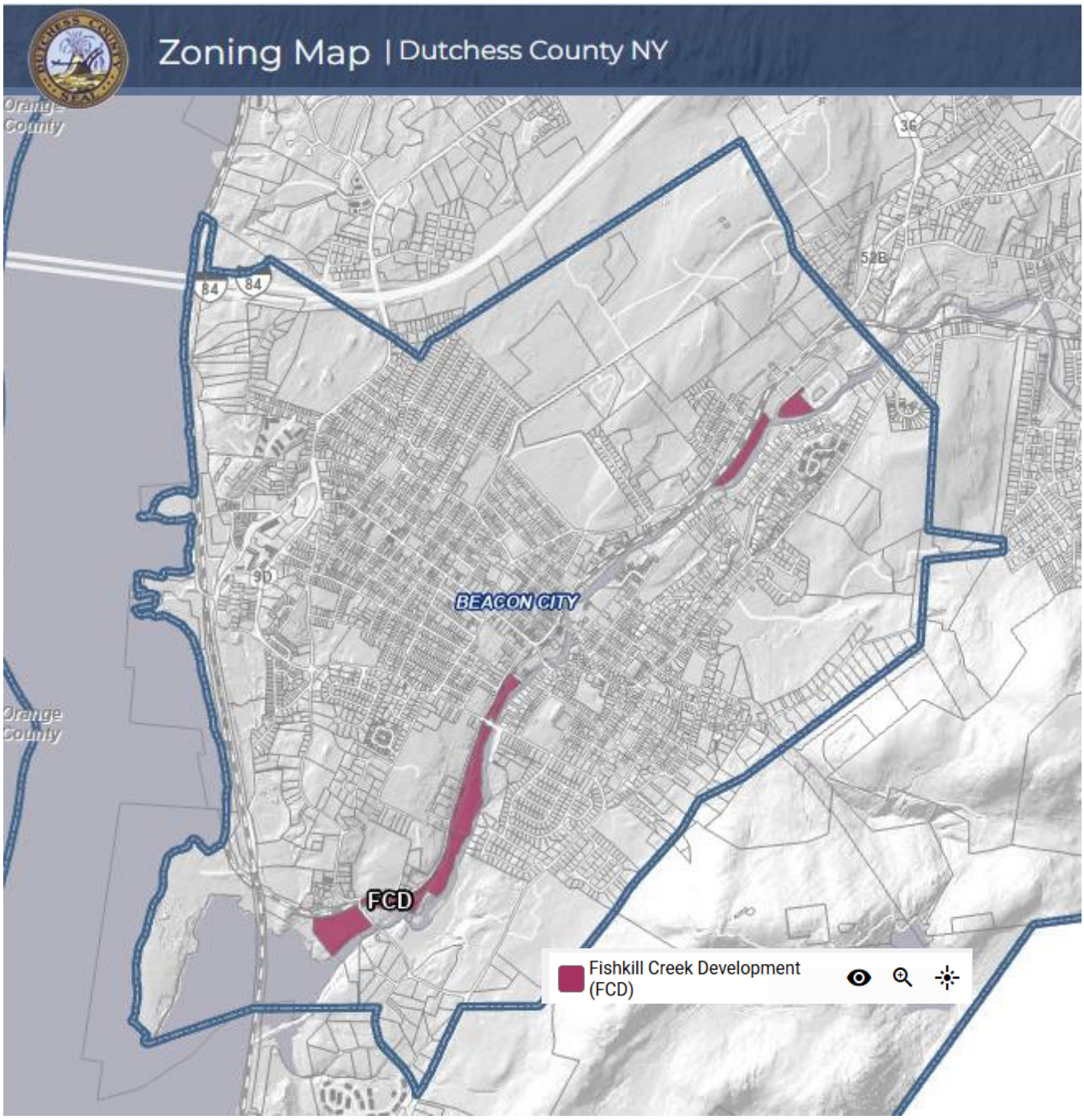
DRAFT

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

Attachment A - Location of FCD Parcels in Beacon



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	2 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.

[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.

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	P~~X~~	P	X
Social/Community												
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	P	X	X	X	X	SP	X
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.

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:** Emily A. Dozier

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.

City of Beacon City Council Agenda
09/08/2026

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 time limits for parking on West Main Street and parking restrictions on Tioronda Avenue between Main Street and Wolcott Avenue.

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

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

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

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

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

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

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

...

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

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

...

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

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

DRAFT

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

§ 211-17 **Time limit parking.**

…

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

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

…

DRAFT

Section 4. Ratification, Readoption and Confirmation.

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

Section 5. Numbering for Codification.

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

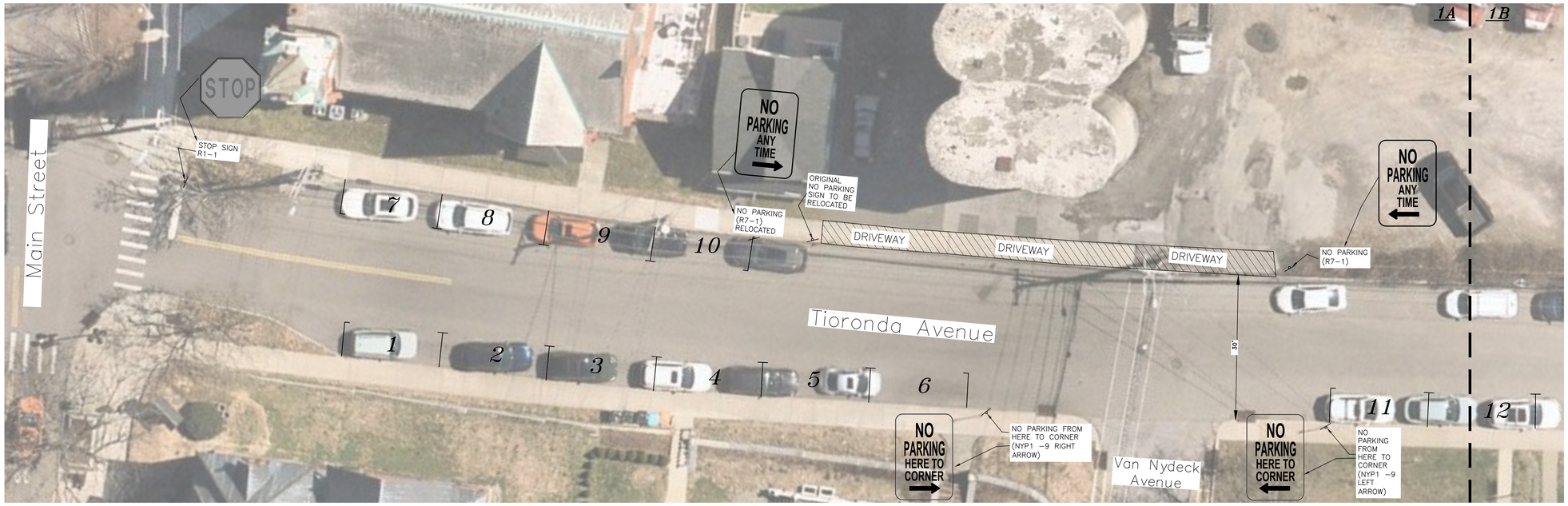
Section 6. Severability.

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

Section 7. Effective date.

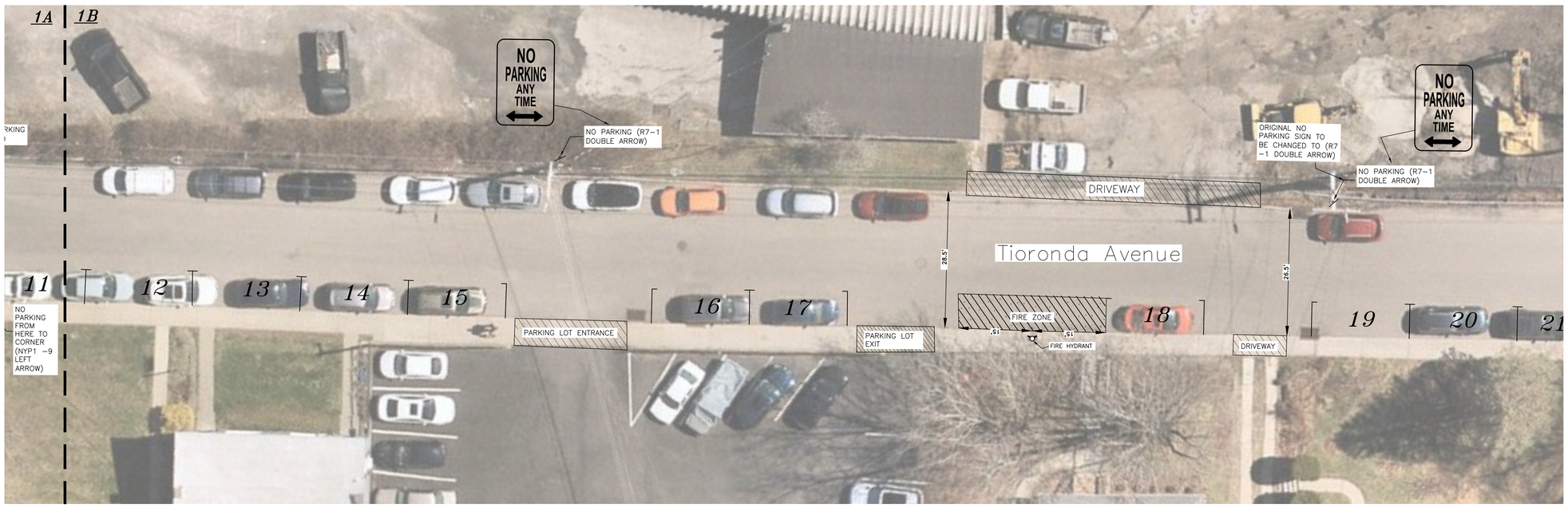
This local law shall take effect immediately upon filing with the Office of the Secretary of State of the State of New York.

DRAFT



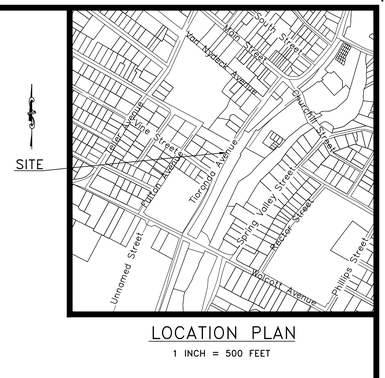
1A

SCALE: 1" = 10'



1B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

COPYRIGHT 2026, LANC & TULLY, D.P.C.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S AND/OR LAND SURVEYOR'S STAMP OR EMBOSSED SEAL SHALL NOT BE CONSIDERED VALID, TRUE COPIES.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

UDIG·NY
SAFE DIGGING STARTS HERE

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

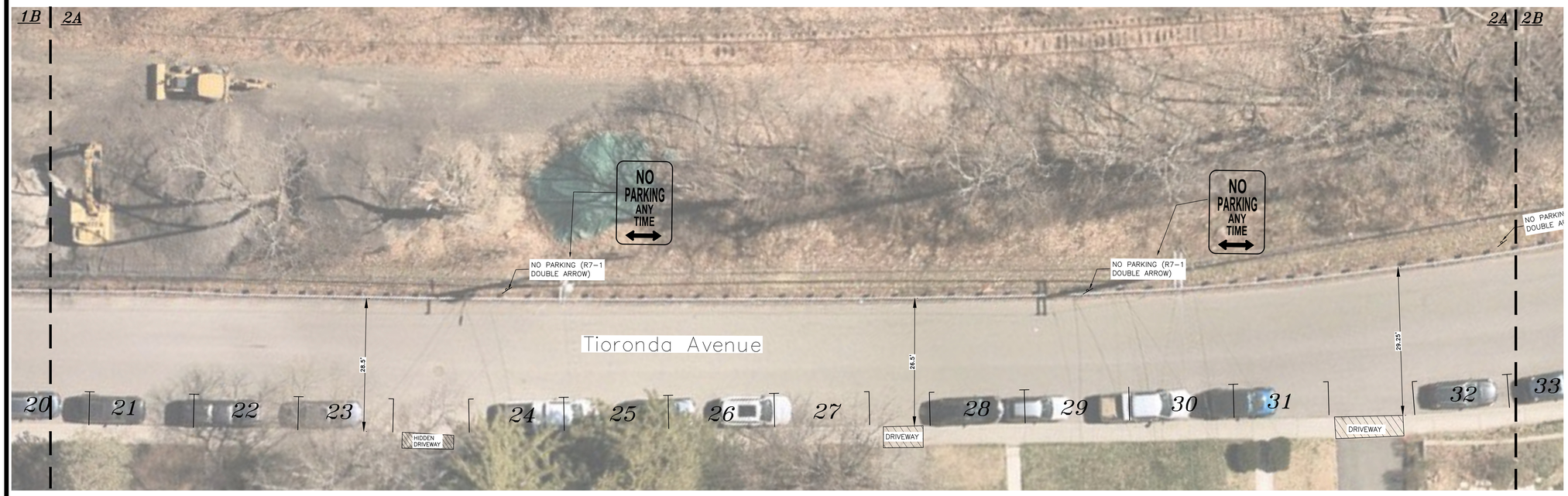
TIORONDA AVE
(MAIN ST - WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

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

Date: JULY 14, 2026
Revisions:

CAD File: 666697-SITE PLAN.DWG
Layout: PARKING PLAN
Sheet No.: 1 OF 4
Drawing No.: C30
A- 26 - 6697 - 01



2A

SCALE: 1" = 10'



2B

SCALE: 1" = 10'



LOCATION PLAN

1 INCH = 500 FEET

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

COPYRIGHT 2026, LANC & TULLY, D.P.C.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S AND/OR LAND SURVEYOR'S STAMP OR EMBOSSED SEAL SHALL NOT BE CONSIDERED VALID, TRUE COPIES.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

UDIG·NY
SAFE DIGGING STARTS HERE

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

STREET PARKING PLAN PREPARED FOR

TIORONDA AVE
(MAIN ST – WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Date:	JULY 14, 2026
Revisions:	
CAD File:	266697-SITE PLAN.DWG
Layout:	PARKING PLAN
Sheet No.:	2 OF 4
Drawn By:	SEF
Checked By:	
Scale:	1" = 10'
Tax Map No.:	N/A
Drawing No.:	C-10
	A– 26 – 6697 – 01



LOCATION PLAN

1 INCH = 500 FEET



3A

SCALE: 1" = 10'

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)
1 inch = 10 ft.

COPYRIGHT 2026, LANC & TULLY, D.P.C.

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

STREET PARKING PLAN PREPARED FOR

TIORONDA AVE
(MAIN ST – WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

Date:	JULY 14, 2026
Revisions:	
CAD File:	266687-SITE PLAN.DWG
Layout:	PARKING PLAN
Sheet No.:	3 OF 4

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

COPIES FROM THE ORIGINAL OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S AND/OR LAND SURVEYOR'S STAMP OR EMBOSSED SEAL SHALL NOT BE CONSIDERED VALID, TRUE COPIES.

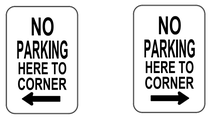
UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209-2 OF THE NEW YORK STATE EDUCATION LAW.

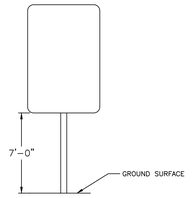
UDIG·NY
SAFE DIGGING STARTS HERE



LOCATION PLAN

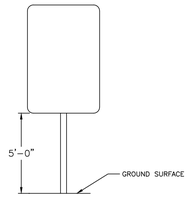
1 INCH = 500 FEET

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



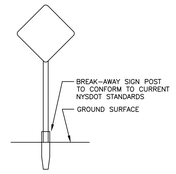
CURB/SIDEWALK SIGN HEIGHT

NOT TO SCALE



GRASS/SHOULDER/NO CURB SIGN HEIGHT

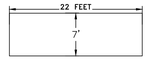
NOT TO SCALE



NOTE: SIGN TO BE MOUNTED AS REQUIRED BY NYSDOT STANDARDS

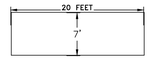
TYPICAL PERMANENT SIGN INSTALLATION

NOT TO SCALE



STANDARD PARKING STALL DETAIL

NOT TO SCALE



END PARKING STALL DETAIL

NOT TO SCALE

COPYRIGHT 2026, LANC & TULLY, D.P.C.

COPIES FROM THE ORIGINAL OF THIS DOCUMENT NOT MARKED WITH AN ORIGINAL OF THE PROFESSIONAL ENGINEER'S AND/OR LAND SURVEYOR'S STAMP OR EMBOSSED SEAL SHALL NOT BE CONSIDERED VALID, TRUE COPIES.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209–2 OF THE NEW YORK STATE EDUCATION LAW.

UDIG·NY SAFE DIGGING STARTS HERE

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

1 inch = 10 ft.

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

Date: JULY 14, 2026

STREET PARKING PLAN PREPARED FOR

Revisions:

TIORONDA AVE
(MAIN ST – WOLCOTT AVE)

CITY OF BEACON
DUTCHESS COUNTY, NEW YORK

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

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

Title:

Beacon Trails Ad Hoc Committee

ATTACHMENTS

City of Beacon City Council Agenda
09/08/2026

Title:

Discussion of the Fishkill Avenue District/East Gateway District

ATTACHMENTS

Proposed Local Law Regarding East Gateway Zoning District

KARC Planning Consultants Memorandum regarding East Gateway District

East Gateway Zoning District Map

Draft Schedule of Use Regulations

Draft Schedule of Dimensional Regulations

Fishkill Avenue Concepts Committee Final Report

Fishkill Avenue Concepts Committee Recommendation Implementation Matrix

PROPOSED LOCAL LAW NO. ____ OF 2026

CITY COUNCIL
CITY OF BEACON

A LOCAL LAW AMENDING CHAPTER 223 OF THE BEACON CITY CODE CONCERNING THE EAST GATEWAY DISTRICT

A LOCAL LAW to amend Chapter 223, Zoning, to create a new zoning district known as the East Gateway 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 – Establishment of Districts; Map; Boundaries, Section 223-2 entitled "Establishment of districts" is hereby amended to add Subsection G for the creation of the "East Gateway District" as follows:

§ 223-2 **Establishment of districts.**

The City of Beacon is hereby divided into the following classes of districts:

• • •

G. EG East Gateway District.

Section 2. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection C, Attachment 2 entitled "Schedule of Use Regulations" is hereby amended as follows:

SEE ATTACHED SCHEDULE

Section 3. Chapter 223 of the Beacon City Code, Article III – General Regulations, Section 223-17, Subsection D, Attachment D, Attachment 1 entitled "Schedule of Dimensional Regulations" is hereby amended as follows:

SEE ATTACHED SCHEDULE

Section 4. Chapter 223 of the Beacon City Code is hereby amended to add Article IVG entitled "East Gateway (EG) District" which includes new Sections 223-41.23 through 223-41.25 as follows:

Article IVG **East Gateway (EG) District**

§ 223-41.23 **Purpose.**

The purpose of the East Gateway (EG) District is to guide the evolution of the Fishkill Avenue corridor as a mixed-use eastern gateway to the City of Beacon that complements the Central Main

Street District while providing opportunities for additional housing, employment, commercial services, and other compatible uses serving City residents and the surrounding community.

The EG District is intended to accommodate a broad mix of uses and building types, including larger commercial floorplates that may not be readily accommodated within the City's traditional Main Street development pattern, while using form-based development and design standards to promote a more walkable, attractive, and cohesive corridor. The District is further intended to encourage additional housing opportunities, support employment-generating uses, protect adjoining residential neighborhoods, preserve significant public views of Mount Beacon, reduce unnecessary curb cuts, and strengthen connections to Fishkill Creek, the future Beacon-Hopewell Rail Trail, and other public spaces and transportation facilities.

§ 223-41.24 **Applicability and boundaries.**

A. The provisions of this article apply to the area shown as the East Gateway (EG) District on the City of Beacon Zoning Map. All new uses of land and structures in the EG District shall comply with this article, with the following additional provisions:

(1) Existing nonconforming uses may continue as provided in § 223-10, Nonconforming uses and structures, except as may be otherwise provided in this article. Any existing building that does not satisfy the minimum building height requirements in the district may continue and may be expanded at the same height, provided that it is in conformity with all other dimensional requirements in the district.

(2) In order to encourage a mix of uses, more than one permitted use shall be allowed on any lot or parcel, subject to all approval criteria contained herein.

B. In the event of a conflict between this article and other provisions of this Zoning Chapter, the provisions of this Article shall control with respect to property located within the EG District.

§ 223-41.25 **Regulations.**

A. Permitted uses in the EG District. Permitted principal uses, permitted accessory uses, and uses that need a special permit by the Planning Board are listed in the § 223-17 Schedule of Use Regulations, with the following additional provisions:

(1) Permitted uses shall be subject to site development plan approval under § 223-25, except that site plan review shall not be required for a change of use within an existing building where the new use is allowed by right, the building will not be expanded, and the change of use does not alter the applicable parking requirement.

(2) Special permit uses are also subject to the provisions and conditions in § 223-18.

(3) Residential uses may occupy any story of a building, provided that residential units fronting Fishkill Avenue at the ground-floor level shall incorporate individual entrances, stoops, porches, landscaped setbacks, or other architectural treatments or

site-design treatments that provide an appropriate relationship between the dwelling units and the public sidewalk.

(4) For permitted auto-related uses, including gasoline filling stations, car washes, vehicle sales or rental establishments, and auto repair facilities, vehicle service areas, fuel pumps, wash bays, vehicle display and storage areas, and other accessory auto-oriented site features shall, to the maximum extent practicable, be located behind the front plane of the principal building or otherwise arranged and screened to minimize their visual prominence from Fishkill Avenue. Site design for such uses shall emphasize a continuous pedestrian frontage, minimize the extent of pavement visible from Fishkill Avenue, consolidate vehicular access where practicable, and provide landscaping and screening sufficient to minimize visual and operational impacts on adjoining properties and the public streetscape.

(5) Those properties or portions of properties identified as the Mead Avenue Transition Area on the EG District Map shall be subject to the following additional standards:

(a) Such areas shall primarily accommodate accessory functions supporting a principal commercial or mixed-use development fronting on Fishkill Avenue, including parking, landscaping and urban greening, stormwater management facilities, loading areas, pedestrian improvements, and similar accessory site functions.

(b) Limited extension of a principal commercial or mixed-use building or use into the Mead Avenue Transition Area may be approved by the Planning Board where the Board finds that the extension:

[1] Supports the reasonable redevelopment of property fronting on Fishkill Avenue;

[2] Maintains an appropriate scale and orientation in relation to nearby residential development;

[3] Minimizes impacts upon Mead Avenue and adjoining residential properties; and

[4] Incorporates appropriate setbacks, landscape buffering, screening, lighting controls, stormwater improvements, and other measures necessary to provide a compatible transition.

(c) No new curb cut providing vehicular access to a commercial or mixed-use development shall be permitted from Mead Avenue. Vehicular access shall instead be provided from Fishkill Avenue, an existing lawful access, a shared driveway, or an internal circulation system to the maximum extent practicable.

(d) The Planning Board may require additional landscape buffers, fencing, green space, drainage improvements, traffic-calming measures, limitations on hours

DRAFT

of loading or delivery, or other reasonable measures necessary to protect adjoining residential properties.

B. Dimensional regulations. All new construction or enlargement of existing structures in the EG District shall be subject to the § 223-17 Schedule of Dimensional Regulations, with the following additional provisions:

(1) Building height: New principal buildings shall have a minimum of two stories, with the upper floor built in a manner that allows actual occupancy for one or more permitted uses and does not create the mere appearance of a second story. One-story accessory buildings to the rear of the principal building and one-story secondary sections set back at least 50 feet from the principal building façade are permitted.

(2) Chimneys, vent pipes, mechanical systems, elevator shafts, antennas, wireless communications facilities, roof gardens and fences, greenhouses, solar collectors, wind energy systems, and other rooftop accessory structures may project up to 15 feet above the maximum height. With the exception of roof gardens and solar collectors, such projections may occupy no more than 20% of the roof area and must be set back at least 15 feet from the front edge of the roof.

(3) A minimum of 15% of the lot shall be landscaped with trees, shrubs, or ground cover in locations approved by the Planning Board that enhance the streetscape or provide a landscaped yard. The Planning Board may waive or reduce this requirement for pre-existing lots of 5,000 square feet or less, or where significant public access, pedestrian, or streetscape improvements are provided that the Planning Board determines achieve comparable public or site-design benefits.

(4) New principal buildings shall be located and oriented to reinforce a generally continuous building edge along Fishkill Avenue, consistent with the permitted front-yard setback. Variations in building placement may be permitted to accommodate pedestrian spaces, landscaping, existing site constraints, or other site-design objectives of this Article.

C. Parking facilities.

(1) All off-street parking shall be located behind, underneath, or to the side of a building. If on the side, it shall be located at least 20 feet from any lot line that fronts on Fishkill Avenue and be screened by a low brick or stone wall, hedge, ornamental fence, and/or other landscaping that maintains the continuity of the street and that screens the parking lot from public street and sidewalk views.

(a) Parking located to the side of a building shall not occupy more than 50% of the lot frontage along Fishkill Avenue, unless the Planning Board determines that site constraints warrant an alternative configuration that otherwise advances the purposes of this Article.

DRAFT

(2) For small preexisting lots where the provision of on-site parking is not feasible, the Planning Board may waive up to 50% of the minimum parking requirements, provided that the total floor area of the building is no greater than 3,000 square feet.

D. Streetscape improvements.

(1) The Planning Board shall require an applicant to provide coordinated streetscape improvements along Fishkill Avenue, including sidewalks, planters, street trees, shrubs, or other landscaping to enhance the appearance of the streetscape. Streetscape improvements shall be designed to create a continuous, attractive pedestrian environment and, to the maximum extent practicable, shall be coordinated with improvements on adjoining properties. Ornamental fencing four feet or less in height may be provided to separate privately owned space from public space. For commercial uses, display areas, and outdoor dining and seating areas may be provided.

(2) A pedestrian clearway, at least five feet wide, with unobstructed space for pedestrian activity, shall be provided unless site conditions necessitate a narrower clearway.

(3) Within the street transition zone or building transition zone (see Figure 21-17) between the curb and front lot line, if space permits, lot owners may plant trees and place benches, tables, bicycle racks, and outdoor seating areas with the approval of the Department of Public Works. The Planning Board may require the planting of street trees on average 30 feet to 40 feet apart as a condition of site plan approval.

(4) The Planning Board may require that an applicant constructing a building greater than 10,000 square feet in floor area pay for the provision of related street improvements to improve pedestrian and/or bicycle safety.

(5) Parking areas, outdoor storage areas, loading areas, service areas, and other utilitarian site features visible from Fishkill Avenue shall be screened through landscaping, decorative fencing, masonry walls, or a combination thereof. Chain-link fencing shall not be permitted between a principal building or developed portion of a site and Fishkill Avenue unless substantially screened from public view by landscaping. Where fencing is provided along Fishkill Avenue, it shall be ornamental or otherwise designed as an integral component of the streetscape.

(6) Compliance with below-market-rate housing requirements. All applications involving residential development shall comply with Article IVB of this chapter, Affordable-Workforce Housing.

E. Design standards. Because of the design standards in this section, the architectural review provisions of Chapter 86 shall not apply within the EG District. In addition to the preceding sections of this article, all new buildings or substantial alterations of existing buildings shall comply with the following design standards:

(1) These design standards are intended to promote the following purposes:

DRAFT

(a) Promote pedestrian access and activity, as well as a general sense of area security.

(b) Restore and maintain the role of streets as civic and social spaces, framed by active uses.

(c) Encourage economic development and a convenient mix of uses and services

(d) Support a sense of design context that relates new redevelopment efforts to traditional urban forms and streetscapes, while still allowing contemporary architectural flexibility.

(2) Standards using the verb "shall" are required; "should" is used when the standard is to be applied unless the Planning Board finds a strong justification for an alternative solution in an unusual and specific circumstance; and "may" means that the "standard" is an optional guideline that is encouraged but not required.

(3) Buildings should provide architectural distinction between the ground floor, upper stories, and roofline through changes in materials, fenestration, building plane, cornices, canopies, or other appropriate architectural elements.

(4) Architectural features and windows should be continued on all sides of the building that are clearly visible from a public street, sidewalk, parking area, or public access trail, avoiding any blank walls, except in cases of existing walls or potential common property walls.

(a) Building façades facing or prominently visible from the Beacon-Hopewell Rail Trail shall be treated as public-facing façades and shall incorporate a level of architectural treatment, materials, articulation, and fenestration generally consistent with the principal façade. Utilities, mechanical equipment, refuse areas, loading areas, and other service functions located along or visible from the Rail Trail shall be located or screened to minimize their visual impact

(5) Buildings should incorporate subtle breaks in the façade and window surrounds with projecting sills, lintels, or crowns to add some depth, shadow, and detail. Larger buildings shall incorporate significant breaks in the facades and rooflines at intervals of no more than 40 feet.

(6) Buildings with a ground-floor footprint greater than 10,000 square feet shall be designed to maintain a pedestrian-oriented streetscape through the use of façade articulation, multiple pedestrian entrances where appropriate, pedestrian connections between the public sidewalk and principal building entrances, and building and parking configurations that minimize the visual prominence of off-street parking areas from Fishkill Avenue.

DRAFT

(7) Building elements that provide additional architectural interest, such as bay windows, cornices, balconies, and porches, should be encouraged and may encroach up to four feet into required yards.

(8) Metal, glass or canvas-type awnings and canopies or projecting signs should be encouraged. Vinyl awnings are discouraged unless the applicant can demonstrate to the Planning Board's satisfaction that the finish and design of such awning are of high quality, aesthetically pleasing and meet the intended standards of the district, as determined by said Board.

(9) Buildings shall have a front entrance door facing the primary street and connected to the sidewalk. Front entrance doors for commercial buildings and retail storefronts shall be active and provide main access during business hours.

(10) Mirrored, reflective, or tinted glass, all-glass walls, and exterior roll-down security gates shall not be permitted. Any shutters shall match the size of the window opening, appear functional, and be attached to the window frame.

(11) Commercial buildings shall provide substantial transparency along street-facing ground-floor façades. At least 50% of the area between two and ten feet above grade shall consist of transparent glazing, except that the Planning Board may approve a lower percentage for portions of a large-footprint building containing functional areas that cannot reasonably accommodate glazing, provided that such areas incorporate alternative architectural treatment sufficient to avoid blank walls. Residential buildings shall have at least 30% glass on the upper-floor facades.

(12) Finish building materials should be wood, brick, stone or smooth cast stone, traditional cement-based stucco, or fiber-cement siding or other material deemed acceptable by the Planning Board. Vinyl, aluminum or sheet metal siding or sheet trim, exposed concrete blocks or concrete walls, plywood or other similar prefabricated panels, unpainted or unstained lumber, synthetic stone or brick, or synthetic stucco, exterior insulation and finishing system (EIFS), or direct-applied finish system (DAFS), as well as chain link, plastic, or vinyl fencing shall not be permitted.

(13) Fluorescent, neon, metallic, or other intentionally garish colors, as well as stripes, dots, or other incompatible patterns, shall be prohibited.

(14) Refuse containers shall be concealed from public view by approved architectural elements, fully contained to prevent the spread of trash, and located toward the rear of the site where practicable without creating an adverse visual impact upon the Beacon-Hopewell Rail Trail. Ground-based mechanical equipment and rooftop equipment shall also be screened from public views, including views from the Rail Trail.

(15) The Planning Board may waive setback requirements for designated historic landmarks, as defined in Chapter 134, Historic Preservation, and civic buildings,

including government buildings, schools, libraries, or places of worship, and for pedestrian-oriented places, such as public greens or plazas and outdoor eating areas.

F. Environmental standards

(1) Site development plans adjacent to the rail-trail right-of-way and Fishkill Creek shall be referred to the Trail Committee for comments, shall be sensitive to the property's relationship with these important public features and developed in such a way as to protect any City-designated public views.

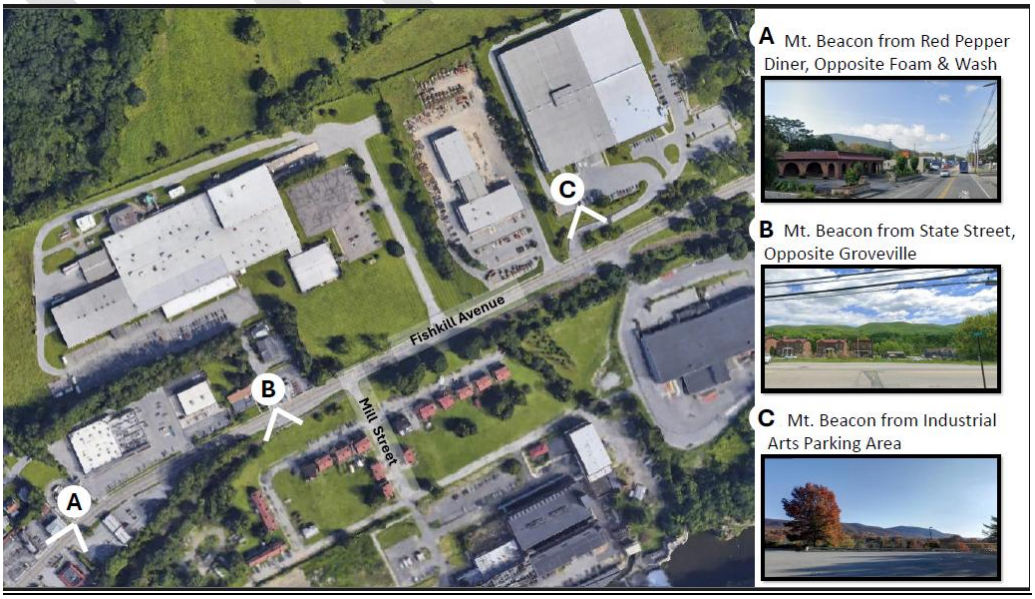
(2) The Planning Board may require the establishment of a view or public access corridor from the sidewalks through the development to the rail-trail right-of-way, particularly at the Delavan, Conklin, Townsend, and State side street intersections. The rail-trail will be a recreational resource and provide an important alternative transportation connection to the city center and larger region.

(3) The following locations, as depicted below, are identified as important public views of Mount Beacon and the surrounding landscape within the East Gateway District, consistent with the recommendations of the Fishkill Avenue Concepts Committee. For development located within an identified view corridor, the Planning Board shall consider the potential effect of proposed buildings and site improvements on the identified public views. The Planning Board may require reasonable modifications to building placement, massing, height, upper-story setbacks or stepbacks, landscaping, or other site-design elements where necessary to preserve or minimize obstruction of the identified view, consistent with the purposes of this Article.

(a) Mt. Beacon from 441 Fishkill Avenue.

(b) Mt. Beacon from State Street, Opposite Groveville.

(c) Mt Beacon from parking area of 511 Fishkill Avenue.



DRAFT

(4) A minimum 5-foot-wide buffer with plantings and/or fencing shall be required by the Planning Board along adjoining residential parcels or the rail-trail right-of-way for screening purposes and to avoid off-site impacts, such as headlights and snow plowing. Plantings required for screening shall be selected and arranged to provide effective year-round screening. Where snow storage or snow banking is proposed or reasonably anticipated adjacent to the Rail Trail right-of-way, the Planning Board shall require fencing, curbing, or other suitable physical measures to prevent snow, debris, and associated materials from being deposited within the Rail Trail right-of-way.

Section 5. The Zoning Map of the City of Beacon, as established by Section 223-3 of the Beacon City Code is hereby amended to rezone the following Parcels to the East Gateway (EG) District:

City of Beacon Tax Parcel No.: 6055-03-473210, but only that limited portion of said parcel proposed for inclusion in the East Gateway (EG) District, as depicted on the East Gateway Zoning District Map;

City of Beacon Tax Parcel No.: 6055-72-498198, which is located at 6 State Street;

City of Beacon Tax Parcel No.: 6055-04-503193, which is located at 4 State Street;

City of Beacon Tax Parcel No.: 6055-04-508186, which is located at 469 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-37-096715, but only that limited portion of said parcel proposed for inclusion in the East Gateway (EG) District, as depicted on the East Gateway Zoning District Map;

City of Beacon Tax Parcel No.: 6055-72-498177, which is located at 461 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-72-475162, which is located at 451-455 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-72-458135, which is located at 441 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-72-452126, which is located at 439 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-449120, which is located at 435 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-446160, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-432110, which is located at 425 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-435097, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-426102, which is located at Mead Avenue;

City of Beacon Tax Parcel No.: 6055-80-431091, which is located at 421 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-425080, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-418071, which is located at Fishkill Avenue;

DRAFT

City of Beacon Tax Parcel No.: 6055-80-416064, which is located at 409 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-403061, which is located at Mead Avenue;

City of Beacon Tax Parcel No.: 6055-80-399053, which is located at Mead Avenue;

City of Beacon Tax Parcel No.: 6055-80-406047, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-394041, which is located at 7 Conklin Street;

City of Beacon Tax Parcel No.: 6055-80-399035, which is located at 397 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-392032, which is located at 393 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-322981, which is located at 355 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-295954, which is located at Delavan Avenue;

City of Beacon Tax Parcel No.: 6054-23-278953, which is located at 7 Delavan Avenue;

City of Beacon Tax Parcel No.: 6054-23-275938, which is located at 333 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-264913, which is located at 326-330 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-280919, which is located at 332 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-284922, which is located at 334 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-291925, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6054-23-312940, which is located at 344 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-407023, which is located at 394 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-424048, which is located at 410 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-439071, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-443076, which is located at 420 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-450087, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-455098, which is located at Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-459170, which is located at 434 Fishkill Avenue;

City of Beacon Tax Parcel No.: 6055-80-463114, which is located at 436 Fishkill Avenue; and

City of Beacon Tax Parcel No.: 6055-72-475135, which is located at 440 Fishkill Avenue.

DRAFT

Section 6. 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 7. Numbering for Codification.

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

Section 8. Severability.

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 9. 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

KARC
PLANNING CONSULTANTS, INC.

MEMORANDUM

TO: Mayor Lee Kyriacou and Beacon City Council

FR: Natalie Quinn, KARC Planning Consultants, Inc.

DATE: September 4, 2026

RE: East Gateway District (Fishkill Avenue Corridor) – Proposed Local Law

---

Following the City Council's August 17, 2026 discussion of the proposed Fishkill Avenue zoning amendments, KARC revised the draft zoning materials to address Council comments and further refine implementation of the Fishkill Avenue Concepts Committee ("FACC") recommendations.

The revised materials continue to implement the overall framework previously presented to the Council, facilitating the creation of a mixed-use district along the Fishkill Avenue corridor that accommodates additional housing and commercial activity while maintaining a development pattern distinct from Main Street, protecting adjoining residential neighborhoods, improving the corridor streetscape, and strengthening connections to Fishkill Creek and the future Beacon-Hopewell Rail Trail.

The following summarizes the principal revisions and policy clarifications reflected in the updated draft legislation.

Key Updates to Draft Zoning

1. **East Gateway District Name.** The proposed district has been renamed the East Gateway (EG) District to better reflect the corridor's role as an eastern gateway into Beacon and to avoid potential confusion with the existing Fishkill Creek Development District.

2. **Mead Avenue Transition Area (§ 223-41.25(A)(5)).** New regulations were added for the portions of certain Fishkill Avenue parcels extending toward Mead Avenue. These provisions prioritize accessory uses within the transition area, allow only limited extension of principal commercial or mixed-use activity subject to Planning Board review, prohibit new commercial access from Mead Avenue, and authorize additional buffering and neighborhood-protection measures. The intent is to allow reasonable redevelopment of the Fishkill Avenue frontage while maintaining an appropriate transition to the adjoining residential neighborhood.

3. **Building Placement and Street Wall (§ 223-41.25(A)(3) and (B)(4)).** The draft regulations continue to allow residential uses at the ground-floor level, consistent with the FACC discussion and recommendation not to require continuous ground-floor commercial uses throughout the corridor. The regulations have been clarified to require

ground-floor residential units fronting Fishkill Avenue to incorporate individual entrances, stoops, porches, landscaped setbacks, or similar treatments that establish an appropriate relationship with the sidewalk.

An additional design standard has also been added specifying that new principal buildings are to be located and oriented to reinforce a generally continuous building edge (aka "street wall") along Fishkill Avenue, while maintaining flexibility for pedestrian spaces, landscaping, existing site constraints, and other appropriate site-design considerations.

4. **Streetscape and Screening Standards (§ 223-41.25(D)).** The streetscape provisions have been strengthened to establish clearer expectations for coordinated improvements along Fishkill Avenue, including sidewalks, landscaping, street trees, and other pedestrian-oriented improvements. New standards also specifically address screening of parking, outdoor storage, loading areas, service areas, and other utilitarian site features visible from Fishkill Avenue, including limitations on exposed chain-link fencing along the corridor. Street-tree placement remains subject to Planning Board and Department of Public Works review in recognition of overhead and underground utilities, access, sight-distance requirements, and other site-specific constraints.

5. **Rail Trail-Facing Development (§ 223-41.25(F)(4) and (F)(14)).** The design standards have been strengthened to recognize that properties located between Fishkill Avenue and the future Beacon-Hopewell Rail Trail effectively have two public-facing frontages. Building façades facing or prominently visible from the Rail Trail are therefore treated as public-facing façades and are expected to incorporate architectural treatment, materials, articulation, and fenestration generally consistent with the principal façade. Utilities, mechanical equipment, refuse areas, loading areas, and similar service functions must also be appropriately located or screened. The refuse and mechanical-equipment standards were similarly revised so that directing these facilities toward the "rear" of a property does not inadvertently create adverse visual impacts along the Rail Trail.

6. **Rail Trail Buffering and Snow Storage (§ 223-41.25(G)(4)).** Additional standards have been added for properties adjoining the Rail Trail to require effective year-round screening and address headlights, snow storage, debris, and similar off-site impacts. Where snow storage or snow banking is anticipated adjacent to the Rail Trail, the Planning Board would require fencing, curbing, or other suitable physical measures to prevent snow and associated debris from being deposited within the Rail Trail right-of-way.

7. **Protection of FACC-Identified Viewsheds (§ 223-41.25(G)(3)).** The environmental standards have been expanded to specifically identify the three significant public views of Mount Beacon documented through the FACC process. For development within an identified view corridor, the Planning Board would consider potential impacts to the public view and may require reasonable modifications to building placement, massing, height, upper-story setbacks or stepbacks, landscaping, or other site-design elements where necessary to preserve or minimize obstruction of the identified view. This provision directly implements the FACC recommendation that development be evaluated during site plan review for potential impacts to significant Mount Beacon viewsheds

Policy Clarifications

Groveville. The Groveville properties have not been incorporated into the proposed East Gateway District. This is intentional and consistent with the geographic framework established through the FACC process, which treated Groveville as a separate planning area from the proposed mixed-use Fishkill Avenue corridor. While the FACC identified opportunities for future zoning changes, infill, and redevelopment within Groveville, those recommendations are better addressed through a separate implementation effort that can more specifically consider the area's existing development pattern and historic resources.

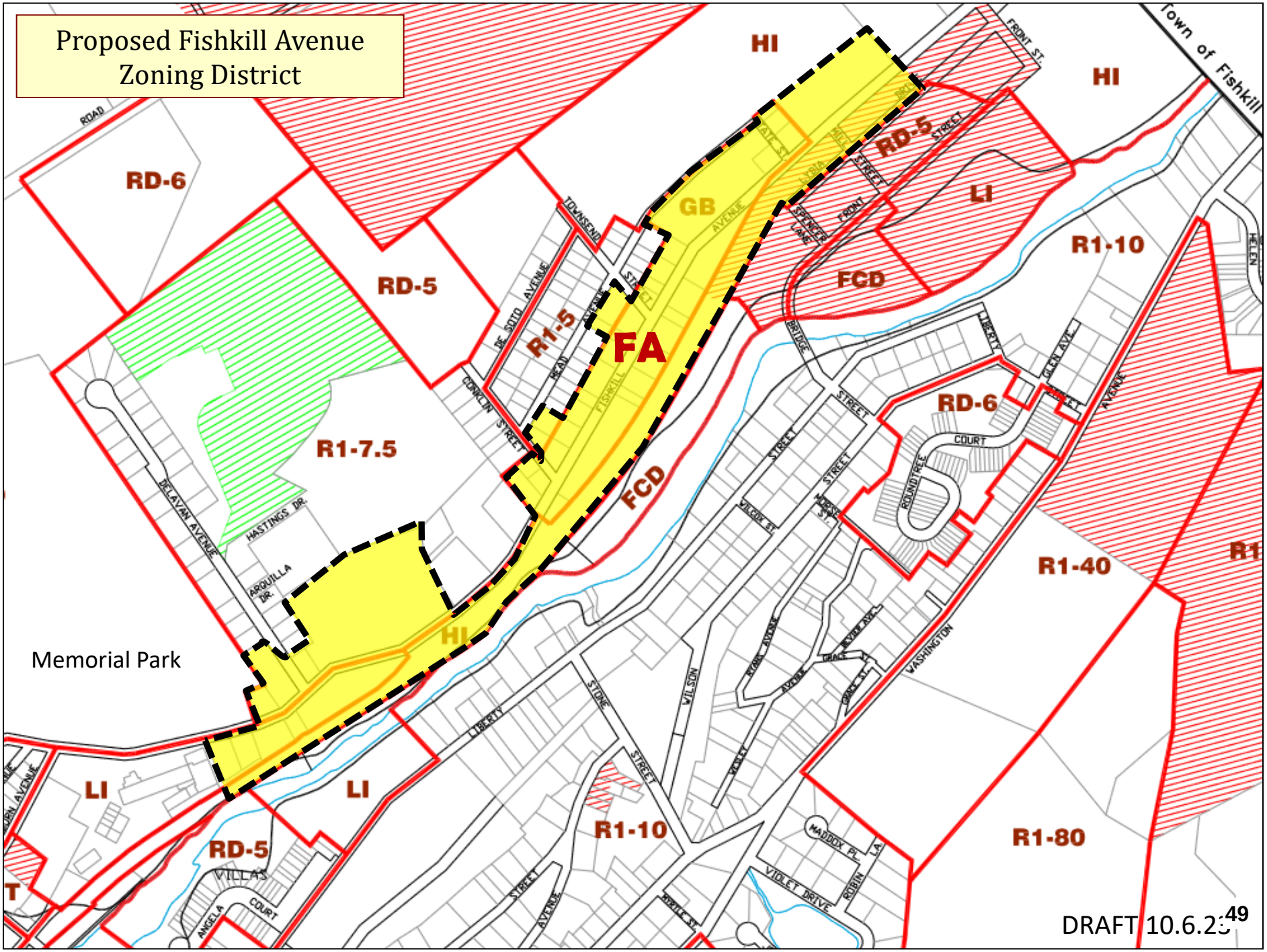
Affordable Housing and Building Height. The proposed EG District would remain subject to the City's existing Affordable-Workforce Housing requirements under Article IVB. While Council discussed whether additional affordability requirements should be associated with the proposed four-story height allowance, establishing a district-specific increase in the BMR requirement is not recommended at this time. Redevelopment along Fishkill Avenue is already affected by significant land, infrastructure, construction, and site-development costs, and an additional affordability requirement could adversely affect the feasibility of the housing and mixed-use development the proposed zoning is intended to facilitate. Accordingly, the proposed four-story (48 ft) maximum is recommended as a dimensional standard of the EG District and is not currently conditioned upon providing BMR units beyond those otherwise required under Article IVB.

Rail Trail Access. The zoning continues to authorize the Planning Board to consider and require appropriate connections between development, Fishkill Avenue, and the future Rail Trail. Specific access points have not been codified because detailed Rail Trail design has not yet been completed. Those locations can be established through the ongoing City/County trail planning and design process rather than predetermined through this zoning amendment.

As previously discussed, KARC continues to recommend a limited Comprehensive Plan amendment in conjunction with the zoning amendment. The existing Comprehensive Plan is

largely silent regarding the future land-use pattern of Fishkill Avenue but emphasizes maintaining Main Street as the City's primary commercial core. The proposed amendment would not alter that overall policy but would instead recognize the East Gateway District as a complementary mixed-use corridor capable of accommodating additional housing, employment, and commercial services serving residents' everyday needs. The broader Comprehensive Plan update can subsequently revisit the corridor in the context of the City as a whole.

cc: Ben Swanson, City Administrator
Nick Ward-Willis, Keane & Beane, P.C.


Proposed Fishkill Avenue Zoning District
HI
RD-6
RD-5
GB
FA
FCD
R1-5
R1-7.5
R1-10
R1-40
R1-80
LI
RD-5
HI
Memorial Park
Town of Fishkill
DRAFT 10.6.23
49

§ 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	EG	GB	CMS	L	TS	WP	FCD	LI	HI
Residential													
One-family detached dwelling		P	P	P	X	X	X	X	X	X	X	X	X
One-family attached/semidetached	Including townhouses	P[2]	P	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	X
Multifamily dwelling		X	SP*	P	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	P	X	P	P	X
Retail/Office/Service													
Retail, personal service, or bank		X	X	X	P	P	P	P	P	X	X	P	X
Office		X	X	P	P	P	P	P	P	X	P	P	X
Artist studio, art gallery/exhibit space		X	X	P	P	P	P	P	P	X	P	P	X
Funeral home		X	X	X	SP	P	X	X	X	X	X	P	X
Commercial recreation, indoor		X	X	X	P	P	P	X	X	X	X	P	P
Auction gallery		X	X	X	P	P	X	X	X	X	X	P	P
Adult use	Subject to § 223-20.1	X	X	X	X	X	X	X	X	X	X	SP	X
Food/Lodging													
Restaurant or coffee house		X	X	X	P	P	P	P	P	SP*	P	X	X
Bar/brew pub/microbrewery/microdistillery		X	X	X	P	P	P	P	P	X	P	P	P
Food preparation business		X	X	X	P	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	P
Bed-and-breakfast	Subject to § 223-24.4	SP	SP	SP	P	P	X	P	X	SP*	P	P	X
Inn		X	X	X	P	P	P	P	P	SP*	P	P	X
Hotel	Subject to § 223-14.1	X	X	X	P	P	P	P	P	X	X	P	X
Social/Community													
Spa/fitness center/exercise studio		X	X	SP	P	P	P	P	P	X	P	P	X
Day-care center		X	X	P	P	P	X	P	P	X	P	SP	X
Park, preserve, community garden		P	P	P	P	P	P	P	P	P	P	P	X
Theater, concert or conference space		X	X	X	P	P	P	P	P	X	P	P	X
Museum		SP*	SP*	SP*	P	P	P	P	P	X	P	P	SP
Place of worship/religious facility		P	P	P	P	P	X	X	X	X	X	P	X
Social club	Subject to § 223-24.2	SP	SP	SP	SP	SP	P	X	X	X	X	SP	X
Government facility		P	P	P	P	P	P	P	P	P	P	P	P
Golf course		SP*	SP*	X	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	X	P	P	P
Animal care facility		SP	SP	X	SP	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.

Permitted Uses by District	Reference Notes	All R1	All RD	T	EG	GB	CMS	L	TS	WP	FCD	LI	HI
Educational													
College or university		SP*	SP*	X	P	P	P	P	X	X	P	P	P
Trade school or training program		X	X	X	P	P	P	P	X	X	P	P	P
Private school or nursery school		SP	SP	SP	P	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	SP	X	X	X	X	X	X
Vehicle sales or rental lot		X	X	X	SP	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	SP	X	X	X	X	X	SP	X
Auto body or repair shop	Subject to Chapter 210	X	X	X	SP	SP	X	X	X	X	X	SP	X
Ambulance service		SP	SP	SP	P	P	X	X	X	X	X	P	X
Industrial or Assembly													
Wholesale business		X	X	X	SP	P	X	X	X	X	X	P	P
Self-storage facility and warehouse storage	Subject to § 223-24.5	X	X	X	P/SP	P/SP	X	X	X	X	X	P/SP	P/SP
Workshop		X	X	SP	P	P	P	P	X	X	P	P	P
Industrial or manufacturing use		X	X	X	SP	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	P
Small cell wireless facility	Subject to § 223-26.4	P	P	P	P	P	P	P	P	P	P	P	P
Farm		P	X	X	X	X	X	X	X	X	X	X	X
Horticultural nursery		P	P	X	P	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*	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	P
Private tennis court or pool	Subject to § 223-13	P	P	P	X	X	X	X	X	X	X	X	X
Home occupation or artist studio	Subject to § 223-17.1	P	P	P	X	X	X	X	P	X	X	X	X
Parking structure		X	X	SP	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	X
Garden, roof garden, or greenhouse		P	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	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 IVG		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.

Formatted Table

Formatted: Centered, Indent: Left: 0.03 cm, First line: 0 cm

Formatted: Font: 11 pt

Formatted: Centered

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~~Landscaped Area	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	
EG	—	—	—	—	0 to 10	0 to 10[j]	20 to 25[j]	—	4/48	—	—	—	15%	EG	Art. IVG
CMS	—	—	—	75	0 to 10	0	20	—	3/38	—	—	—	10%	CMS	Art. IVD
L	—	—	—	75	0 to 20	0 to 30	25	—	4/48	—	—	—	15%	L	Art. IVE
FCD	2 acres	3,960	—	—	—	—	—	—	3/40	35%		—	30%	FCD	Art. IVC
WP	1 acre	—	—	—	10	—	—	—	2.5/35	20%		—	—	WP	Art. IVA
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.

Formatted: Superscript
Formatted: Superscript
Formatted: Font: 10 pt
Formatted: Centered

[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.
[J] The larger yard dimension, 10 feet for side yard and 25 feet for rear yard, is required for parcels within the FA district that abut a residential district.

Formatted: Superscript

Fishkill Avenue Concepts Committee Report

October 2025



Table of Contents

Letter from Committee Chair

Executive Summary

Vision Statement

Comprehensive Plan Consistency

General Background/ Introduction

Recommendations by Corridor Segment & Topic Area

- Segment A: Industrial Corridor (Eastern Rt. 52 Corridor)
- Segment B: Mixed-Use Corridor (Rt. 52 - State Street to Blackburn Avenue)
- Segment C: Groveville Neighborhood
- Topic A: Housing
- Topic B: Environment & Open Space
- Topic C: Aesthetics
- Topic D: Beacon-Hopewell Rail Trail
- Topic E: Transportation
- Topic F: Regional Coordination

Appendices

Fishkill Avenue Concepts Committee

J.C. Calderón, Chair

October 7, 2025

Dear Mayor Kyriacou:

On behalf of the *Fishkill Avenue Concepts Committee* (FACC), I am pleased to share with the community the attached FACC Report that outlines ideas, concepts and suggestions for consideration by the current and future City Councils of the City of Beacon.

First and foremost, as Chair I would like to thank the following current committee members for their many volunteered hours of respectful debate, discussion and contributions that have resulted in the culmination of these findings: Yvonne Caruthers, Garrett Duquesne, Nick Guertin, Jay Healey, Atticus Lanigan, Brent Stapleton, Olga Luz Tirado, and Steve Jacobs were all instrumental in our success. The committee, selected by Mayor Kyriacou, represented a wide range of stakeholders and seasoned professionals.

We are also grateful to the widespread community input and to Beacon's professional consultants Natalie Quinn, as City Planner and John Russo, as City Engineer, for their feedback and suggestions to the committee. Lastly, we thank Mayor Lee Kyriacou for the vision to assemble this Ad-Hoc committee to study the Fishkill Avenue Corridor.

This FACC Report is the fruition of many monthly meetings starting in March of 2024, supplemented with a variety of public outreach events culminating in our March 9, 2025 Community Engagement Report. (See Appendix G). We began with the Mayor's November 27, 2023, Memorandum "to develop conceptual ideas for the northeast section of the City of Beacon, around and including Fishkill Avenue (State Route 52)."

The Memorandum's scope of study extended from Blackburn Avenue (at Ron's Ice Cream) to Prospect Ave (at Industrial Arts Brewing Company) and the adjacent areas including:

- State Route 52 from Blackburn to City line; Future rail trail, from East Main Street crossing to the City line; Potential access road from Route 52 to Matteawan Road; The private road (Mill Street) to the Beacon Lofts on Mason Drive; The Greenway trail from East Main crossing bridge to the City line; and The Groveville bridge.

Our study included extensive physical and geographic overview of the above areas and the entire corridor. We reviewed land use patterns and existing zoning ordinances. We studied recent developments and the significance of Fishkill Avenue and Route 52 as a regional connector. We discussed the evolving development pressures in Beacon and met with local residents, architects

and developers. We understand the need for coordinated growth balancing industrial, mixed-use, and residential priorities. We listened carefully to the community and their concerns (see Appendix D Comments). And we recognize the key challenges and opportunities that the corridor represents.

Please read the report and its recommendations regarding these areas of consideration, and the concepts we identify for the corridor. As a "concepts" committee, we do not warrant this report to be definitive or final in its recommendations. Rather, we hope the current and future City Administrations and City Councils will consider the extensive effort and commitment by the FACC committee members to envision a future that encompasses the best interests of the City of Beacon, its residents and guests.

Thank you for your interest and support in Beacon's future.

Sincerely,



J.C. Calderón, AIA, LEED AP

Chair, Fishkill Avenue Concepts Committee

Executive Summary

The Fishkill Avenue Concepts Committee Report offers a framework to guide growth and investment along one of Beacon's most important and evolving thoroughfares. Extending from industrial sites and the historic Groveville neighborhood at the city's eastern boundary to Memorial Park, the Fishkill Avenue study area (Picture 1) plays a vital role in Beacon's economy, housing supply, and connection to natural resources such as Mount Beacon and Fishkill Creek.

This study offers a vision for a corridor that is inclusive, economically vibrant, environmentally responsible, and reflective of Beacon's character. It recommends targeted updates to zoning and land use policy, strategies for preserving and enhancing industrial employment areas, opportunities for new mixed-use development, and improvements to neighborhood infrastructure, green space, and mobility.



Figure 1: Fishkill Avenue Concepts Committee Study Area Overview

Overall goals include:

- Support productive industrial uses while improving site aesthetics and environmental compatibility.
- Transform underutilized areas into walkable, bikeable and mixed-use environments with diverse housing and business options.
- Strengthen Groveville through infrastructure upgrades, infill housing, and historic preservation.
- Advance green infrastructure, trail connectivity, and safer multi-modal transportation.
- Align corridor planning with regional initiatives and Beacon's broader Comprehensive Plan.

Together, these goals along with more specific recommendations aim to ensure that the Fishkill Avenue corridor evolves in a way that supports long-term community needs and reinforces Beacon's identity.

Committee Perspectives

The Fishkill Avenue Concepts Committee brought together a wide range of local voices, including architects, planners, educators, business owners, long-time residents, and community advocates. Members contributed professional expertise in planning, design, real estate, marketing, government, the arts, and education, as well as lived experience as Beacon residents. This diversity of perspectives helped ensure that the study's recommendations reflect both technical knowledge and the community's values. Biographies of committee members are provided in Appendix H.

Vision Statement

As the Fishkill Avenue Concepts Committee, we respectfully propose a vision for the Route 52 corridor as a vibrant, inclusive, pedestrian friendly, safe and sustainable gateway that supports a diverse mix of industries, businesses, housing options, and public amenities to benefit both residents and visitors.

Our recommendations aim to guide strategic land use planning, zoning updates, and design standards that enhance walkability, multi-modal connectivity, and access to green space—particularly through transformative investments such as the proposed Beacon-Hopewell Rail Trail. We emphasize the importance of preserving the historic and aesthetic character of the Groveville neighborhood and protecting key viewsheds as redevelopment occurs.

Through this work, we seek to balance growth with resilience, encouraging thoughtful redevelopment that honors the corridor's past while preparing it for a dynamic and economically vital future. We offer this vision in the spirit of collaboration and with the intent to inform and support future policy decisions.

Comprehensive Plan Consistency

The City's 2017 Comprehensive Plan provides limited guidance on Route 52, with most references focusing on existing conditions and an inventory of uses along the corridor. While it does not provide an extensive framework for the corridor's future development, there are key sections that offer some vision and recommendations that align with the Fishkill Avenue Concepts Committee's goals. However, given the committee's focus on denser, more pedestrian- and bike-friendly development, certain areas of the Comprehensive Plan will need to be updated to reflect the evolving priorities and challenges along the corridor.

Comprehensive Plan Section 2.3 on Land Use and Zoning Goals and Recommendations (p. 38) includes an objective that encourages growth in the Central Business District, stating:

- B. Focus Growth in the Central Business District
  The plan emphasizes concentrating growth in and around the Central Business District, rather than spreading outward along Route 9D and Route 52. Areas targeted for higher densities are identified within the city's central commercial core and the waterfront/train station area.

As of this report's publication, multiple sites along Fishkill Avenue, under different ownership, have entered the planning board review process for proposed mixed-use and higher-density developments. These active proposals underscore the need to update the Comprehensive Plan so that it directly addresses opportunities for growth along the corridor and in adjacent areas such as Camp Beacon.

Comprehensive Plan Section 4.2 on Commercial, Office, and Industrial Development Goals and Recommendations (p. 61) addresses the Route 52 business district, noting that participants felt this area primarily served the needs of larger businesses requiring significant building space and on-site parking. Suggestions for this area include:

- Improving the streetscape and landscaping
- Encouraging the development of amenities such as a movie theater, office supply stores, garden supply stores, supermarkets, office buildings, and education centers.

The following recommendations of the Fishkill Avenue Concepts Committee align with this section, as they also emphasize streetscape and landscaping improvements. The concept of mixed-use development, which includes amenities like movie theaters, office space, and retail, can also be incorporated into the committee's vision for the corridor. However, the Comprehensive Plan could benefit from updates that more specifically address how to accommodate higher-density, mixed-use developments that integrate housing, retail, and office space. Additionally, the plan should emphasize sustainable transportation options, such as cycling lanes, improved pedestrian infrastructure and sheltered bus stops. These updates will ensure that Fishkill Avenue aligns with the city's evolving vision for a more

connected, vibrant, and multi-modal corridor, while supporting long-term growth and community needs.

Comprehensive Plan Section 4.2 on Commercial, Office, and Industrial Development Goals and Recommendations (p. 67) specifically focuses on Route 52 and includes recommendations for improving the character of the corridor with pedestrian amenities such as sidewalks and street trees, as well as improved architectural design.

- Objectives and Recommendations for Route 52
  - 4.11: Require property owners to provide sidewalks, street trees, and improved architectural design during site plan review.
  - 4.12: Explore funding opportunities, including public and private grants, to provide streetscape amenities such as sidewalks, street trees, street benches, sheltered bus stops, bicycle racks, and information kiosks.

The recommendations of the Fishkill Avenue Concepts Committee align directly with Section 4.2(C) of the Comprehensive Plan.

The committee's recommendations highlight a shift toward greater density, mixed-use development, and a more connected, sustainable urban environment. We believe this shift aligns with the city's evolving needs and likely requires an update to the Comprehensive Plan to incorporate these changes. The plan will need to address how to accommodate and support new development along Fishkill Avenue, while integrating multi-modal transportation networks, pedestrian-oriented spaces, and sustainable infrastructure into the broader vision for the city's growth.

Introduction

The Fishkill Avenue corridor serves as one of Beacon's four gateways and connectors. Physically, the corridor runs from the City's eastern boundary through industrial districts, the Groveville neighborhood, and toward Memorial Park, linking Beacon's residential areas with its employment centers, natural resources, and regional road network. Land use along the corridor is varied, with industrial zones, residential neighborhoods, and commercial activity coexisting in close proximity.

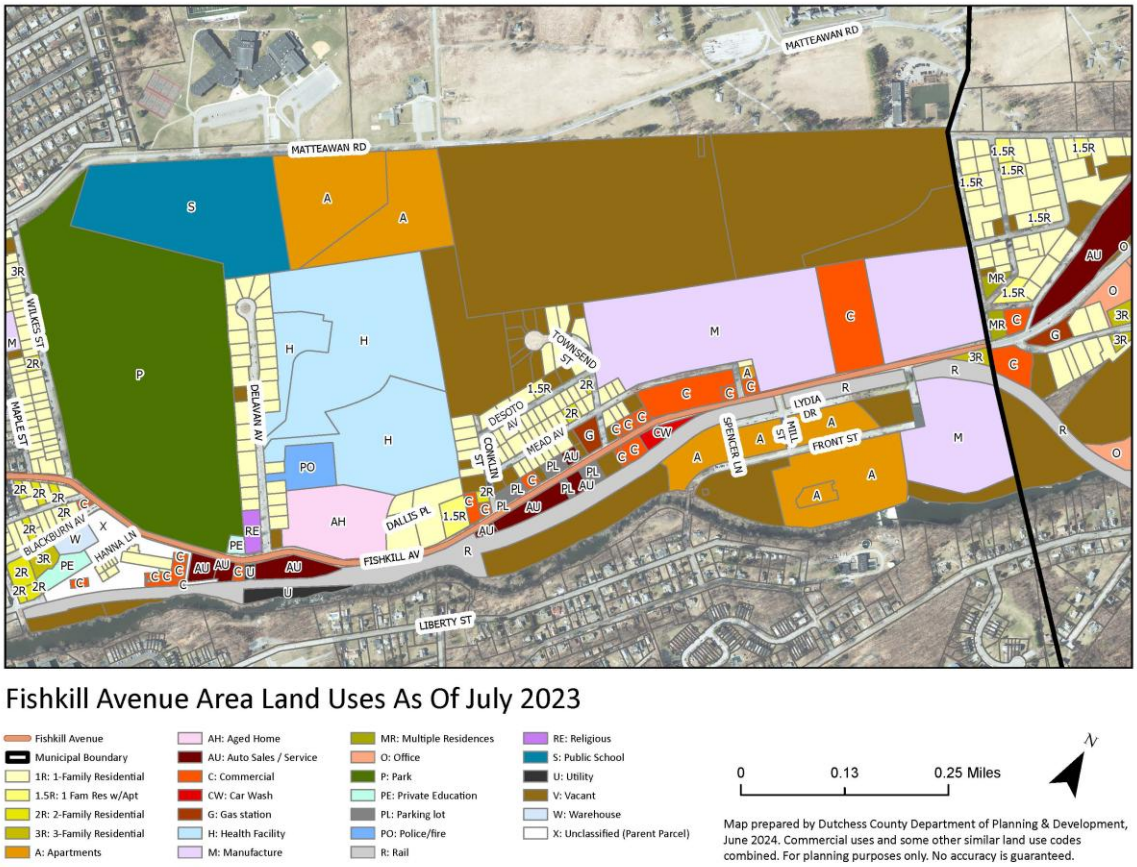


Figure 2. Existing Land Use Map

Recent development pressures have increased interest in redeveloping underutilized sites for mixed-use and residential projects, raising important questions about how to balance economic growth, historic preservation, environmental sustainability, and community character. The corridor also functions as a regional connector, providing access to Fishkill Creek, Mount Beacon, and future multi-use trail systems. Community engagement has underscored both opportunities and challenges along Route 52. Opportunities include revitalizing underutilized properties, strengthening Groveville's historic fabric, and creating multi-modal links across the corridor. Challenges include managing traffic and speeding, upgrading aging infrastructure, addressing stormwater and flooding concerns, and ensuring that new growth contributes positively to Beacon's identity.

This report summarizes the work of the Fishkill Avenue Concepts Committee, highlighting community input, planning principles, and targeted recommendations to guide future decision-making.

How to Read the Recommendations

The recommendations are presented in two complementary ways to capture both the physical character of the corridor and the broader policy issues at play. The first section is organized geographically, moving segment-by-segment along Fishkill Avenue—from the Industrial Corridor on the eastern end (Segment A), through the Mixed-Use Corridor between State Street and Blackburn Avenue (Segment B), and into the Groveville neighborhood (Segment C). This structure highlights opportunities and challenges unique to each stretch of the corridor

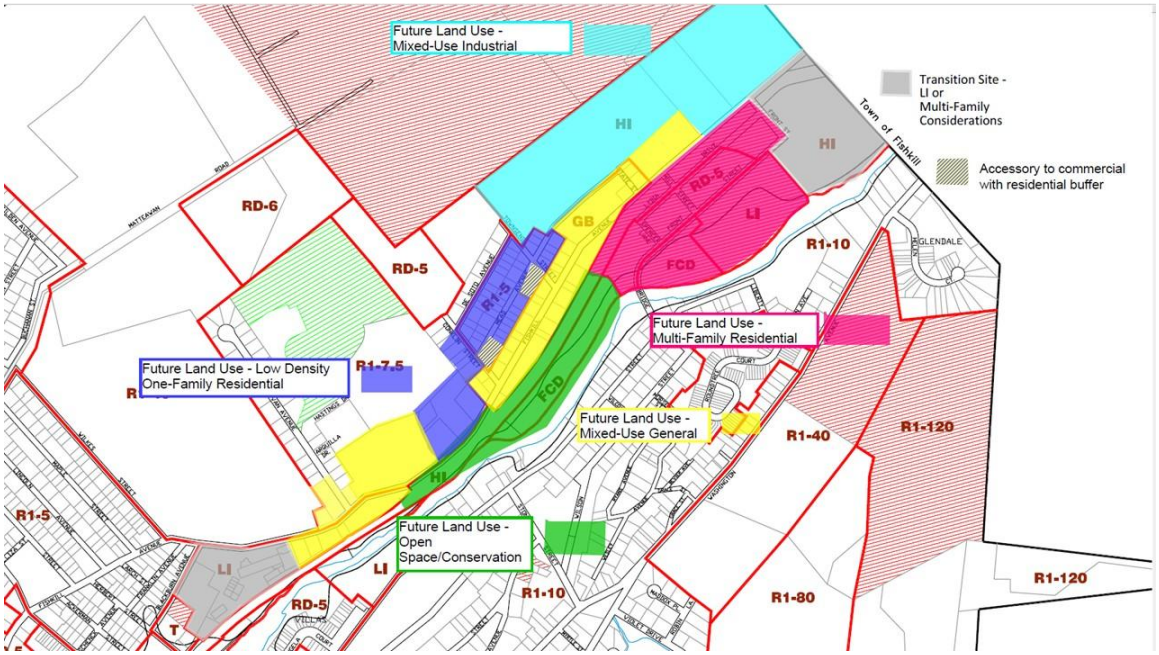


Figure 3. Future Land Use Map

The second section takes a thematic view, grouping strategies that apply across the entire corridor under key topic areas such as housing, environment and open space, aesthetics, the Beacon–Hopewell Rail Trail, transportation, and regional coordination. Together, these two perspectives—geographic and thematic—allow readers to first explore location-specific actions and then consider broader policies that reinforce corridor-wide goals.

Recommendations by Corridor Segment & Topic Area

Segment A: Industrial Corridor (Eastern Route 52 Corridor)

Background: The eastern portion of the Route 52 corridor in the City of Beacon has long been home to a significant portion of the community's remaining industrial base, a vital element in the city's economic diversity and job market. This area is marked by large plots of land and functional, but often plain, industrial buildings. While the industrial uses here are essential, the lack of landscaping and streetscape improvements can make the area feel utilitarian and disconnected from the rest of the city.

As Beacon continues to grow, the location of industrial uses near future trail systems and expanding residential neighborhoods raises important questions about how these different areas will work together. The challenge is finding a balance between preserving the area's industrial function and making it more compatible with the needs of the surrounding communities, which are becoming more residential and recreational.

Goal: Support the continued industrial use mix in the easternmost Route 52 corridor, preserving its role as a vital employment and production zone while improving appearance and compatibility with adjacent uses.

Recommendations & Policies:

1. **Coordinate with private property owners of industrial sites** to improve the visual character of sites with enhanced landscaping, alternative fencing without chain link or barbed wire, and other aesthetic enhancements.



Figure 4. Industrial site boundaries that could benefit from improved landscaping and fencing

2. **Review and update Article IV "Performance Standards"** of the zoning code to better address air quality, odor, and noise impacts from industrial properties.

3. **Remove Self-Storage as a permitted use** in the HI zoning district (or other Districts in the corridor) and consider restricting additional low-value (in terms of employment and streetscape activation) or nuisance uses.

4. **Evaluate the addition of employment-generating or green manufacturing uses** to the HI District that align with modern industry trends

5. **Review and update existing lot and bulk standards** in the HI District that may hinder employment-generating or green manufacturing use expansion in the HI District or preclude the inclusion of a future public roadway of infill development. Consider updates to give the planning board flexibility with uses, reduce the front yard setback of 30 feet, and increase the maximum percent building coverage of 70%, as deemed appropriate

.

Segment B: Mixed-Use Corridor (State St to Blackburn Ave)

Background: The portion of Fishkill Avenue from State Street (near Trax Coffee Roasters) to Blackburn Avenue (Ron's Ice Cream) represents a critical transition zone in Beacon, shifting from industrial uses to a more diverse mix of residential and commercial spaces. As development interest continues to rise in this area, it is important to guide the evolution of this corridor toward a vibrant, walkable, and bikeable space that complements the surrounding residential neighborhoods and creates a welcoming gateway corridor into the City of Beacon. Currently, the land use and zoning are fragmented, with a mixture of commercial, residential, and auto-centric uses that do not fully support the vision of a cohesive and pedestrian-friendly district.

This corridor serves as one of the main gateways to Beacon, making it vital to establish both visual and functional cohesion. It is a key area for the city's future development, offering an opportunity to blend mixed-use development with recreational access, such as integration with the nearby Rail Trail. However, the existing conditions—marked by car-oriented businesses and underutilized surface parking lots—call for a more structured approach to zoning and land use. We believe the city's goal should be to create a corridor that not only supports diverse housing options and businesses, but also contributes to the community's identity through thoughtful design and connectivity.

The proposed recommendations focus on transforming Fishkill Avenue into a dynamic, mixed-use corridor that encourages a variety of uses, from office spaces to restaurants and multi-family housing, while also preserving neighboring residential neighborhoods. Key elements of this transformation include zoning updates to better reflect these goals, the gradual phasing out of auto-centric uses, and a focus on pedestrian- and cyclist-friendly infrastructure, including continuous sidewalks and street trees on both sides of Fishkill Avenue. Attention will also be given to maintaining the aesthetic character of Beacon, ensuring that any new buildings blend into the existing environment, particularly along areas with unique views of Mount Beacon.

As redevelopment unfolds, special consideration should be given to specific sites along the corridor, including the Tallix and "The Yard" properties, which may offer opportunities for infill development. Additionally, efforts will be made to preserve the residential integrity of Mead Avenue while allowing for supportive commercial uses that enhance the corridor without overwhelming the neighborhood. Traffic calming measures, shared access arrangements, and green spaces will be key elements in creating a seamless transition between different types of land uses, which can enable Fishkill Avenue to become a thriving, integrated part of Beacon's broader vision.

Goal: Guide the evolution of Fishkill Avenue into a vibrant, mixed-use corridor that promotes walkability, bikeability, and integration with Rail Trail, supports diverse housing and business types, and reflects Beacon's design character. The following recommendations apply specifically to the "Mixed-Use General" area identified in Appendix A. Future Land Use

Recommendations & Policies:

1. **Create a new zoning district** ("Fishkill Avenue – FA District") or extend the General Business (GB) District to the "Mixed-Use General" area identified in the Future Land Use Map

2. Update zoning for the corridor to achieve the following:
   a) **Support a variety of uses** such as office, retail, multi-family housing (as part of mixed-use buildings or as stand-alone uses), restaurants, recreation, health care, etc.
   b) **Prevent over-concentration** of any single use to retain a dynamic land use mix and critical mass of services and businesses.
   c) **Prohibit drive-through** restaurant/fast food facilities and self-storage businesses.
   d) **Limit or gradually phase out autocentric uses** such as gas stations, auto-repair, car sales, etc.
   e) **Allow building heights up to four stories** throughout the corridor, provided that the fourth story is recessed to reduce visual impact. Consider limiting building height to three stories in areas identified in the Public Viewshed Map (Appendix B) to preserve key and unique views of Mount Beacon.
   f) **Reduce pedestrian conflicts and preserve streetscape continuity** by minimizing curb cuts, encouraging parking to the side and rear of buildings, supporting shared parking arrangements, and incentivizing underground or structured parking through density bonuses
   g) **Require reduced front yard setbacks from 15 ft. to 10 ft.** as noted in Appendix D to create a consistent and active building street wall along the frontage line and allow more area open to development.

3. **Continue evaluating the Tallix and "The Yard" site** for inclusion in the updated mixed-use land use framework and to assess its potential for infill development. Given the presence of existing buildings and the irregular configuration of the site, flexible zoning provisions will be critical to enable adaptive reuse and support a range of redevelopment scenarios.

4. Support the continued use of the parcels on Mead Avenue at the corner of Conklin Street and Townsend Street as accessory to commercial development along Fishkill Avenue, while preserving the residential character and residents of Mead Avenue.



Figure 5. Aerial of Mead Avenue

Specifically:

a) **Limit allowable uses** on these parcels to accessory functions such as parking, urban greening/landscaping, substantial stormwater management infrastructure, and loading areas that support the redevelopment of commercial and mixed-use properties along Fishkill Avenue.

b) **Require context-sensitive design** for any future improvements, with specific attention to minimizing impacts on Mead Avenue residents. Measures should include landscape buffering, screening, lighting controls, enhanced storm drainage, traffic-calming features (e.g., speed bumps), and appropriate setbacks to create transitional edges or pocket green spaces.

c) **Allow limited expansion of commercial or mixed-use development** onto these parcels only when it supports Fishkill corridor redevelopment and adheres to clear compatibility standards, including building scale and orientation, pedestrian and vehicular access management, and transitions to adjacent residential uses.

d) **Prohibit new curb cuts on residential streets** and prioritize shared access from Fishkill Avenue or internal site circulation wherever feasible.

e) **Coordinate with the City's public works and transportation departments** to install appropriate street signage (e.g., stop signs, yield signs, "Children at Play" signage) and traffic-calming measures on Mead Avenue, Conklin, Townsend, and Desoto Streets, to mitigate potential impacts from increased traffic.

Segment C: Groveville Neighborhood

Background: The Groveville neighborhood in Beacon is rich in history, with its roots tracing back to the late 19th century when A.T. Stewart, a New York City dry goods magnate, transformed the area into a thriving carpet mill and worker community. The mill employed over 700 people in its prime and played a significant role in the local economy. Over the years, the property hosted various industrial tenants, and while the mill complex eventually went vacant, it was revitalized in recent years, preserving key historic elements such as the mill buildings, worker housing, and the active hydroelectric dam.

Today, Groveville retains much of its historic charm, with the original mill buildings now converted into apartments and the surrounding worker housing providing naturally occurring affordable housing. However, the neighborhood faces challenges with aging infrastructure, which limits its full potential. There is an opportunity for infill development within the area to enhance the neighborhood's walkability, bikeability, and connectivity to Beacon's broader mobility network, including the Rail Trail.

The goal for Groveville is to maintain its historic character while addressing the need for modern amenities and housing. Strategic infill development, improved infrastructure, and connections to nearby open spaces and trails will help transform Groveville into a vibrant, connected neighborhood that celebrates its past while supporting the future needs of the community.



Figure 6. Images of Existing Historic and New Structures in Groveville

Goal: Promote Groveville as a walkable, bikeable, historically sensitive, and connected neighborhood through connecting to Rail Trail, infrastructure, housing, and open space investment.

Recommendations & Policies:

1. **Refine and implement a proposed Groveville Historic District Concept** ("GHDC") identified in Appendix E.
   a) **Upgrade Groveville neighborhood roadway network** to City standards with sidewalks and trail connections.
   b) **Improve Groveville bridge** to enhance pedestrian and bicycling access to Liberty Street.
   c) **Integrate housing through higher density infill development** (requiring a zoning-enabling mechanism such as an overlay zone or other) and open space in a balanced manner, preserving key green areas and connections to the existing .
   d) **Coordinate with the Beacon-Hopewell Rail Trail design process** to ensure Groveville is well connected.
   e) **Encourage context-sensitive** design that celebrates and reflects the historic character of the Groveville neighborhood, incorporating both its industrial and residential architectural elements. New development should also draw inspiration from recent examples of adaptive reuse, where historic factory buildings have been converted into residential units and shared amenity spaces.

Topic A: Housing

Background: Beacon is experiencing high housing demand, which has led to increased pressure on affordability and existing neighborhoods. As the city grows, there is a clear need to expand housing opportunities while ensuring that affordability and the unique character of neighborhoods are maintained. This challenge is especially relevant in areas like the proposed mixed-use zone of Fishkill Avenue and Groveville, where infrastructure upgrades are needed to support future growth and development.

The goal is to expand housing options in these key areas while preserving the community's character and ensuring that new housing remains affordable. Expanding housing in these areas will provide opportunities for more diverse housing types, helping to meet demand without compromising the quality of life for existing residents. Targeted efforts in these areas include supporting multi-family housing as part of redevelopment proposals, such as at the Tallix site, and promoting infill housing that aligns with the planning concepts set forth in the Groveville Historic District Concept (GHDC).

Key to these efforts is maintaining affordable housing requirements across all zoning districts that permit multi-family housing. Additionally, identifying grant funding for infrastructure planning and affordable housing implementation will be crucial in addressing both housing needs and community sustainability in Beacon.

Goal: Expand housing opportunities in the mixed-use and Groveville areas of the corridor while improving affordability and neighborhood character.

Recommendations & Policies:

1. **Retain multi-family housing as a permitted use** within the "Mixed-Use General" area identified in the Future Land Use Map (Appendix A) and permit multi-family housing as a component of and future redevelopment proposals for the Tallix site.

2. **Promote infill housing in Groveville** consistent with the concepts developed in the GHDC Map (Appendix E)

3. **Maintain affordable housing requirements** (set-asides) across all zoning districts that permit multi-family housing, including any new FA District and Groveville.

4. **Identify grant funding for housing-supportive infrastructure** planning and implementation of affordable units.

Topic B: Environment & Open Space

Background: The Fishkill Avenue corridor runs parallel with Fishkill Creek, an important natural, historical and cultural asset within the City of Beacon that provides both ecological and aesthetic value. However, the corridor itself currently lacks quality public green spaces and greenery such as street trees, which limits its integration with the surrounding natural environment and reduces the quality of life for residents. Impervious surfaces and their impact on stormwater runoff and flooding were also noted issues.

The goal is to enhance the ecological integrity of the Fishkill Avenue corridor while creating more accessible green spaces for the community. This includes increasing public green spaces, incorporating street trees, and integrating green infrastructure solutions like porous pavement and grass-crete to manage stormwater. By focusing on these elements, the corridor can better connect to the Fishkill Creek and create a more sustainable, pedestrian-friendly environment.

Future developments, especially on sites like Camp Beacon and other potentially developable NYS-owned lands, should prioritize preserving the natural environment and incorporating green spaces. Additionally, encouraging shared or structured parking will reduce impervious surfaces, further enhancing the area's sustainability. By integrating these strategies, the Fishkill Avenue corridor can become a vibrant, environmentally conscious space that complements the Fishkill Creek while supporting the city's growth.

Goal: Enhance and protect open space and ecological integrity along the Fishkill Avenue corridor.

Recommendations & Policies:

1. **Incentivize green infrastructure** (e.g. porous pavement, grass-crete) through updated zoning code requirements.

2. **Support open space and conservation easements** as identified in the "Open Space/Conservation" area of the Future Land Use Map (Appendix A).

3. **Balance open space preservation with thoughtful development** when reviewing future proposals for the Camp Beacon site and other potentially developable NYS-owned lands.

4. **Promote shared or structured parking** to prevent single-use surface parking facilities and minimize impervious surface coverage associated with significant redevelopment projects.

Topic C: Aesthetics

Background: The Fishkill Avenue corridor currently lacks a cohesive and consistent visual identity, with its gateway appearance and overall corridor image feeling disconnected. Streetscape amenities are minimal, with limited landscaping and few elements designed to enhance the pedestrian experience. As the area continues to develop, it is essential to improve its physical appearance and ensure that the scenic character of Fishkill Avenue, particularly its views of Mount Beacon, is preserved.

Goal: Improve the physical appearance of Fishkill Avenue and preserve the area's scenic character, particularly viewsheds of Mount Beacon.

Recommendations & Policies:

1. **Coordinate enhanced gateway signage** and landscaping at the City of Beacon entrance near Prospect Street to strengthen the sense of arrival and improve visual character of the corridor. Currently the "Welcome to Beacon" signage is located approx. 1000 feet into the City's boarder.

2. **Identify appropriate locations for street trees and benches** within the Fishkill Avenue right-of-way and along private property boundaries that border existing or future public green spaces (rail trail; pocket parks, etc.)

3. **Emphasize urban greening techniques** within the city's site plan requirements to place more emphasis on street trees, benches, landscaping, and reduction of impervious surfaces on private development lots.

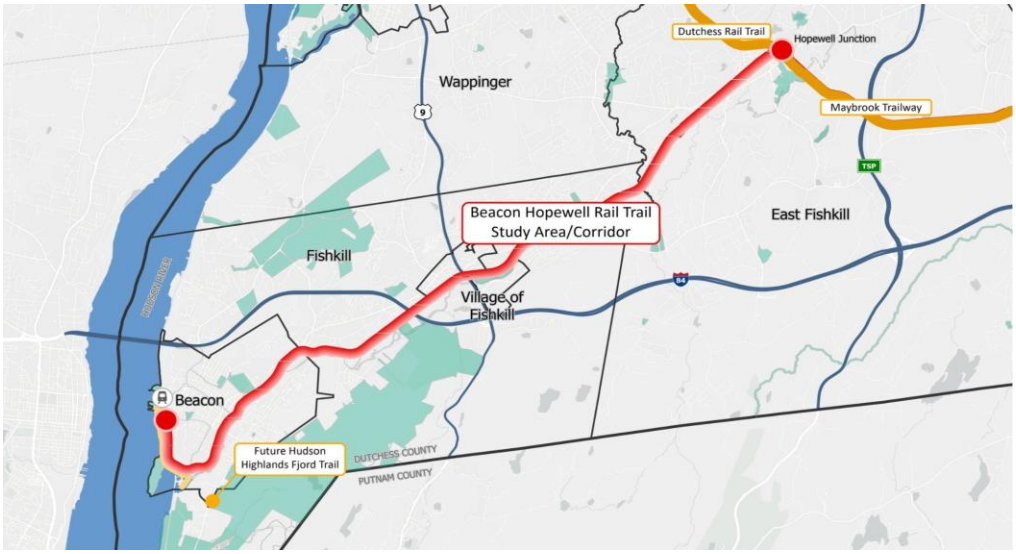
4. **Protect key viewsheds of Mount Beacon** as identified on the Public Viewshed Map (Appendix B) by requiring viewshed analysis during site plan review. Proposed development should be evaluated for its potential visual impact, and appropriate design measures should be incorporated to preserve or mitigate disruption to these significant public views.

5. **Collaborate with City Code Enforcement** to identify and implement strategies that ensure property owners maintain clean and orderly properties and vacate vehicles parked within the public right-of-way. This includes addressing excessive litter and vegetation overgrowth that encroaches on public sidewalks and negatively impacts neighborhood walkability and appearance.

Topic D: Beacon-Hopewell Rail Trail

Background: The Beacon-Hopewell Rail Trail is envisioned as a transformative 13-mile multi-use path extending from the Hudson River in Beacon to Hopewell Junction, connecting various communities and enhancing regional mobility. Currently under study by the Dutchess County Transportation Council (DCTC), the feasibility of this rail trail is being evaluated, with a final report expected in the summer of 2025. The study aims to assess existing conditions, identify challenges and opportunities, and develop design concepts for the trail.

The proposed trail alignment passes through or near industrial, mixed-use, and residential zones, including the Fishkill Avenue corridor and the Groveville neighborhood. Integrating the trail with these areas is essential to enhance connectivity, promote active transportation, and support local economic development.



Goal: Establish the Beacon-Hopewell Rail Trail as a regional and local amenity that enhances and supports the Fishkill Avenue corridor.

1. **Integrate the historic and architectural character of the Groveville** Historic District into the trail's design where applicable.

2. **Advocate for rail trail connections to Fishkill Avenue** and the Groveville neighborhood that align with the environmental, safety, and economic development goals of this Plan, and are consistent with potential locations identified on the Rail Trail Connections Map (Appendix C).

3. **Advocate for special design consideration at the Mill Street intersection** to reduce conflicts between trail users and vehicles turning into Groveville. Design strategies may include at-grade alternatives (intersection realignment, signalization,

raised crosswalks, etc.) or grade-separated alternatives (pedestrian/bicycle bridge,tunnel, etc.)



Figure 7. At Grade Rail Crossing at Mill Street (Left: From Fishkill Ave.; Right: From Mill St.)

4. **Develop regional parking strategies** through collaboration with the Town of Fishkill, Village of Fishkill, and Dutchess County to provide consolidated parking areas and encourage trail users to access nearby business districts.

Topic E: Transportation

Background: The Fishkill Avenue corridor is a critical route for both residents and businesses in Beacon, connecting various districts, including industrial, mixed-use, and residential areas. The corridor, however, has long been designed with a focus on vehicle traffic, rather than on pedestrians, cyclists, or other non-motorized users. While the area does not show a high rate of vehicle crashes according to available traffic incident data from Dutchess County and NYS DOT, concerns about speeding and aggressive driving have been observed, and the current infrastructure does not adequately support safe walking or cycling.

On-site walks and observations conducted by the committee reveal that the lack of pedestrian infrastructure along Fishkill Avenue contributes to a perception of the area being unsafe for walking. This is reflected in the low foot traffic observed on the corridor, which is significantly lower compared to other parts of the city. Additionally, narrow sidewalks and overgrowth often result in pedestrians and scooters utilizing the road shoulder rather than sidewalks. During public engagement sessions, "pedestrian safety" emerged as one of the most frequently voiced concerns from the community. This feedback underscores the need for better infrastructure that accommodates pedestrians and cyclists, encouraging safer and more active transportation options.

In response to these concerns, the committee has been actively formulating land-use and design recommendations aimed at transforming Fishkill Avenue into a more walkable, bikeable, and accessible corridor. These recommendations, when implemented over time, could support the evolution of the corridor into a space that safely accommodates all users. It should be noted that, following the committee's initial observations and analysis, the City made significant improvements to the sidewalks on the non-creek side of Fishkill Avenue, as well as to pedestrian crossings, during the summer of 2025 as the culmination of decades of planning. The committee strongly supports the vision of a complimentary sidewalk on the creek side of Fishkill Avenue.

The committee has also conducted a detailed analysis of the existing roadway and portions of the city-owned right-of-way that are currently underutilized, as a means to reclaim roadway space for sidewalks, street trees, bike lanes, and other amenities. However, feedback from the City Engineer and Dutchess County Planning raised important considerations regarding the feasibility of bike lanes and shared-use paths. Factors such as high traffic volumes, numerous driveways, and limited or inconsistent widths of right-of-way suggest that a more comprehensive engineering study is needed to ensure that any improvements are safe, effective, and well-planned. Additionally, if the proposed Beacon-Hopewell Rail Trail advances as a premier protected bike facility, it was discussed that a dedicated bike lane along Fishkill Avenue may be redundant and could be reconsidered in light of broader connectivity goals. However, the committee was not unanimous in this

opinion and during the committee's last meeting in June 2025 a majority of committee members present votes in support of bike lanes on Fishkill Avenue.

The recommendations below reflect the committee's efforts to improve Fishkill Avenue, considering both current needs and future opportunities. By integrating community feedback, careful analysis, and expert input, the committee aims to create a safer, more connected corridor that better serves the needs of all residents and visitors.

Goal: Using Complete Streets guidelines, enhance Fishkill Avenue as a walkable, bikeable corridor with safe and efficient multi-modal transportation options.

Recommendations & Policies:

1. **Plan for intersection upgrades** at key locations (Delevan Avenue, Conklin Street, Townsend Street, Mill Street) in anticipation of increased pedestrian and cycling activity on the creek/mountain side of Fishkill Avenue.

2. **Evaluate design options at the Mill Street intersection** to improve safety and reduce conflicts. Potential measures may include a raised crosswalk, speed table, pedestrian-activated rapid flashing beacons (RRFB), and digital speed signs.



Figure 8. (Left) Existing Intersection at Mill Street (Right) Example of RRFB

3. **Reduce the number of individual curb cuts along Fishkill Avenue** by encouraging ingress/egress via side streets, shared parking arrangements, and interior site connections during site plan review.

Goal: Establish Fishkill Avenue as a corridor offering alternative modes of travel and regional transit connections.

Recommendations & Policies:

1. **Engage a consultant to develop a bicycle connectivity plan** that strengthens local and regional mobility. The plan should:
   a) **Collaborate with regional partners**, including the Town and Village of Fishkill, Dutchess County, and NYSDOT;

b) **Coordinate with nearby trail initiatives,** such as the Beacon-Hopewell Rail Trail and Fjord Trail.
c) **Identify key bicycle connections to future redevelopment sites,** including a future link from Route 9D—potentially through the Downstate Correctional Facility redevelopment site or via the existing tunnel connecting the Camp Beacon site to Dutchess Stadium.
d) **Investigate the feasibility of protected bike lanes on Route 52** right-of-way (see Appendix D)

2. **Continue leveraging City land-use approvals** in a redevelopment scenario (e.g., Planning Board, City Council) to secure trail easements to Rail Trail and Greenway Trail from private developments.

3. **Pursue both short- and long-term strategies** for Complete Street improvements along Fishkill Avenue in anticipation of future redevelopment and rail trail connectivity:



Figure 9. Sidewalk obstructions, narrow shoulder, and storm grates make difficult conditions for pedestrians and cyclists along Fishkill Avenue

a) **Short-term:** Develop guidelines to accommodate future sidewalk installation on a site-by-site approach, via mechanisms such as:
   - A "sidewalk bank" to allow space in the right-of-way to remain undeveloped, allowing for a longer-term development strategy.
   - Relocation of site elements (buildings, parking, utilities, etc.) out of the right-of-way on the non-creek/mountain side.

b) **Long-term:** Prepare for capital or grant-funded infrastructure upgrades that incorporate:
   - ADA-compliant sidewalks on the creek/mountain side (non-creek side sidewalk upgrades planned for Spring/Summer 2025);
   - Utilization of bicycle-compatible at-grade storm-drain grates.

- Review of an array of bike facilities and infrastructure that factor in localized and regional existing and future bike patterns/bike usage
- Review of bus transit services with consideration of enhanced routing, frequency, and stop locations to support corridor growth.

4. **Study potential intersection improvements** and address limited sight distances for vehicles turning from Prospect Street onto Route 52 heading westbound.

5. **Continue evaluating the feasibility of a new connector road** from Matteawan Road to Fishkill Avenue, or if possible extending an existing street for such a connection. If possible, use existing roads, such as Prospect, instead of creating a new one (see Appendix F). Ensure that designs incorporate the following principles:
   - Minimize environmental impacts to slopes, wetlands, and tree cover;
   - Incorporate pedestrian and cycling infrastructure;
   - Align with Beacon-Hopewell Rail Trail planning;
   - Factor in proximity to the existing Mill Street intersection, which has a larger volume of vehicular and pedestrian activity than any other intersection in the corridor.

Topic F: Regional Coordination

Background: As multiple external planning efforts are currently underway, including the redevelopment of the Downstate Correctional Facility site and Dutchess County's rail trail plans, it is essential that the City of Beacon's planning initiatives align with these broader regional efforts. Coordination with adjacent jurisdictions and agencies is crucial to ensure that Fishkill Avenue's development is in sync with these initiatives and that the city's goals are reflected in regional plans. The city's planning process must not only respond to these ongoing projects but also anticipate and influence them to advocate for local interests and ensure that future development enhances the city's character and infrastructure.

Goal: Ensure Fishkill Avenue planning is responsive to, and integrated with, broader regional development and infrastructure initiatives.

Recommendations & Policies:

1. **Engage with the State in the Downstate Correctional Facility redevelopment** process, particularly traffic and trail connections.
    a. Study potential for direct connection of Downstate development under I-84 to City of Beacon, middle and high schools and Route 52, with complete streets infrastructure and more urban housing design
    b. Study potential for roundabout or other improvement at the intersection of Route 52 and Red Schoolhouse Road.
    c. Provide multi-modal access to Route 52, with an emphasis on bicycling infrastructure.

2. **Designate FACC liaisons** to participate in regional planning processes for the Beacon-Hopewell Rail Trail, Camp Beacon, and others.

3. **Reflect FACC recommendations in the City's Comprehensive Plan Update** to ensure long-term alignment with local regional efforts.

Appendices

A. Future Land Use Map

B. Viewshed Map

C. Potential Rail Trail Connections

D. Public ROW Diagrams & Comments

E. Groveville Historic District Concept

F. Matteawan Road Connection to Fishkill Avenue

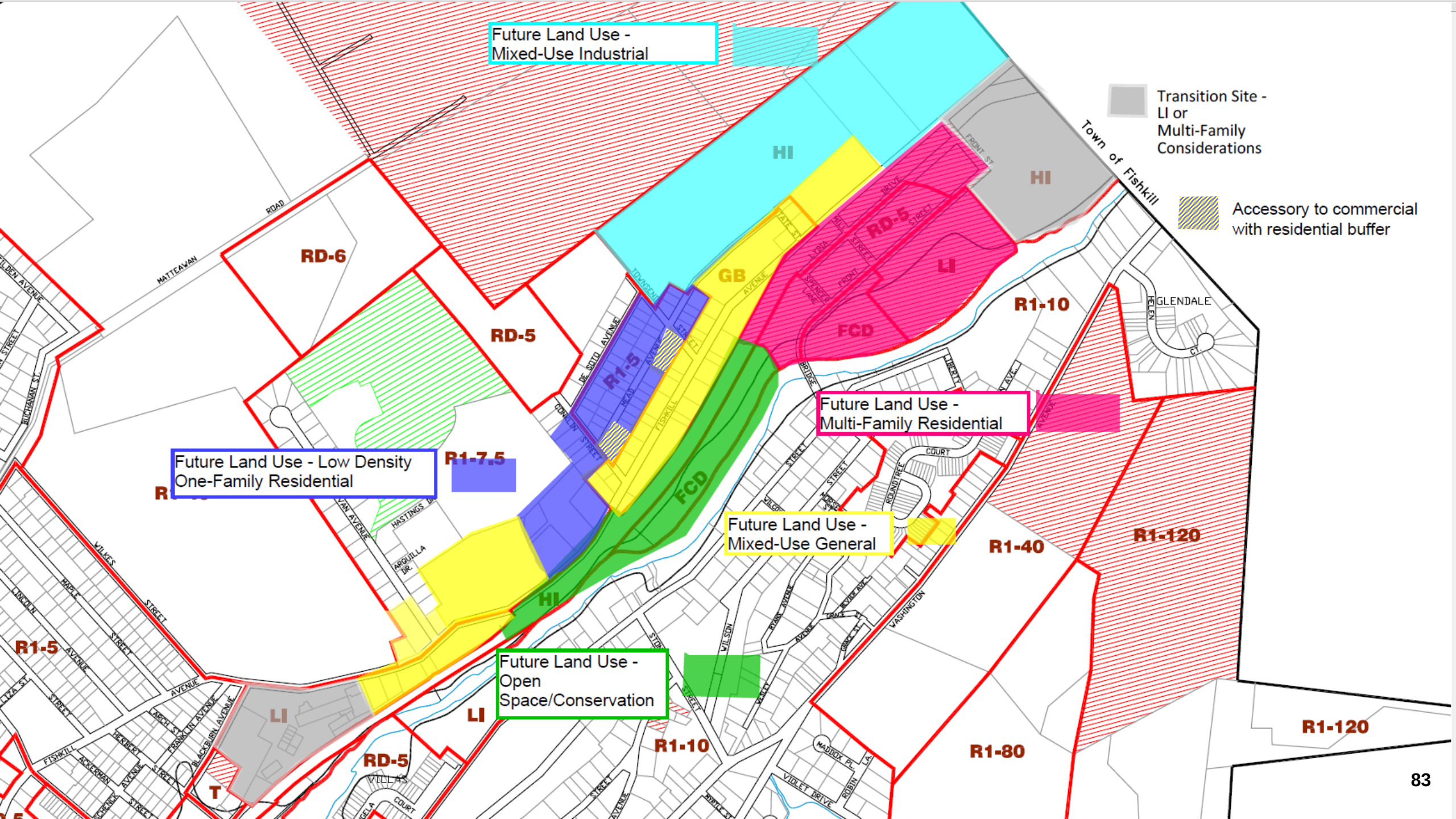
G. Community Workshop Summary & Presentation

G1. Community Feedback from Pop-Up Events & Online Survey

H. Committee Member Biographies

I. Memorandum from Mayor Kyriacou Regarding Fishkill Avenue Corridor Ad Hoc Committee, dated 27 November 2023, minor revisions 6 December

Appendix A
Future Land Use Map


Future Land Use - Mixed-Use Industrial
Transition Site - LI or Multi-Family Considerations
Accessory to commercial with residential buffer
Future Land Use - Multi-Family Residential
Future Land Use - Low Density One-Family Residential
Future Land Use - Mixed-Use General
Future Land Use - Open Space/Conservation
Town of Fishkill
HI
GB
LI
FCD
RD-6
RD-5
R1-5
R1-7.5
R1-10
R1-40
R1-80
R1-120
T
MATTEAWAN ROAD
GLENDALE
VILLAS

	Segment Area			Topic Area								
Subject	**Industrial**	**Mixed Use**	**Groveville**	**Housing**	**Environment**	**Aesthetics**	**Rail Trail**	**Transport**	**Coordination**	**Recommendation**	**Responsible Party**	**Timing**
Zoning: Mixed-Use		x		x	x	x		x		Zoning – Extend GB or create new zone: – Support mixed use (incl. office, estaurant, healthcare) – Allow four stories; reduce front yard setbacks – Improve streetscape; complete streets concepts – Evaluate potential development at Tallix site	Council	2026-27
Zoning: Housing		x	x	x						Zoning – Housing: – Retain multi-family in Mixed Use area – Infill housing in Groveville area – Maintain affordable set-asides – Mead Ave limits	Council	2026-27
Zoning: Environment		x			x	x		x		Zoning – Environment / Open Space: – Incentivize green infrastructure – Promote shared / structured parking – Site plan urban greening / impervious surface reduction – Mt Beacon viewsheds at public spaces – Reduce curb cuts over time	Council	2026-27
Zoning: Industrial	x									Zoning – Industrial Corridor: – Review Article IV re: air quality, odor, noise – Evaluate additional employment-generating / green uses – Review lot & bulk standards re: uses, infill roadway	Council	2026-27
Zoning: Groveville			x	x	x		x			Zoning – Groveville Area: – Overlay zone for higher-density infill – Context-sensitive design; open space	Council	2026-27
Planning: Groveville			x				x	x		Planning – Groveville Area: – Improve roadways & sidewalks – Coordinate with Rail Trail – Improve Groveville Bridge	Admin/Planner	Medium Term

Planning: Other Areas	x	x			x		x	x	x	Planning – Other Areas: – Camp Beacon and NYS-owned lands – Potential Matteawan Road connector – Rail trail design integration, connectivity – Sidewalk/bike citywide planning	Admin/Planner	Medium Term
Administration Topics	x	x				x		x		Administration – Topics: – Review Mill Street crossing (Traffic Safety) – City entrance signage / landscaping (Highway Dept)	Administration	2026-27
Planning Board Topics	x	x	x		x	x	x	x		Planning Board – Site Plans: – Intersection improvements as needed – Street trees, pedestrian/bike amenities usage, etc. – Industrial site landscaping, fencing, aesthetics – Any trail/other easements	Planning Board	with Site Plans
Building Dept Topics	x	x				x				Building Dept – Enforcement: – Any property maintenance issues	Building Dept	Ongoing

City of Beacon City Council Agenda
09/08/2026

Title:

Discussion of Potential Amendments to Short-Term Rentals

ATTACHMENTS

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

Proposed Local Law Regarding Short-Term Rentals

KEANE & BEANE P.C.
ATTORNEYS AT LAW

- **Westchester**
  445 Hamilton Avenue
  Suite 1500
  White Plains, NY 10601
  Phone 914.946.4777
- **Long Island**
  534 Broadhollow Road
  Suite 460
  Melville, NY 11747
  Phone 631.776.5910
- **Mid-Hudson**
  200 Westage Business Center
  Suite 120
  Fishkill, NY 12524
  Phone 845.896.0120
- **New York City**
  60 East 42nd Street
  Suite 810
  New York, NY 10165
  Phone 646.794.5747

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

DRAFT

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. 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. 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. 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;

DRAFT

[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) Such other information as the City may require to prove the property is an occupied primary residence and safe for renters; and

(f) 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

DRAFT

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.

F. 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. 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. 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.

I. 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. 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. 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. 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.

M. 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.

DRAFT

(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.~~N. 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.

Section 2. 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 3. Numbering for Codification.

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

Section 4. Severability.

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 5. 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

City of Beacon City Council Agenda
09/08/2026

Title:

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.

DRAFT

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
09/08/2026

Title:

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

ATTACHMENTS

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

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 a violation of Chapter 119, Fire Prevention and Building Code, Uniform, or Chapter 223, Zoning, is found by a court of competent jurisdiction, the court must impose a fine 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.

DRAFT

(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) If any person fails to abate any violation of this chapter within five calendar days after written notice has been served personally upon said person or within 10 days after written notice has been sent to such person by registered mail at such person's home or business address, the Building Inspector may revoke any building permit or certificate of occupancy for any building or structure on the premises on which such violation occurs, and such person shall be subject to a civil penalty in a minimum amount of $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 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. 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 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and

DRAFT

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

Section 4. Severability.

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 5. 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

Title:

Resolution No. 71 - Granting an Amended Special Use Permit for Edgewater Place

ATTACHMENTS

Granting an Amended Special Use Permit for Edgewater Place

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

Edgewater Place Special Permit Application - Applicant City Council Cover Letter

Edgewater Place Special Permit Application - Applicant Planning Board Submission Letter

Edgewater Place Special Permit Application - Amended Site Plan

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 71 OF 2026

GRANTING AMENDED SPECIAL USE PERMIT FOR
15-30 EDGEWATER PLACE

WHEREAS, Scenic Beacon Developments LLC (the "Applicant"), submitted an application for an Amended Special Use Permit to allow the addition of two (2) dwelling units and nine (9) bedrooms to a previously approved multifamily use (the "Proposed Action") on property located at 15-30 Edgewater Place in the RD-1.7 Zoning District. Said premises being known and designated on the tax map of the City of Beacon as **Parcel IDs 5955-19-590022**, **5955-19-604016, 5955-19-579035, 5955-19-570022, 5955-19-561009, 5955-19-615029** and **5955-19-588001** (collectively, the "Property"); and

WHEREAS, the Amended Special Use Permit Application was submitted by the Applicant in conjunction with its application to the Planning Board for Amended Site Plan Approval; and

WHEREAS, on August 6, 2018, by Resolution No. 116 of 2018, the City of Beacon City Council granted the Applicant a Special Use Permit to construct 246 units of multifamily housing with 350 bedrooms (the "Original Special Use Permit") at the Property; and

WHEREAS, by Resolution No. 116 of 2018, the City of Beacon City Council granted the Original Special Use Permit upon the condition that "Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit"; and

WHEREAS, on August 19, 2019, the City Council adopted Resolution No. 115 of 2019, granting the Applicant an extension to file an application for a building permit; and

WHEREAS, on December 15, 2025, by Resolution No. 118 of 2025, the City Council granted the Applicant an extension to complete the work at the Property; and

WHEREAS, the Proposed Action seeks to add two (2) dwelling units, increasing the total unit count from 246 to 248, and nine (9) additional bedrooms, increasing the total bedroom count from 350 to 359; and

WHEREAS, the Proposed Action's additional dwelling units and increased number of bedrooms, beyond that which was granted pursuant to the Original Special Use Permit, required the Applicant to apply to the City Council to amend the Original Special Use Permit; and

WHEREAS, construction of the additional dwelling units and increased number of bedrooms will not result in an increase in the bulk of the buildings on the Property as all construction will be internal to previously approved buildings; and

WHEREAS, the City Council is the approval authority for the Amended Special Use Permit pursuant to City of Beacon Zoning Code §§ 223-18.B and 223-17 Attachment 2; and

WHEREAS, the Amended Site Plan is shown on the following drawing, entitled "Amended Site Plan Edgewater," dated June 30, 2026, as prepared by Hudson Land Design Professional Engineering, P.C.:

Sheet	Title
1 of 1	*SP-1*

WHEREAS, on July 14, 2026, the Planning Board determined the Proposed Action is a Qualified Action pursuant to N.Y. Environmental Conservation Law § 8-0111(5-a)(b)(ii), and is accordingly Exempt from further environmental review; and

WHEREAS, the Planning Board issued a report to the City Council dated July 17, 2026, recommending approval of the Amended Special Use Permit subject to the Applicant returning to the Planning Board for final Amended Site Plan Approval; and

WHEREAS, by letter dated July 23, 2026, the Dutchess County Department of Planning & Development issued its report finding that the Proposed Action is a matter of local concern, without comment; and

WHEREAS, on August 17, 2026, the City Council opened and closed a public hearing on the Amended Special Use Permit application at which time all those in attendance were given the opportunity to be heard; and

WHEREAS, the City Council has reviewed the application for an Amended Special Use Permit against the standards for a Special Use Permit set forth in the City of Beacon Zoning Code §223-18.B and finds that the Proposed Action complies with these sections of the City of Beacon Zoning Code, as set forth below.

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

1. The location and size of the Proposed Action, the nature and intensity of the operations involved in or conducted in connection with it, the size of the site and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located. The Proposed Action will increase housing stock by providing additional dwelling units and bedrooms in the City without increasing the footprint of the buildings approved in the Original Special Use Permit. In addition, the Proposed Action continues to include the required number of below-market-rate units in accordance with the City's Affordable Workforce Housing Law.

2. The location, nature and height of buildings, walls and fences and the nature and extent of the landscaping on the Property are such that the use will not conflict with the existing permitted uses on adjacent blocks and will not hinder or discourage the appropriate development use of adjacent land and buildings. On the contrary, the Proposed Action includes a balanced mix of housing whose occupants will increase pedestrian traffic to Main Street, thus encouraging economic development.

3. Parking areas will be of adequate size for the particular use and properly located and suitably screened from adjoining residential uses, the entrance and exit drives shall be laid out so as to achieve maximum safety, and uses will not cause unreasonable traffic congestion or create a traffic hazard. The Proposed Action will provide 321 surface and

subsurface off-street parking spaces where a minimum of 248 off-street parking spaces are required under Section 223-26(D)(4) of the Beacon Zoning Code.

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

5. The Proposed Action's uses, buildings, and operations will be accessible for emergency services and appropriately located for water, sewer, and other infrastructure requirements.

6. The Proposed Action will comply with other regulations in the Code and will be compatible with the recommendations in the City's Comprehensive Plan and Local Waterfront Revitalization Program.

BE IT FURTHER RESOLVED, that the City Council GRANTS Scenic Beacon Developments LLC Amended Special Use Permit to allow the addition of two (2) dwelling units and nine (9) bedrooms beyond that which was granted pursuant to the Original Special Use Permit for a total number of 248 dwelling units and 359 bedrooms.

BE IT FURTHER RESOLVED, the Amended Special Use Permit approval granted herein shall be deemed null in void in the event the Applicant does not pay to the City all applicable fees and professional review fees incurred in connection with the Amended Application or this Amended Special Use Permit Request.

BE IT FURTHER RESOLVED, except as expressly modified by this Resolution granting Amended Special Use Permit approval, all terms, conditions, and requirements of the Original Special Permit Resolution and Resolution No. 118 of 2025 shall remain in full force and effect.

Resolution No. 70 of 2026		**Date: September 8, 2026**					
□ **Amendments**						□ **2/3 Required**	
□ **On roll call**						□ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

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

John Gunn, Chair

July 17, 2026

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

Subject: Recommendation for Amended Special Permit for Edgewater Place

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

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

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

Sincerely,

John Gunn

John Gunn, AIA, LEED AP
Planning Board Chair

JG/mp

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

CUDDY +FEDER LLP

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

Taylor M. Palmer
tpalmer@cuddyfeder.com

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

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

Dear Mayor Kyriacou and Members of the City Council:

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

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

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

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

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

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

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

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

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

Very truly yours,

Taylor M. Palmer
Enclosures

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

`

CUDDY +FEDER LLP

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

Taylor M. Palmer
tpalmer@cuddyfeder.com

June 30, 2026

VIA E-MAIL AND HAND DELIVERY
Hon. John Gunn
and Members of the Planning Board
City of Beacon
1 Municipal Plaza
Beacon, New York 12508

Re: Scenic Beacon Developments, LLC – Application for Amended Site Plan Approval
Property: Edgewater Place, Beacon, New York 12508
Tax Parcel IDs: 5955-19-590022, 5955-19-604016 & 5955-19-588001

Dear Chairman Gunn and Members of the Planning Board:

On behalf of Scenic Beacon Developments, LLC (the "Applicant"), the owner of the above-referenced Property, we respectfully submit this letter and the referenced enclosures in support of an Application for Amended Site Plan Approval (the "Application") relating to the Applicant's previously approved Edgewater project (the "Original Edgewater Project" or "Original Project").[1] The Application involves the proposed addition of two (2) dwelling units and nine (9) bedrooms, along with certain revisions to the off-street parking facilities (the "Amended Edgewater Project" or the "Amended Project").

ORIGINAL EDGEWATER PROJECT APPROVALS, BUILDING PROGRAM AND STATUS OF CONSTRUCTION:

The Original Edgewater Project building program contemplates the construction of seven (7) residential multifamily buildings comprising 246 dwelling units and 350 bedrooms (located in Buildings 1 through 7); a common residential tenant amenity building; surface, subsurface (i.e., podium), and land banked off-street parking facilities; and other improvements related to pedestrian trails and stormwater control measures, amongst others, on the Property. The Property is generally located at Edgewater Place and is classified within the RD 1.7 Zoning district.[2]

[1] *See* **Exhibit A** – City of Beacon Planning Board Application for Site Plan Approval & Planning Board Application for Special Use Permit Approval. Consistent with the Original Project, although the City Council remains the approval authority for the Special Use Permit, the Application Form for the Permit is provided to the Planning Board as agent for the City Council.
[2] Note: The involved tax parcels include the parcels including Building 2 and 3, in addition to the common parcel surrounding the Buildings.

In 2018, the Applicant secured approvals for the Original Project from this Board, the City Council, and the Zoning Board of Appeals ("ZBA"). Specifically, this Board issued an Amended Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQR") and an Amended Local Waterfront Revitalization Program ("LWRP") Consistency Determination on July 10, 2018 and subsequently granted Preliminary and Final Subdivision Plat Approval and Site Plan Approval on September 17, 2018,[3] while the City Council issued Special Use Permit Approval for the multifamily dwellings on August 6, 2018,[4] and the ZBA granted variance relief related to building stories, total number of units per building, and building distances on January 17, 2018 (collectively, the "Original Approvals").[5]

Following the issuance of the Original Approvals, the Applicant worked to satisfy all conditions of approval relative to securing the Planning Board Chair's endorsement on the final site plan set and subdivision plat. These conditions included securing outside agency approvals; drafting various legal agreements related to trails, stormwater, construction, right-of-way maintenance, water service, and land banked off-street parking spaces; finalizing the site plan set and subdivision plat in response to Planning Board and City consultant comments; and posting a performance bond. After the Planning Board Chair's endorsement was secured, on August 6, 2020 the Applicant filed the final subdivision plat with the Dutchess County Clerk's office as Map No. 12669 and simultaneously recorded various associated legal agreements.

Construction of Phase 1 of the Original Edgewater Project commenced in 2022 upon the issuance of the first Building Permit. Phase 1 consisted of the demolition of the-then existing buildings; expansive site work to plant and stabilize the Property; installation of major sewer and water lines and retention basins; and the construction and occupation of four (4) of the eight (8) buildings on the Property, specifically Buildings 5, 6, and 7 and the residential tenant amenity building. This Phase is now complete.

---

[3] *See* **Exhibit B.1** – Preliminary and Final Subdivision Plat Approval and Site Plan Approval Resolution; **Exhibit B.2** – Amended Negative Declaration; and **Exhibit B.3** – Amended LWRP Consistency Determination. As this board is aware, all conditions of the approval have been satisfied, and no further extensions are required for same.

[4] *See* **Exhibit C** – City Council Special Use Permit Approval Resolution (No. 116-2018). This Approval is valid through January 14, 2028. *See* City Council Resolution No. 118 of 2025, a copy of which is on file with the City.

[5] *See* **Exhibit D** – Zoning Board Variance Approval Resolution (No. 2018-01). This Approval is valid through September 11, 2027. *See* ZBA Resolution No. 2025-09, a copy of which is on file with the City.

During the Phase I construction, the City Council amended the City of Beacon Zoning Code ("Zoning Code") Section 223-25.C(3) in December 2023 to authorize this Board to internally subdivide one or more of the buildings within a project site that has already received site plan approval. Pursuant to this amendment, the Applicant then applied for and ultimately received Preliminary and Final Internal Property Subdivision Plat Approval from the Planning Board on March 12, 2024.[6] This Approval authorized the creation of seven (7) total lots, five (5) comprising individual residential buildings, one (1) comprising two (2) residential buildings due to the integrated nature of those buildings, and the final one (1) comprising the remainder of the Property, including the tenant amenity building, parking facilities, trailways, stormwater measures, etc. Thereafter, the Applicant satisfied all conditions of approval (e.g., securing outside agency approvals and drafting relevant legal agreements), obtained the Planning Board Chair's endorsement on the final subdivision plat, and filed the plat with the Dutchess County Clerk's Office as Map No. 12669A on December 26, 2024.

Phase 2 of the Original Edgewater Project is now underway. Phase 2 includes construction of the remaining four (4) buildings (Buildings 1, 2, 3 & 4), completion of the water and sewer connections, and other minor improvements.

PROPOSED MINOR AMENDMENTS TO THE ORIGINAL EDGEWATER PROJECT BUILDING PROGRAM:

The Applicant remains fully committed to compliance with the approved Site Plan and seeks only to modify those components related to the Original Edgewater Project's unit, bedroom and parking counts. Specifically, the Amended Edgewater Project proposes the following:

1. 248 total dwelling units, where a maximum 252 units are permitted pursuant to Zoning Code Section 223-17 and 223-41.10, and where 246 units were previously approved as part of the Original Project;

2. 359 total bedrooms, where the maximum number of bedrooms is not regulated under the Zoning Code, and where 350 bedrooms were previously approved, which change includes proposed unit mix adjustments; and

[6] *See* **Exhibit B.4** – Preliminary and Final Internal Property Subdivision Plat Approval Resolution. As is noted therein, this Board determined that the Application "does not create new or different adverse environmental impacts, therefore the Planning Board's Amended Negative Declaration dated July 10, 2018 fully addresses the whole action, including the proposed subdivision approval, and no further SEQRA review is required."

3. 321 surface and subsurface off-street parking spaces where a minimum 248 is required under the current Zoning Code Section 223-26, and where 329 spaces were previously approved (comprised of 284 surface and subsurface spaces and 45 land banked spaces).

The Proposed Two (2) Additional Dwelling Units Comply with the Permitted Maximum Density for the Property and the Planning Board Can Approve the Number of Units Per Building Pursuant to the Zoning Code:

The additional two (2) dwelling units are proposed to be studios situated within Buildings 2 and 3, which results in a total of 37 units per Building. The additional units will *not* result in any changes to the Original Project's approved building height, envelope, or massing.

The proposed unit count falls within the permitted maximum dwelling units on the Property per Zoning Code Section 223-17, specifically, Footnote "h". As is noted in the Board's prior Site Plan Approval Resolution and Negative Declaration, a maximum 252 dwelling units are permitted on the Property in accordance with RD-1.7's minimum lot size area per dwelling unit and the developer incentive contained within Zoning code Section 223-41.10.M.[7] The lot area per dwelling unit calculation permits 242 units on the Property, while the developers incentive for providing Below Market Rate ("BMR") Units permits and additional ten (10) dwelling units, for a total of 252 units permitted. The proposed 248 dwelling units therefore comply with the Zoning Code.

Notably, the total unit count per Building exceeds the amount permitted pursuant to Zoning Code Section 223-17, but falls *well below* the number of units contemplated by the ZBA in the previously issued variance relief.[8] Pursuant to Zoning Code Section 223-17, a maximum of 36 units is permitted per Building in the RD 1-7 Zoning District. All of the constructed and proposed Buildings will comply with this requirement, except for the proposed Buildings 2 and 3, which will each have 37 dwelling units. The Planning Board retains its discretion to approve the 37 units in each Building in accordance with Zoning Code Section 223-41.11.M.

[7] *See* Zoning Code § 223-17. Schedule of Dimensional Regulations and Footnote "h"; *see also* **Exhibit B.1** (page 3), **Exhibit B.2** (page 4) (both explaining the lot area calculations for the Property).

[8] *See* **Exhibit D** (52 units in Building 2 and 59 units in Building 3 were proposed and considered by the ZBA when issuing variance relief for an earlier iteration of the Original Project).

The Proposed Overall Bedroom Count and the Proposed Bedroom Count Per Building Are Not Regulated by the Zoning Code and the Prior Site Plans Do Not Restrict Unit Mix Arrangement:

The proposed nine (9) additional bedrooms are a result of both the addition of two (2) dwelling units, discussed above, and a proposed change in unit mix. Neither the total number of bedrooms nor the number of bedrooms per Building are regulated by the Zoning Code, and neither the Original Approvals nor the final endorsed site plan set specify the unit mix per building or the unit arrangement per Building. Instead, these components were left to the discretion of the Applicant provided the maximum bedroom and unit counts were maintained.[9]

Collectively, the Amended Project includes a total of 30 studios, 111 one-bedrooms, 103 two-bedrooms, and four (4) three-bedrooms, where the previously approved unit mix was 25 studios, 126 one-bedrooms, 86 two-bedrooms, and nine (9) three-bedrooms. The proposed unit mix changes equates to an increase of five (5) studios (five (5) bedrooms); a decrease of 15 one bedrooms (15 bedrooms); an increase of 17 two bedrooms (34 bedrooms); and a decrease of five (5) three bedrooms (15 bedrooms), for a total increase of nine (9) bedrooms that results in an overall bedroom count of 359.

The unit mix changes are proposed solely within the Phase II Buildings currently under construction. The Phase 1 Buildings (Buildings 5, 6, and 7) comprise 15 studios, 51 one-bedrooms, 38 two-bedrooms, and two (2) three-bedrooms. Under the approved unit mix, the Phase II Buildings (Buildings 1, 2, 3, and 4) would comprise 10 studios, 75 one-bedrooms, 48 two-bedrooms, and seven (7) three-bedrooms for a total of 201 bedrooms. The Amended Project instead proposes the following unit mix remain for Phase II – 15 studios, 60 one-bedrooms, 65 two-bedrooms, and two (2) three-bedrooms for a total of 211 bedrooms, nine (9) above the Original Project count.

The Proposed Off-Street Parking Count Complies with the Zoning Code's Range of Permitted Number of Spaces and is Consistent with the Applicant's Recent Experience at the Property and at Developments Throughout the City:

The Applicant proposes a total of 321 off-street parking spaces on the Property. Zoning Code 223-26.D mandates a minimum of one (1) parking space per dwelling unit and a maximum of three (3) spaces per dwelling unit in the RD 1.7 Zoning District, which equates to a range of permitted spaces between 248 and 744 for the Amended Project. The proposed parking count therefore

[9] *See* Final Site Plan Set, Sheets 1 & 6 of 16, endorsed by the Planning Board Chair on August 8, 2020.

complies with the Zoning Code.

The Original Project comprised a total 329 off-street parking spaces, where 328 spaces were required under the then-existing Zoning Code parking regulations. Of those 329 approved spaces, 238 were surface spaces, 46 subsurface, and 45 land banked. The land banked parking was located in two (2) areas: (1) "Land Banked Parking Area A" containing 12 parking spaces along the northern portion of the property, north of Building 1; and (2) "Land Banked Parking Area B" containing 33 parking spaces on the northern, central portion of the Property between Building 1 and the parking area adjacent to Building 7. In accordance with the Zoning Code and the Original Approvals, the Applicant recorded a Declaration of Land Banked Parking in the Dutchess County Clerk's Office on August 6, 2020, as Doc No. 2020-3016, which bound the Applicant to construct the land banked spaces in the future upon a finding by the Planning Board that spaces are necessary (the "Land Banked Parking Declaration").[10]

The Applicant is now proposing to construct additional surface and subsurface parking spaces at the Property. Specifically, the Applicant is proposing to construct the Original Project's 238 surface and 46 subsurface spaces, in addition to 29 new surface parking spaces and eight (8) new subsurface spaces. The eight (8) new subsurface spaces are proposed below Buildings 2 and 3, while the new surface spaces are located in three (3) areas: (1) 12 spaces in roughly the same location as "Land Banked Parking Area A"; (2) 12 spaces to the north of the parking area approved to the northeast of Building 1 and east of the Tompkins Avenue entrance; and (3) five (5) spaces on the southern portion of the Property, to the south of Buildings 3 and 4. The proposed spaces are more clearly depicted within the enclosed Site Plan titled "Amended Site Plan – Edgewater" prepared by Hudson Land Design Professional Engineering, P.C., dated June 30, 2026.

The Applicant's transportation engineer, Colliers Engineering & Design ("Colliers"), prepared the enclosed Parking and Traffic Letter dated June 30, 2026 describing the proposed parking changes and traffic implications of the additional units.[11] As is further detailed therein, the proposed parking ratio on the Property (1.29) exceeds the parking ratio that the Applicant has identified as sufficient based on the current build out of the Project and the Applicant's other developments in the City (1.25). The Letter also attests to the fact that the additional (2) units are anticipated to result in a negligible increase in traffic generation associated with the Amended Project.

[10] Note: This Declaration was drafted in accordance with the then-existing Zoning Code Section 223-26.E, which has now been re-codified as Section 223-26.C(2). Should this Application be approved, the Applicant will seek to extinguish the Land Banked Parking Declaration.

[11] *See* **Exhibit E** – Colliers Traffic and Parking Letter.

THE AMENDED EDGEWATER PROJECT'S PROCEDURES:[12]

The Amended Project requires Amended Site Plan Approval from the Planning Board and Amended Special Use Permit Approval from the City Council.[13] In accordance with Zoning Code Section 223-18.B(1), this Application is being submitted to the Planning Board as agent for the City Council, after which the Planning Board will be responsible for forwarding the Application to the City Council and issuing a report to the City Council within 45 days of receipt of this Application. The Applicant respectfully requests this Board refer the Application to the City Council and consider issuing a positive report and recommendation to the City Council at the appropriate time within the codified timeframe.

Zoning Code Section 223-25.K(2) provides the Planning Board with the discretion to determine the extent of further project review that is warranted based on character of proposed site plan changes. The Applicant respectfully submits that the *de minimis* and zoning compliant additional units and bedrooms, together with the off-street parking facility changes do not warrant an additional public hearing before this Board. To the extent the Planning Board may wish to provide an avenue for public engagement – it is worth noting that the Application will still undergo a public hearing process with the City Council in accordance with Zoning Code Section 223-18.B(1).

Consistent with the Original Project, the Amended Project requires referral to the Dutchess County Planning Board pursuant to the provisions of General Municipal Law. Accordingly, the Applicant respectfully requests the Planning Board refer the Application to the County Planning Board for its review and comment.

THE APPLICATION DOES NOT REQUIRE ANY FURTHER ENVIRONMENTAL OR COASTAL POLICY REVIEW BY THE PLANNING BOARD UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQR") OR CHAPTER 220 OF THE CITY CODE IMPLEMENTING THE CITY LWRP:

As noted above, the Original Project previously underwent vigorous environmental and coastal policy review by the Planning Board, which review ultimately culminated in the issuance of a

[12] Note: A pre-submission meeting between the Applicant, Applicant's consultants, the City Building Inspector, and Planning Board Attorney, Engineer, and Planner was held on June 22, 2026.

[13] *See* **Exhibit B.1** (page 10) & **Exhibit C** (page 4) ("Any increase to the total number of units above 246 or bedrooms above 350 on the Property shall require an application to the City Council and the Planning Board to amend the Special Permit and Site Plan, respectively.") (both).

Negative Declaration under SEQR and an LWRP Consistency Determination on December 12, 2017 and, after the Applicant reduced the Original Project scope, an Amended Negative Declaration and Amended Consistency Determination on July 10, 2018.[14]

As this Board is aware, the State legislature recently adopted amendments to SEQR that created entirely new categories of projects that are fully exempt from SEQR review. The Amended Project qualifies for one of these exemptions because it includes construction of housing on property that (1) is connected to public water and sewer; (2) is located at a previously disturbed site that (i) includes active construction, (ii) is in an urban area, (iii) is not in a Federal Emergency Management Agency designated 100-year floodplain, or special flood hazard area, (iv) is in a City with less than a million residents, (v) is and has not recently been used for agricultural purposes, and (vi) is not located in a designated coastal erosion hazard area;[15] (3) does not contain any non-residential uses; (4) includes only two (2) dwelling units; and (5) does not include single-family housing.[16] The Applicant respectfully requests that the Board recognize that the Amended Project constitutes a qualified action exempt from SEQR review.[17]

The Amended Project is similarly exempt from additional coastal policy review pursuant to Chapter 220 of the City Code because it does not constitute an action subject to SEQR for the foregoing reasons.[18]

ENCLOSURES:

In support of this Application, please find four (4) copies of the following documents:

Exhibit A: Executed City of Beacon Planning Board Applications for Site Plan Approval & for Special Use Permit Approval;

[14] *See* **Exhibit B.2** & **Exhibit B.3**.
[15] *See* New York State Environmental Conservation Law ("ECL") § 8-0105(11)(i)-(vi).
[16] *See* ECL 8-0111(5)(a)(ii)(1)-(5).
[17] *See* ECL § 8-0105(11)(d). Nonetheless, a Short Environmental Assessment Form ("SEAF") has been annexed to the submission for the Board's reference in reviewing the minor site plan changes. *See* **Exhibit F** – SEAF. The SEAF includes updated water and wastewater quantities.
[18] *See* City Code § 220-4.

Exhibit B: City of Beacon Planning Board Approvals, Determinations, and Declarations for the Edgewater Project:

1. Preliminary and Final Subdivision Plat Approval and Site Plan Approval Resolution, dated September 17, 2018 and filed in the City Clerk's Office September 17, 2018;

2. Amended Negative Declaration, dated July 10, 2018 and filed in the City Clerk's Office July 12, 2018;

3. Amended Local Waterfront Revitalization Program Consistency Determination, dated July 10, 2018 and filed in the City Clerk's Office July 12, 2018;

4. Preliminary and Final Internal Property Subdivision Plat Approval Resolution dated March 12, 2024, filed in City Clerk's Office March 13, 2024;

Exhibit C: City of Beacon City Council Special Use Permit Approval Resolution for the Edgewater Project (Resolution No. 116 of 2018) dated August 6, 2018 and filed in the City Clerk's Office August 7, 2018;

Exhibit D: City of Beacon Zoning Board of Appeals Area Variance Approval Resolution for the Edgewater Project (Resolution No. 2018-1) dated January 17, 2018;

Exhibit E: Parking and Traffic Letter prepared by Colliers Engineering & Design dated June 30, 2026; and

Exhibit F: Short Environmental Assessment Form.

In further support of this Application, we respectfully submit four (4) copies of a Site Plan titled "Amended Site Plan – Edgewater" prepared by Hudson Land Design Professional Engineering, P.C., dated June 30, 2026.

Additionally, enclosed are two (2) checks payable to the City of Beacon in the amount of $2,000.00, representing the Site Plan and Special Use Permit Application filing fees, and in the amount of $3,303.50 replenishment for the escrow account for professional review costs.

CONCLUSION:

The Applicant respectfully requests that this matter be placed on the Planning Board's July 14, 2026 meeting agenda, at which time the Applicant looks forward to introducing the Amended Project and requests that the Board refer the matter to the City Council, ZBA and the Dutchess County Planning Board, recognize that the Application constitutes a qualified action under SEQR, determine the applicable procedures for the Application, and consider issuing a positive report and recommendation to the City Council.

In the meantime, should the Planning Board or City Staff have any questions, please do not hesitate to contact me. Thank you in advance for your consideration.

Very truly yours,

Taylor M. Palmer

Enclosures

cc: Bryan Murphy, City Building Inspector
Jennifer L. Gray, Esq., Planning Board Attorney
John Russo, P.E., Planning Board Engineer
Natalie Quinn, Planning Board Planner
Michael A. Bodendorf, P.E., Hudson Land Design Professional Engineering, P.C.
Richard D'Andrea, PE, PTEO, Colliers
Allison Fausner, Esq.

APPLICATION FOR SITE PLAN APPROVAL

Submit to Planning Board Secretary, One Municipal Plaza, Suite One, Beacon, New York 12508

IDENTIFICATION OF APPLICANT

Name: Scenic Beacon Developments LLC

Address: 28 Creek Drive, Beacon, NY 12508

Signature:

Date: 06/29/2026

Phone: 845-202-7271

(For Official Use Only)

	Date	Initials
Application & Fee Rec'd		
Initial Review		
Public Hearing		
Conditional Approval		
Final Approval		

IDENTIFICATION OF REPRESENTATIVE / DESIGN PRFESSIONAL

Name: Taylor M. Palmer, Esq, Cuddy & Feder LLP
Attorney for Applicant

Address: 445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Phone: 914-761-1300

Fax: 914-761-5378

Email address: tpalmer@cuddyfeder.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: Edgewater Place, Beacon, NY 12508

Tax Map Designation: Section 5955-19-590022; 5955-19-588001 and 5955-19-604016 Block Lot(s)

Land Area: 12 acres / 523,155 sf

Zoning District(s) RD-1.7

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Existing Multifamily Housing

Gross Non-Residential Floor Space: Existing 0 Proposed 0

TOTAL: 0

Dwelling Units (by type): Existing 246 Proposed 248

TOTAL: 248

ITEMS TO ACCOMPANY THIS APPLICATION

a. One electronic and five (5) **folded** paper copies of a site location sketch showing the location of the subject property and the proposed development with respect to neighboring properties and developments.

b. One electronic and five (5) **folded** paper copies of the proposed site development plan, consisting of sheets, showing the required information as set forth on the back of this form and other such information as deemed necessary by the City Council or the Planning Board to determine and provide for the property enforcement of the Zoning Ordinance.

c. One electronic and five (5) **folded** paper copies of additional sketches, renderings or other information.

d. An application fee, payable to the City of Beacon, computed per the attached fee schedule.

e. An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

INFORMATION TO BE SHOWN ON SITE LOCATION SKETCH

a. Property lines, zoning district boundaries and special district boundaries affecting all adjoining streets and properties, including properties located on the opposite sides of adjoining streets.
b. Any reservations, easements or other areas of public or special use which affect the subject property.
c. Section, block and lot numbers written on the subject property and all adjoining properties, including the names of the record owners of such adjoining properties.

INFORMATION TO BE SHOWN ON THE SITE DEVELOPMENT PLAN

a. Title of development, date and revision dates if any, north point, scale, name and address of record owner of property, and of the licensed engineer, architect, landscape architect, or surveyor preparing the site plan.
b. Existing and proposed contours at a maximum vertical interval of two (2) feet.
c. Location and identification of natural features including rock outcrops, wooded areas, single trees with a caliper of six (6) or more inches measured four (4) feet above existing grade, water bodies, water courses, wetlands, soil types, etc.
d. Location and dimensions of all existing and proposed buildings, retaining walls, fences, septic fields, etc.
e. Finished floor level elevations and heights of all existing and proposed buildings.
f. Location, design, elevations, and pavement and curbing specifications, including pavement markings, of all existing and proposed sidewalks, and parking and truck loading areas, including access and egress drives thereto.
g. Existing pavement and elevations of abutting streets, and proposed modifications.
h. Location, type and design of all existing and proposed storm drainage facilities, including computation of present and estimated future runoff of the entire tributary watershed, at a maximum density permitted under existing zoning, based on a 100 year storm.
i. Location and design of all existing and proposed water supply and sewage disposal facilities.
j. Location of all existing and proposed power and telephone lines and equipment, including that located within the adjoining street right-of-way. All such lines and equipment must be installed underground.
k. Estimate of earth work, including type and quantities of material to be imported to or removed from the site.
l. Detailed landscape plan, including the type, size, and location of materials to be used.
m. Location, size, type, power, direction, shielding, and hours of operation of all existing and proposed lighting facilities.
n. Location, size, type, and design of all existing and proposed business and directional signs.
o. Written dimensions shall be used wherever possible.
p. Signature and seal of licensed professional preparing the plan shall appear on each sheet.
q. Statement of approval, in blank, as follows:

Approved by Resolution of the Beacon Planning Board
on the _____ day of _____, 20_____
subject to all conditions as stated therein

_____ _____
Chairman, City Planning Board **Date**

APPLICATION FEES

Site Plan	**Residential** $500 + $250 per dwelling unit **Commercial** $500 + $250 per 1,000 s.f.
Special Use Permit	**Residential** $500 + $250 per dwelling unit **Commercial** $500 + $250 per 1,000 s.f.
Subdivision	$ 750 for 2-4 lots + $100 per lot $1,000 for 5 or more lots + $300 per lot

ESCROW FEES

ALL SUBDIVISIONS, AND RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

No. of Lots or Dwelling Units	Initial Deposit	Depleted to	Replenishment
1-5 (including lot-line realignment)	$ 3,000	$ 1,000	Current bills + $1,200
6-15	$ 9,000	$ 2,500	Current bills + $1,200
Over 15	$ 18,000	$ 5,000	Current bills + $6,000

NON-RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

	Initial Deposit	Depleted to	Replenishment
Existing Buildings/Change of Use with no site development	$ 1,800	$ 1,000	Current bills + $600
Up to 3,000 s.f. gross floor area	$ 3,125	$ 1,000	Current bills + $1,200
3,000 to 10,000 s.f. gross floor area	$ 3,000 + $0.50 per sq.ft. over 3,000	$ 2,500	Current bills + $3,000
Over 10,000 s.f. gross floor area	$ 9,000 + $0.50 per sq.ft. over 10,000	$ 2,500	Current bills + $3,000

ARCHITECTURAL REVIEW OR CERTIFICATE OF APPROPRIATENESS ***(if not currently before PB)***

* *if required by Chairman*	Initial Deposit	Depleted to	Replenishment
Single Family House*	$500	$250	Current bills + $250
All others*	$500	$250	Current bills + $250

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Scenic Beacon Developments LLC

If owned by a corporation, partnership or organization, please list names of persons holding over 5% interest.

Development Beacon Edgewater, LLC; Partner Beacon Edgewater, LLC and EWLWPWRW LLC

List all properties in the City of Beacon that you hold a 5% interest in:

18-30 Edgewater Place, Beacon, NY 12508

Applicant Address: 28 Creek Drive, Beacon, NY 12508

Project Address: Edgewater Place, Beacon, NY 12508

Project Tax Grid # 5955-19-590022; 5955-19-588001 and 5955-19-604016

Type of Application Application for Amended Site Plan & Special Use Permit Approval

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

I, Rodney Weber, Manging Member of Scenic Beacon Developments LLC, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon ✓
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon N/A
3. ALL tax payments due to the City of Beacon are current ✓
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon No
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon No
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current N/A

Scenic Beacon Developments LLC
By: Rodney Weber

Signature of Owner

Managing Member

Title if owner is corporation

Office Use Only:	NO	YES	Initial
Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)	___	___	_____
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)	___	___	_____
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)	___	___	_____

CITY OF BEACON
SITE PLAN SPECIFICATION FORM

Name of Application: Scenic Beacon Developments LLC - Application for Amended Site Plan and Special Use Permit Approval

PLEASE INDICATE WHETHER THE SITE PLAN DRAWINGS SHOW THE SUBJECT INFORMATION BY PLACING A CHECK MARK IN THE APPROPRIATE BOXES BELOW.		
	YES	**NO**
The site plan shall be clearly marked "Site Plan", it shall be prepared by a legally certified individual or firm, such as a Registered Architect or Professional Engineer, and it shall contain the following information:	X	
LEGAL DATA		
Name and address of the owner of record.	X	
Name and address of the applicant (if other than the owner).	N/A	
Name and address of person, firm or organization preparing the plan.	X	
Date, north arrow, and written and graphic scale.	X	
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.	X	
Approximate boundaries of any areas subject to flooding or stormwater overflows.	X	
Location of existing watercourses, wetlands, wooded areas, rock outcrops, isolated trees with a diameter of eight (8) inches or more measured three (3) feet above the base of the trunk, and any other significant existing natural features.	N/A*	
EXISTING STRUCTURES, UTILITIES, ETC.		
Outlines of all structures and the location of all uses not requiring structures. Paved areas, sidewalks, and vehicular access between the site and public streets.	X	
Locations, dimensions, grades, and flow direction of any existing sewers, culverts, water lines, as well as other underground and above ground utilities within and adjacent to the property.	N/A*	
Other existing development, including fences, retaining walls, landscaping, and screening.	X	
Sufficient description or information to define precisely the boundaries of the property.	X	
The owners of all adjoining lands as shown on the latest tax records.	X	
The locations, names, and existing widths of adjacent streets and curb lines.	X	
Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to private or public use within or adjacent to the	N/A*	

* Indicates shown on original approved site plan. No changes are proposed as part of the amended site plan.

properties.		
PROPOSED DEVELOPMENT	**YES**	**NO**
The location, use and design of proposed buildings or structural improvements.	X	
The location and design of all uses not requiring structures, such as outdoor storage (if permitted), and off-street parking and unloading areas.	X	
Any proposed division of buildings into units of separate occupancy.	N/A*	
The location, direction, power, and time of use for any proposed outdoor lighting.	N/A*	
The location and plans for any outdoor signs.	N/A*	
The location, arrangement, size(s) and materials of proposed means of ingress and egress, including sidewalks, driveways, or other paved areas.	X	
Proposed screening and other landscaping including a planting plan and schedule prepared by a qualified individual or firm.	N/A*	
The location, sizes and connection of all proposed water lines, valves, and hydrants and all storm drainage and sewer lines, culverts, drains, etc.	N/A*	
Proposed easements, deed restrictions, or covenants and a notation of any areas to be dedicated to the City.	N/A*	
Any contemplated public improvements on or adjoining the property.	N/A*	
Any proposed new grades, indicating clearly how such grades will meet existing grades of adjacent properties or the street.	N/A*	
Elevations of all proposed principal or accessory structures.	N/A*	
Any proposed fences or retaining walls.	X	
MISCELLANEOUS		
A location map showing the applicant's entire property and adjacent properties and streets, at a convenient scale.	N/A*	
Erosion and sedimentation control measures.	N/A*	
A schedule indicating how the proposal complies with all pertinent zoning standards, including parking and loading requirements.	X	
An indication of proposed hours of operation.	N/A*	
If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.	N/A*	

* Indicates shown on original approved site plan. No changes are proposed as part of the amended site plan.

For all items marked "NO" above, please explain below why the required information has not been provided:

Please See Attached Project Narrative

Applicant/Sponsor Name: Scenic Beacon Developments LLC By: Rodney Weber, Managing Member

Signature:

Date: 06/29/2026

FOR OFFICE USE ONLY
Application #

CITY OF BEACON
1 Municipal Plaza, Beacon, NY
Telephone (845) 838-5000 · http://beaconny.gov/

ENTITY DISCLOSURE FORM

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any entity)

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-61.4 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

IF AFFIANT IS A PARTNERSHIP, JOINT VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:

Name of Entity	Address of Entity
Scenic Beacon Developments LLC	28 Creek Drive Beacon, NY 12508
Place where such business entity was created New York	Official Registrar's or Clerk's office where the documents and papers creating entity were filed New York State Department of State
Date such business entity or partnership was created 11/25/2015	Telephone Contact Information 845-202-7271

IF AFFIANT IS A CORPORATION:

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and Date of incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

SECTION B. List all persons, officers, limited or general partners, directors, members, shareholders, managers, and any others with any interest, mortgage, encumbrance or other interest (recorded or unrecorded) in or with the above referenced

Entity. List all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock. Use a supplemental sheet to list additional persons.

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Development Beacon Edgewater, LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	31.31%
Partner Beacon Edgewater LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	8.69%
EWLWPWRW LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	60%

SECTION C. List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Scenic Beacon Developments LLC 5955-19-590022	28 Creek Drive Beacon, NY 12508	845-202-7271	June 20, 2016 Bargain & Sale Deed	Recorded in the Dutchess Country Clerk's Office on July 1, 2016 #02-2016-4225
Scenic Beacon Developments LLC 5955-19-604016	28 Creek Drive Beacon, NY 12508	845-202-7271	Feb. 7, 2025 Correction Deed	Recorded in the Dutchess County Clerk's Office February 18, 2025 as #02 2025 50585
Scenic Beacon Developments LLC 5955-19-588001	28 Creek Drive Beacon, NY 12508	845-202-7271	Feb. 7,2025 Correction Deed	Recorded in the Dutchess County Clerk's Office February 18, 2025 as #02 2025 50587

SECTION D. Is any owner, of record or otherwise, an officer, director, stockholder, agent or employee of any person listed in Section B-C?

☐ **YES** ☑ **NO**

Name	Employer	Position

SECTION E. Is any party identified in Sections A- C an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐ **YES** ☑ **NO**

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	Title	Date of Hire, Date Elected, or Date Appointed	Position or Nature of Relationship

SECTION F. Was any person referred to in Sections A-D known by any other name within five (5) years preceding the date of the application?

☐ **YES** ☑ **NO**

Current Name	Other Names

SECTION G. List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address
Scenic Beacon Developments LLC	28 Creek Drive, Beacon, NY 12508

SECTION H. If the applicant is not a record owner of the subject property, describe the applicant's interest in the subject property and the relationship the applicant has to the record owner(s) of the subject property.

N/A

SECTION I. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application. Any sensitive or confidential information may be redacted from the contract prior to production. N/A

SECTION J. N/A

1. Where the record owner or contract vendee is a corporation, the following additional information shall be submitted:

Name of the Corporation	Telephone Contact Information
Principal Business Address	Place and Date of Incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

2. Please provide the following information for every incorporator, officer, director and shareholder of the corporation.

Name	**Residence or business address**	**Telephone number**

3. Have any shares of the stock of the corporation or of any stockholder been pledged, mortgaged or encumbered?

☐ **YES** ☒ **NO**

If so, please list the name and address of each person having, holding, owning or claiming any such interest.

Name	**Address**

SECTION K. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ **YES** ☑ **NO**

I, Rodney Weber being first duly sworn, according to law, deposes and says that I am (Title) Managing Member, an active and qualified member of ~~the~~ Scenic Beacon Developments LLC, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) Rodney Weber

(Signature) 

APPLICATION FOR SPECIAL USE PERMIT

Submit to Planning Board Secretary, One Municipal Plaza, Suite One, Beacon, New York 12508

IDENTIFICATION OF APPLICANT

Name: Scenic Beacon Developments LLC

Address: 28 Creek Drive, Beacon, NY 12508

Signature: _____

Date: 06/29/2026

Phone: 845-202-7271

(For Official Use Only)

	Date	Initials
Application & Fee Rec'd		
Initial Review		
PB Public Hearing		
Sent to City Council		
City Council Workshop		
City Council Public Hearing		
City Council Approve/Disapprove		

IDENTIFICATION OF REPRESENTATIVE / DESIGN PRFESSIONAL

Name: Taylor M. Palmer, Esq.Cuddy & Feder LLP
Attorney for Applicant

Address: 445 Hamilton Avenue, 14th Floor
White Plains, NY 10601

Phone: 914-761-1300

Fax: 914-761-5378

Email address: tpalmer@cuddyfeder.com

IDENTIFICATION OF SUBJECT PROPERTY:

Property Address: Edgewater Place, Beacon, NY 12508

Tax Map Designation: Section _____ Block _____ Lot(s) _____

5955-19-590022; 5955-19-588001 and 5955-19-604016.

Land Area: 12 acres / 523,155 sf

Zoning District(s) RD-1.7

DESCRIPTION OF PROPOSED DEVELOPMENT:

Proposed Use: Existing Multifamily Housing

Gross Non-Residential Floor Space: Existing 0 Proposed 0

TOTAL: 0

Dwelling Units (by type): Existing 246 Proposed 248

TOTAL: 248

ITEMS TO ACCOMPANY THIS APPLICATION

a. Five (5) **folded** copies and One (1) digital copy of a site location sketch showing the location of the subject property and the proposed development with respect to neighboring properties and developments.

b. Five (5) **folded** copies and One (1) digital copy of the proposed site development plan, consisting of sheets, showing the required information as set forth on the back of this form and other such information as deemed necessary by the City Council or the Planning Board to determine and provide for the property enforcement of the Zoning Ordinance.

c. Five (5) **folded** copies and One (1) digital copy of additional sketches, renderings or other information.

d. An application fee, payable to the City of Beacon, computed per the attached fee schedule.

e. An initial escrow amount, payable to the City of Beacon, as set forth in the attached fee schedule.

INFORMATION TO BE SHOWN ON SITE LOCATION SKETCH

a. Property lines, zoning district boundaries and special district boundaries affecting all adjoining strets and properties, including properties located on the opposite sides of adjoining streets.
b. Any reservations, easements or other areas of public or special use which affect the subject property.
c. Section, block and lot numbers written on the subject property and all adjoining properties, including the names of the record owners of such adjoining properties.

INFORMATION TO BE SHOWN ON THE SITE DEVELOPMENT PLAN

a. Title of development, date and revision dates if any, north point, scale, name and address of record owner of property, and of the licensed engineer, architect, landscape architect, or surveyor preparing the site plan.
b. Existing and proposed contours at a maximum vertical interval of two (2) feet.
c. Location and identification of natural features including rock outcrops, wooded areas, single trees with a caliper of six (6) or more inches measured four (4) feet above existing grade, water bodies, water courses, wetlands, soil types, etc.
d. Location and dimensions of all existing and proposed buildings, retaining walls, fences, septic fields, etc.
e. Finished floor level elevations and heights of all existing and proposed buildings.
f. Location, design, elevations, and pavement and curbing specifications, including pavement markings, of all existing and proposed sidewalks, and parking and truck loading areas, including access and egress drives thereto.
g. Existing pavement and elevations of abutting streets, and proposed modifications.
h. Location, type and design of all existing and proposed storm drainage facilities, including computation of present and estimated future runoff of the entire tributary watershed, at a maximum density permitted under existing zoning, based on a 100 year storm.
i. Location and design of all existing and proposed water supply and sewage disposal facilities.
j. Location of all existing and proposed power and telephone lines and equipment, including that located within the adjoining street right-of-way. All such lines and equipment must be installed underground.
k. Estimate of earth work, including type and quantities of material to be imported to or removed from the site.
l. Detailed landscape plan, including the type, size, and location of materials to be used.
m. Location, size, type, power, direction, shielding, and hours of operation of all existing and proposed lighting facilities.
n. Location, size, type, and design of all existing and proposed business and directional signs.
o. Written dimensions shall be used wherever possible.
p. Signature and seal of licensed professional preparing the plan shall appear on each sheet.
q. Statement of approval, in blank, as follows:

Approved by Resolution of the Beacon Planning Board
on the _____ day of _____, 20_____
subject to all conditions as stated therein

_____ _____
Chairman, City Planning Board **Date**

APPLICATION FEES

Site Plan	**Residential** $500 + $250 per dwelling unit **Commercial** $500 + $250 per 1,000 s.f.
Special Use Permit	**Residential** $500 + $250 per dwelling unit **Commercial** $500 + $250 per 1,000 s.f.
Subdivision	$ 750 for 2-4 lots + $100 per lot $1,000 for 5 or more lots + $300 per lot

ESCROW FEES

ALL SUBDIVISIONS, AND RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

No. of Lots or Dwelling Units	Initial Deposit	Depleted to	Replenishment
1-5 (including lot-line realignment)	$ 3,000	$ 1,000	Current bills + $1,200
6-15	$ 9,000	$ 2,500	Current bills + $1,200
Over 15	$ 18,000	$ 5,000	Current bills + $6,000

NON-RESIDENTIAL SITE PLAN AND SUP APPLICATIONS

	Initial Deposit	Depleted to	Replenishment
Existing Buildings/Change of Use with no site development	$ 1,800	$ 1,000	Current bills + $600
Up to 3,000 s.f. gross floor area	$ 3,125	$ 1,000	Current bills + $1,200
3,000 to 10,000 s.f. gross floor area	$ 3,000 + $0.50 per sq.ft. over 3,000	$ 2,500	Current bills + $3,000
Over 10,000 s.f. gross floor area	$ 9,000 + $0.50 per sq.ft. over 10,000	$ 2,500	Current bills + $3,000

ARCHITECTURAL REVIEW OR CERTIFICATE OF APPROPRIATENESS ***(if not currently before PB)***

** if required by Chairman*	Initial Deposit	Depleted to	Replenishment
Single Family House*	$500	$250	Current bills + $250
All others*	$500	$250	Current bills + $250

APPLICATION PROCESSING RESTRICTION LAW

Affidavit of Property Owner

Property Owner: Scenic Beacon Developments LLC

If owned by a corporation, partnership or organization, please list names of persons holding over 5% interest.

Development Beacon Edgewater, LLC; Partner Beacon Edgewater, LLC and EWLWPWRW LLC

List all properties in the City of Beacon that you hold a 5% interest in:

18-30 Edgewater Place, Beacon, NY 12508

Applicant Address: 28 Creek Drive, Beacon, NY 12508

Project Address: Edgewater Place, Beacon, NY 12508

Project Tax Grid # 5955-19-590022; 5955-19-588001 and 5955-19-604016

Type of Application Application for Amended Site Plan & Special Use Permit Approval

Please note that the property owner is the applicant. "Applicant" is defined as any individual who owns at least five percent (5%) interest in a corporation or partnership or other business.

I, Rodney Weber, Manging Member of Scenic Beacon Developments LLC, the undersigned owner of the above referenced property, hereby affirm that I have reviewed my records and verify that the following information is true.

1. No violations are pending for ANY parcel owned by me situated within the City of Beacon ✓
2. Violations are pending on a parcel or parcels owned by me situated within the City of Beacon N/A
3. ALL tax payments due to the City of Beacon are current ✓
4. Tax delinquencies exist on a parcel or parcels owned by me within the City of Beacon N/A
5. Special Assessments are outstanding on a parcel or parcels owned by me in the City of Beacon N/A
6. ALL Special Assessments due to the City of Beacon on any parcel owned by me are current N/A

Scenic Beacon Developments LLC
By: Rodney Weber

Signature of Owner

Managing Member

Title if owner is corporation

Office Use Only:	NO	YES	Initial
Applicant has violations pending for ANY parcel owned within the City of Beacon (Building Dept.)	___	___	_____
ALL taxes are current for properties in the City of Beacon are current (Tax Dept.)	___	___	_____
ALL Special Assessments, i.e. water, sewer, fines, etc. are current (Water Billing)	___	___	_____

CITY OF BEACON
SITE PLAN SPECIFICATION FORM

Name of Application: Scenic Beacon Developments LLC - Application for Amended Site Plan and Special Use Permit Approval

PLEASE INDICATE WHETHER THE SITE PLAN DRAWINGS SHOW THE SUBJECT INFORMATION BY PLACING A CHECK MARK IN THE APPROPRIATE BOXES BELOW.		
	YES	**NO**
The site plan shall be clearly marked "Site Plan", it shall be prepared by a legally certified individual or firm, such as a Registered Architect or Professional Engineer, and it shall contain the following information:	X	
LEGAL DATA		
Name and address of the owner of record.	X	
Name and address of the applicant (if other than the owner).	N/A	
Name and address of person, firm or organization preparing the plan.	X	
Date, north arrow, and written and graphic scale.	X	
NATURAL FEATURES		
Existing contours with intervals of two (2) feet, referred to a datum satisfactory to the Planning Board.	X	
Approximate boundaries of any areas subject to flooding or stormwater overflows.	X	
Location of existing watercourses, wetlands, wooded areas, rock outcrops, isolated trees with a diameter of eight (8) inches or more measured three (3) feet above the base of the trunk, and any other significant existing natural features.	N/A*	
EXISTING STRUCTURES, UTILITIES, ETC.		
Outlines of all structures and the location of all uses not requiring structures. Paved areas, sidewalks, and vehicular access between the site and public streets.	X	
Locations, dimensions, grades, and flow direction of any existing sewers, culverts, water lines, as well as other underground and above ground utilities within and adjacent to the property.	N/A*	
Other existing development, including fences, retaining walls, landscaping, and screening.	X	
Sufficient description or information to define precisely the boundaries of the property.	X	
The owners of all adjoining lands as shown on the latest tax records.	X	
The locations, names, and existing widths of adjacent streets and curb lines.	X	
Location, width, and purpose of all existing and proposed easements, setbacks, reservations, and areas dedicated to private or public use within or adjacent to the	N/A*	

* Indicates shown on original approved site plan. No changes are proposed as part of the amended site plan.

properties.		
PROPOSED DEVELOPMENT	**YES**	**NO**
The location, use and design of proposed buildings or structural improvements.	X	
The location and design of all uses not requiring structures, such as outdoor storage (if permitted), and off-street parking and unloading areas.	X	
Any proposed division of buildings into units of separate occupancy.	N/A*	
The location, direction, power, and time of use for any proposed outdoor lighting.	N/A*	
The location and plans for any outdoor signs.	N/A*	
The location, arrangement, size(s) and materials of proposed means of ingress and egress, including sidewalks, driveways, or other paved areas.	X	
Proposed screening and other landscaping including a planting plan and schedule prepared by a qualified individual or firm.	N/A*	
The location, sizes and connection of all proposed water lines, valves, and hydrants and all storm drainage and sewer lines, culverts, drains, etc.	N/A*	
Proposed easements, deed restrictions, or covenants and a notation of any areas to be dedicated to the City.	N/A*	
Any contemplated public improvements on or adjoining the property.	N/A*	
Any proposed new grades, indicating clearly how such grades will meet existing grades of adjacent properties or the street.	N/A*	
Elevations of all proposed principal or accessory structures.	N/A*	
Any proposed fences or retaining walls.	X	
MISCELLANEOUS		
A location map showing the applicant's entire property and adjacent properties and streets, at a convenient scale.	N/A*	
Erosion and sedimentation control measures.	N/A*	
A schedule indicating how the proposal complies with all pertinent zoning standards, including parking and loading requirements.	X	
An indication of proposed hours of operation.	N/A*	
If the site plan only indicates a first stage, a supplementary plan shall indicate ultimate development.	N/A*	

* Indicates shown on original approved site plan. No changes are proposed as part of the amended site plan.

For all items marked "NO" above, please explain below why the required information has not been provided:

Please See Attached Project Narrative

Applicant/Sponsor Name: Scenic Beacon Developments LLC By: Rodney Weber, Managing Member

Signature: _____

Date: 06/29/2026

Application #

CITY OF BEACON

1 Municipal Plaza, Beacon, NY

Telephone (845) 838-5000 • http://cityofbeacon.org/

ENTITY DISCLOSURE FORM

(This form must accompany every land use application and every application for a building permit or certificate of occupancy submitted by any entity)

Disclosure of the names and addresses of all persons or entities owning any interest or controlling position of any Limited Liability Company, Partnership, Limited Partnership, Joint Venture, Corporation or other business entity (hereinafter referred to as the "Entity") filing a land-use application with the City is required pursuant to Section 223-61.4 of the City Code of the City of Beacon. If any Member of the Entity is not a natural person, then the names and addresses as well as all other information sought herein must be supplied about the non-natural person member of that Entity, including names, addresses and Formation filing documents. Applicants shall submit supplemental sheets for any additional information that does not fit within the below sections, identifying the Section being supplemented.

SECTION A.

IF AFFIANT IS A PARTNERSHIP, JOINT VENTURE OR OTHER BUSINESS ENTITY, EXCEPT A CORPORATION:

Name of Entity	Address of Entity
Scenic Beacon Developments LLC	28 Creek Drive Beacon, NY 12508
Place where such business entity was created New York	Official Registrar's or Clerk's office where the documents and papers creating entity were filed New York State Department of State
Date such business entity or partnership was created 11/25/2015	Telephone Contact Information 845-202-7271

IF AFFIANT IS A CORPORATION:

Name of Entity	Telephone Contact Information
Principal Place of Business of Entity	Place and Date of incorporation

Method of Incorporation	Official place where the documents and papers of incorporation were filed

SECTION B. List all persons, officers, limited or general partners, directors, members, shareholders, managers, and any others with any interest, mortgage, encumbrance or other interest (recorded or unrecorded) in or with the above referenced Entity. List all persons to whom corporate stock has been pledged, mortgaged or encumbered and with whom any agreement has been made to pledge, mortgage or encumber said stock. Use a supplemental sheet to list additional persons.

Name	Resident Address	Resident Telephone Number	Nature and Extent of Interest
Development Beacon Edgewater, LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	31.31%
Partner Beacon Edgewater LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	8.69%
EWLWPWRW LLC	28 Creek Drive Beacon, NY 12508	845-202-7271	60%

SECTION C. List all owners of record of the subject property or any part thereof.

Name	Residence or Business Address	Telephone Number	Date and Manner title was acquired	Date and place where the deed or document of conveyance was recorded or filed.
Scenic Beacon Developments LLC 5955-19-590022	28 Creek Drive Beacon, NY 12508	845-202-7271	June 20, 2016 Bargain & Sale Deed	Recorded in the Dutchess Country Clerk's Office on July 1, 2016 #02-2016-4225
Scenic Beacon Developments LLC 5955-19-604016	28 Creek Drive Beacon, NY 12508	845-202-7271	February 7, 2025 Correction Deed	Recorded in the Dutchess Country Clerk's Office on February 18, 2025 #02-2025-50585
Scenic Beacon Developments LLC 5955-19-588001	28 Creek Drive Beacon, NY 12508	845-202-7271	February 7, 2025 Correction Deed	Recorded in the Dutchess Country Clerk's Office on February 18, 2025 as #02-2025-50587

SECTION D. Is any owner, of record or otherwise, an officer, director, stockholder, agent or employee of any person listed in Section B-C?

☐ YES ☑ NO

Name	Employer	Position

SECTION E. Is any party identified in Sections A- C an officer, elected or appointed, or employee of the City of Beacon or related, by marriage or otherwise, to a City Council member, planning board member, zoning board of appeals member or employee of the City of Beacon ?

☐ **YES** ☑ **NO**

If yes, list every Board, Department, Office, agency or other position with the City of Beacon with which a party has a position, unpaid or paid, or relationship and identify the agency, title, and date of hire.

Agency	**Title**	**Date of Hire, Date Elected, or Date Appointed**	**Position or Nature of Relationship**

SECTION F. Was any person referred to in Sections A-D known by any other name within five (5) years preceding the date of the application?

☐ **YES** ☑ **NO**

Current Name	**Other Names**

SECTION G. List the names and addresses of each person, business entity, partnership and corporation in the chain of title of the subject premises for the five (5) years next preceding the date of the application.

Name	Address
Scenic Beacon Developments LLC	28 Creek Drive, Beacon, NY 12508

SECTION H. If the applicant is not a record owner of the subject property, describe the applicant's interest in the subject property and the relationship the applicant has to the record owner(s) of the subject property.

N/A

SECTION I. If the applicant is a contract vendee, a duplicate original or photocopy of the full and complete contract of purchase, including all riders, modification and amendments thereto, shall be submitted with the application. Any sensitive or confidential information may be redacted from the contract prior to production.

N/A

SECTION J.

N/A

1. Where the record owner or contract vendee is a corporation, the following additional information shall be submitted:

Name of the Corporation	Telephone Contact Information
Principal Business Address	Place and Date of Incorporation
Method of Incorporation	Official place where the documents and papers of incorporation were filed

2. Please provide the following information for every incorporator, officer, director and shareholder of the corporation.

Name	Residence or business address	Telephone number

3. Have any shares of the stock of the corporation or of any stockholder been pledged, mortgaged or encumbered?

☐ YES ☑ NO

If so, please list the name and address of each person having, holding, owning or claiming any such interest.

Name	Address

SECTION K. Have the present owners entered into a contract for the sale of all or any part of the subject property and, if in the affirmative, please provide a duplicate original or photocopy of the fully and complete contract of sale, including all riders, modifications and amendments thereto.

☐ YES ☑ NO

I, Rodney Weber being first duly sworn, according to law, deposes and says that I am (Title) Managing Member, an active and qualified member of ~~the~~ Scenic Beacon Developments LLC, a business duly authorized by law to do business in the State of New York, and that the statements made herein are true, accurate, and complete.

(Print) ~~Rodney Weber~~

(Signature) _____

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

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

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

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

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

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

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

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

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

---

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

   i. Stormwater Easement and Maintenance Agreement

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

   a. Wolcott Avenue/Tompkins Avenue

   b. Beekman Street/West Main Street

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

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

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

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

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

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

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

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

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

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

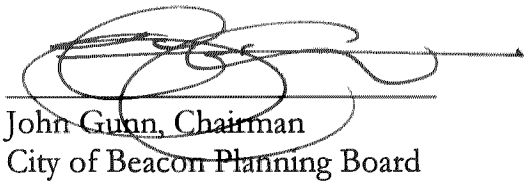
11. The approvals granted by this resolution do not supersede the authority of any other entity.

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

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

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

Resolution Adopted: September 11, 2018
Beacon, New York



John Gunn, Chairman
City of Beacon Planning Board

9/17, 2018
Dated

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

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

Approved: 5-0

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

Agency Use Only [IfApplicable]

Project : Edgewater

Date : 7/10/18

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

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

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

Reasons Supporting This Determination:
To complete this section:

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

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

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

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☐ Type 1 ☑ Unlisted

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

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

All application materials submitted by the Applicant, memoranda from City staff and Consultants, agency and public comment, and testimony from meetings held on the application.

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

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

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

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

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

Name of Action: Edgewater

Name of Lead Agency: City of Beacon Planning Board

Name of Responsible Officer in Lead Agency: John Gunn

Title of Responsible Officer: Chairman

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

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

For Further Information:

Contact Person: Etha Grogan, Planning Secretary

Address: 1 Municipal Plaza, Beacon NY 12508

Telephone Number: 845-838-5002

E-mail: egrogan@cityofbeacon.org

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

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

PRINT FULL FORM

ATTACHMENT TO
AMENDED
NEGATIVE DECLARATION
REASONS SUPPORTING DETERMINATION

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

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

CONCLUSIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The following intersections were studied:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

POLICY 5

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

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

POLICY 13

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

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

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

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

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

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

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

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

POLICY 14

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

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

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

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

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

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

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

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

See Policy 13.

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

See Policy 13.

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

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

See Policy 13.

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

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

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

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

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

Resolution Adopted: July 10, 2018
Beacon, New York

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

7/10/2018, 2018
Dated

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

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

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

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

RESOLUTION

PLANNING BOARD
BEACON, NEW YORK

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

Parcel ID# 5955-19-590022

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Resolution Adopted: March 12, 2024
Beacon, New York

John Gunn, Chairperson
City of Beacon Planning Board

MARCH 12TH, 2024
Dated

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

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

Approved: 6-0
Denied:

Doc not in DMS

CITY OF BEACON
CITY COUNCIL

Resolution No. 116 of 2018

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

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

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

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

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

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

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

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

public hearing was closed; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dated: August 6, 2018

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

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

5102/11/640091v1 8/3/18

2018-01

City of Beacon
Zoning Board of Appeals

RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A. Maximum Building Height- Number of Stories

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

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

B. Maximum Number of Dwelling Units Per Building

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

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

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

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

C. Minimum Separation Between Buildings

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

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

A. Maximum Building Height- Number of Stories

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

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

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

B. Maximum Number of Dwelling Units Per Building

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

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

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

C. Minimum Separation Between Buildings

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dated: January 17, 2018

Mr. John Dunne, Chairman

Height Variance

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

Maximum Number of Dwelling Units Variance

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

Maximum Distance Between Buildings Variance

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

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

Colliers Engineering & Design

June 30, 2026

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

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

Dear Chairman Gunn and Members of the Planning Board,

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

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

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

Colliers
Engineering & Design

Exhibit No. 1 – City of Beacon Code Required Parking

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

Notes:

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

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

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

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

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

Sincerely,

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

Richard D'Andrea, PE, PTOE
Department Manager

R:\Projects\2016\16003078A\Correspondence\OUT\260630RGD_PB Letter.docx

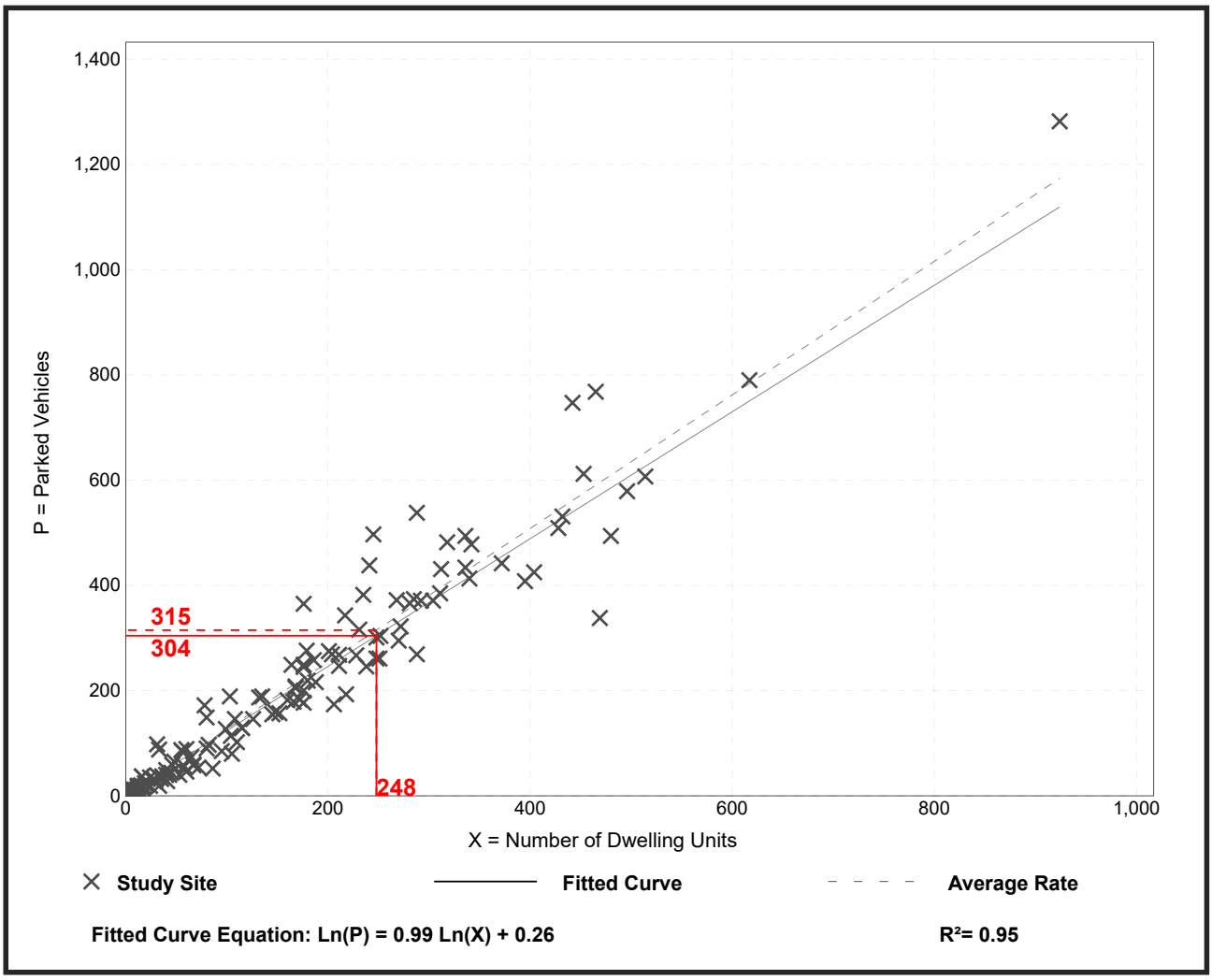
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

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

Peak Period Parking Demand per Dwelling Unit

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

Data Plot and Equation



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

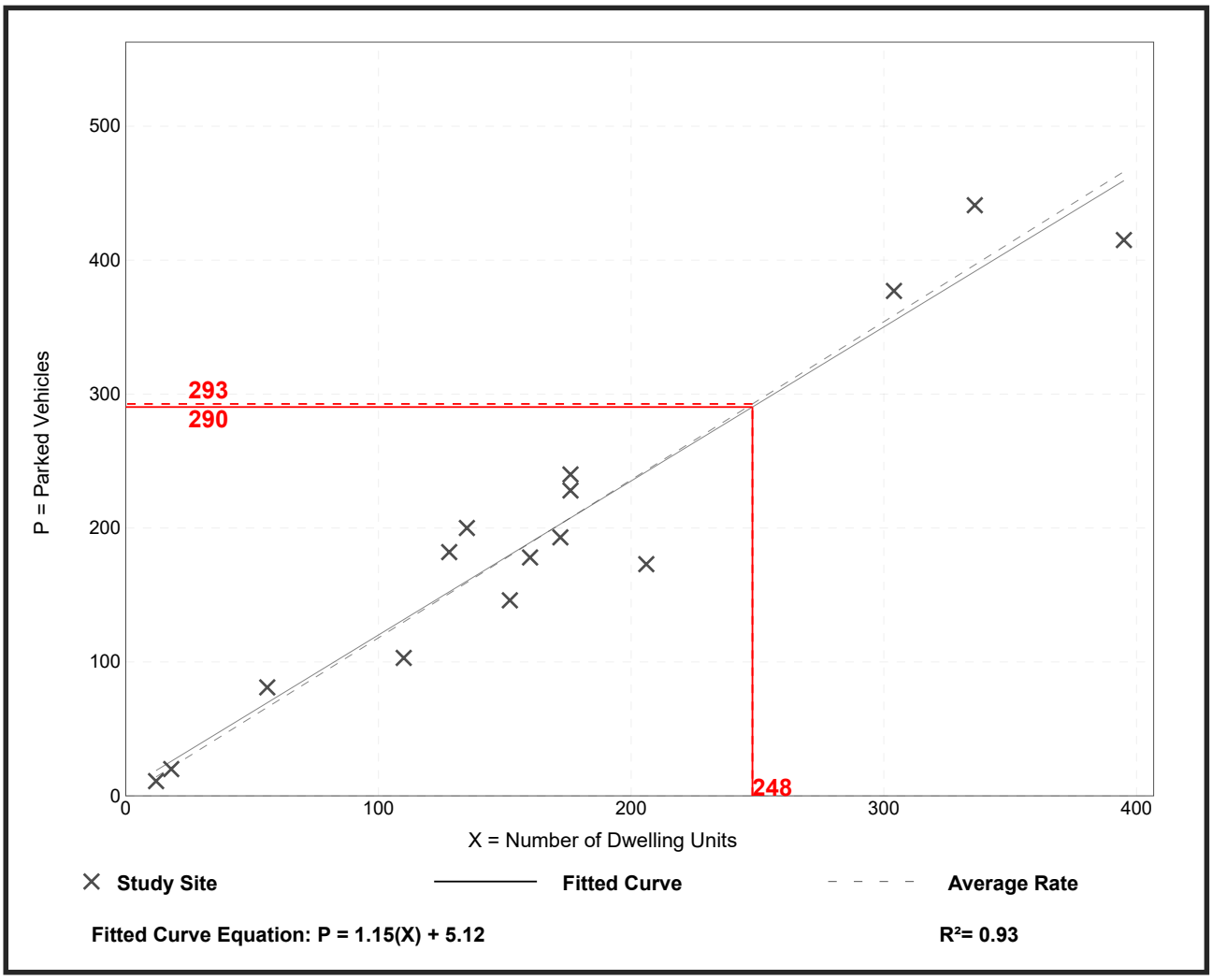
Multifamily Housing - 2+ BR (Low-Rise) - Not Close to Rail Transit
(220)

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

Peak Period Parking Demand per Dwelling Unit

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

Data Plot and Equation



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

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information

Name of Action or Project:

Edgewater

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

15-30 Edgewater Place, Beacon, NY 12508

Brief Description of Proposed Action:

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

Name of Applicant or Sponsor:	Telephone: (845) 202-7271
Scenic Beacon Developments	E-Mail: contact@weberprojectsllc.com

Address:

28 Creek Drive

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

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

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

*Represents the total disturbance for the project. Approximately 3.0 acres of project site remain to be developed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

☐ Wetland ■ Urban ■ Suburban

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

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

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

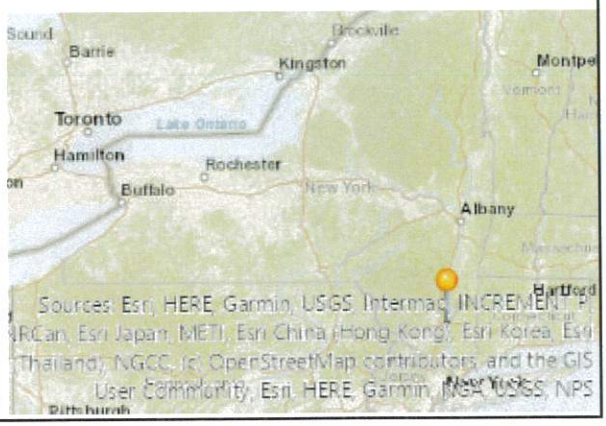
Signature: Title: Engineer for Applicant

EAF Mapper Summary Report

Tuesday, June 23, 2026 8:56 PM



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



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

NEW YORK STATE OF OPPORTUNITY.

Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

October 10, 2017

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

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

Dear Mr. Bodendorf:

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

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

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

Sincerely,

Michael F. Lynch, P.E., AIA

Director, Division for Historic Preservation

3.0 ESTIMATED WATER & WASTEWATER QUANTITIES

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

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

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

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

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

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

4.0 WATER SUPPLY

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

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

Search Details from Environmental Remediation Databases

Site Record

Document Repository

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

Administrative Information

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

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

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

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

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

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

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

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

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

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

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

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

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

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

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Other
Coal tar

Site Environmental Assessment

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

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

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

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

DER Environmental Remediation Databases Privacy Policy Terms of Service

Site Health Assessment

STATE

- AgenciesApp DirectoryCountiesEventsProgramsServices

Translate

Translation Services

This page is available in other languages

- English
- Español
- 中文
- 繁體中文
- Русский
- עברית
- বাংলা
- 한국어
- Kreyòl Ayisyen
- ...
- Refine This Search
- Polski
- Français
- اردو

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

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Site Record

Document Repository

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

Administrative Information

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

Location

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

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

Hazardous Waste Disposal Period

From: 1946
To: present

Institutional And Engineering Controls

No Institutional And Engineering Controls Information Available

Site Owner(s) and Operator(s)

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

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

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

Owner(s) During Disposal: STATE OF NEW YORK

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

Site Document Repository

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

Site Description

Site Location:

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

Site Features:

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

Current zoning / uses:

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

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

Historical uses:

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

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

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

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

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

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

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

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

Operable Units:

The site was divided into five operable units.

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

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

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

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

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

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

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

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
PCB aroclor 1254

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

Site Environmental Assessment

Nature and extent of contamination:

Contaminants:

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

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

Contaminant Concentrations:

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

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

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

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

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

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

To see the fish consumption advisories, go to:

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

and

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

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

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

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

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

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

Administrative Information

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

Location

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

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

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

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

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

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

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

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

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

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

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

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

Current On-Site Operator: 7-11

Stated Operator(s) Address:

, NY,

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

DER Environmental Remediation Database Privacy Policy Terms of Service

NEW YORK STATE

- AgenciesApp DirectoryCountiesEventsProgramsServices

Site Document Repository

Translation Services

This page is available in other languages

- Site Description
- Español
- 中文
- 繁體中文
- Contaminants of Concern (Including Materials Disposed)
- বাংলা
- 한국어
- Site Environmental Assessment
- Italiano
- العربية
- Polski
- Français
- اردو

* Class N Sites: "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

For more Information:

E-mail Us

Refine This Search

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

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

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

Administrative Information

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

Location

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

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

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Institutional And Engineering Controls

Control Type:
Environmental Easement

Control Elements:
Landuse Restriction
Site Management Plan
Cover System

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

Site Owner(s) and Operator(s)

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

Site Document Repository

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

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

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

Site Description

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

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

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

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

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

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

Summary of Project Completion Date

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

Project Completion Dates

Contaminants of Concern (Including Materials Disposed)

Contaminant Name/Type
Polychlorinated biphenyls (PCB)
Lead
Arsenic

Contaminant Name/Type
Benzo(a)pyrene

Site Environmental Assessment

DER Environmental Remediation Databases Privacy Policy Terms of Service

NEW YORK STATE

- AgenciesApp DirectoryCountiesEventsProgramsServices

Translate

Translation Services

This page is available in other languages

- English
- Español
- 中文
- [illegible]
- [illegible]
- [illegible]
- বাংলা
- 한국어
- Kreyòl Ayisyen
- Italiano
- العربية
- Polski
- [illegible]
- [illegible]

Site Health Assessment

E-mail Us

Refine This Search

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

NYS Department of Environmental Conservation
DER Environmental Remediation Databases

Search Details from Environmental Remediation Databases

Site Record

Document Repository

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

Administrative Information

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

Location

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

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

Hazardous Waste Disposal Period

No Hazardous Waste Disposal information available.

Site Owner(s) and Operator(s)

Current Owner Name: Information Not Available

Site Document Repository

No Repository Information Available

Site Description

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

DER Environmental Remediation Databases Privacy Policy Terms of Service

NEW YORK STATE

Site Environmental Assessment

- AgenciesApp DirectoryCountiesEventsProgramsServices

Translate

Translation Services

This page is available in other languages

- English
- Español
- 中文
- 繁體中文
- Русский
- עברית
- বাংলা
- 한국어
- Refine This Search
- Italiano
- العربية
- Polski
- Français
- اردو



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

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

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

OWNER/APPLICANT INFORMATION:

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

ZONING SUMMARY:

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

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

LEGEND:

RL● EXISTING ROOF LEADER LOCATION
SEWER MANHOLE
UNKNOWN MANHOLE
GUY WIRE ANCHOR
UTILITY POLE
ELECTRIC BOX
HYDRANT
WATER VALVE
ROUND DROP INLET
ELECTRIC METER
UTILITY POLE WITH LIGHT
COMMUNICATION BOX
OVERHEAD WIRES
FENCE
DROP INLET
GAS METER
LAMP
UNKNOWN VALVE
EXISTING CATCH BASIN
EXISTING UTILITY POLE
EXISTING WATER EDGE
PROPOSED EASEMENT LINE
CB 3 PROPOSED CATCH BASIN WITH INLET PROTECTION
PROPOSED CLEANOUT
PROPOSED HYDRANT
PROPOSED WATER VALVE
PROPOSED SANITARY MANHOLE
PROPOSED CLEANOUT
PROPOSED RETAINING WALL
PROPOSED FENCE
IMPERVIOUS SURFACE
PROPOSED RIP RAP
UTILITY CROSSING LOCATION
RL● PROPOSED ROOF LEADER LOCATION
PROPOSED WATER SHUT-OFF VALVE
PREVIOUSLY APPROVED LAND BANKED PARKING SPACE ELIMINATED
PROPOSED ADDITIONAL CONSTRUCTED PARKING SPACES

PARKING COMPLIANCE TABLE

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

ORIGINAL SITE PLAN APPROVAL REFERENCE:

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

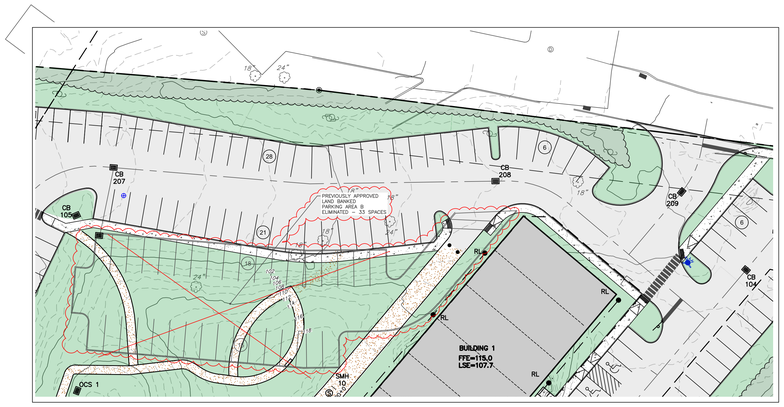
PREVIOUSLY APPROVED VARIANCE NOTES:

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

AMENDED PARKING NOTES:

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

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



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

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

SIGNED THIS _____ DAY OF _____, 20_____ BY

_____ CHAIRMAN

_____ SECRETARY

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

DRAWN BY: CMB	CHECKED BY: MAB

REVISIONS:

NO.	DATE	DESCRIPTION	BY

REVISIONS:

NO.	DATE	DESCRIPTION	BY

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

Dig Safely. New York Call 811 before you dig

HUDSON LAND DESIGN

STATE OF NEW YORK – SIDNEY A. WOODRUFF – 024445 – LICENSED PROFESSIONAL ENGINEER
SEAL

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

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

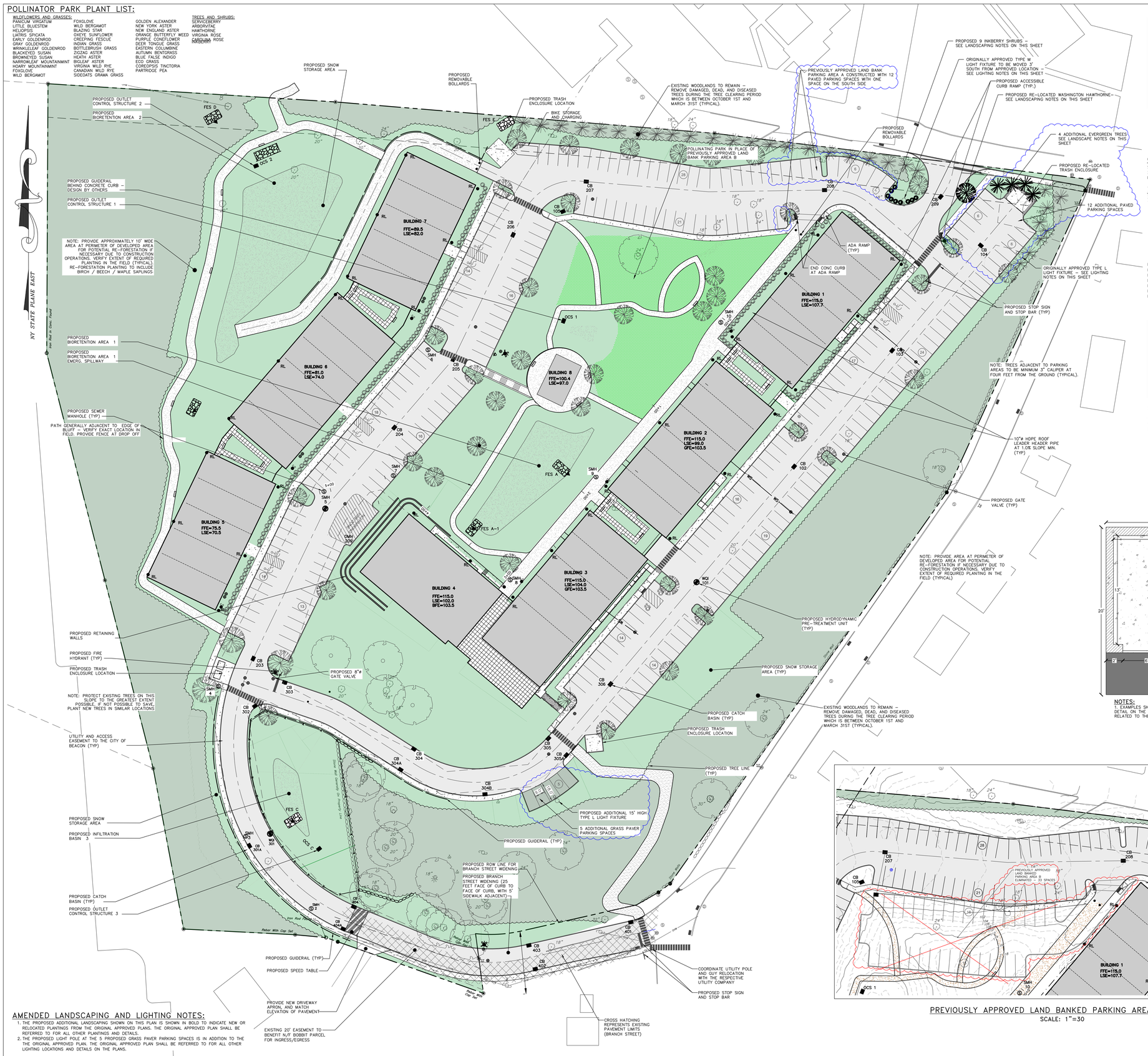
JOB #:	2016:015
DATE:	JUNE 30, 2026
SCALE:	1" = 30'
TITLE:	SP–1
SHEET:	1 OF 1

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

POLLINATOR PARK PLANT LIST:

WILDFLOWERS AND GRASSES:
PANICUM VIRGATUM
LITTLE BLUESTEM
HELIOPSIS
LIATRIS SPICATA
EARLY GOLDENROD
GRAY GOLDENROD
WRINKLELEAF GOLDENROD
BLACKEYED SUSAN
BROWNEYED SUSAN
NARROWLEAF MOUNTAINMINT
HOARY MOUNTAINMINT
SOLIDAGO
WILD BERGAMOT
FOXGLOVE
WILD BERGAMOT
BLAZING STAR
OXEYE SUNFLOWER
CREEPING FESCUE
INDIAN GRASS
BOTTLEBRUSH GRASS
ZIGZAG ASTER
HEATH ASTER
BIGLEAF ASTER
VIRGINIA WILD RYE
CANADIAN WILD RYE
SIDEOATS GRAMA GRASS
GOLDEN ALEXANDER
NEW YORK ASTER
NEW ENGLAND ASTER
ORANGE BUTTERFLY WEED
PURPLE CONEFLOWER
BEEN TONGUE GRASS
EASTERN COLUMBINE
AUTUMN BENTGRASS
BLUE FALSE INDIGO
ECO GRASS
COREOPSIS TINCTORIA
PARTRIDGE PEA

TREES AND SHRUBS:
SERVICEBERRY
ARBORVITAE
HAWTHORNE
VIRGINIA ROSE
VIRGINIA ROSE



AMENDED LANDSCAPING AND LIGHTING NOTES:

1. THE PROPOSED ADDITIONAL LANDSCAPING SHOWN ON THIS PLAN IS SHOWN IN BOLD TO INDICATE NEW OR RELOCATED PLANTINGS FROM THE ORIGINAL APPROVED PLANS. THE ORIGINAL APPROVED PLAN SHALL BE REFERRED TO FOR ALL OTHER PLANTINGS AND DETAILS.
2. THE PROPOSED LIGHT POLE AT THE 5 PROPOSED GRASS PAVER PARKING SPACES IS IN ADDITION TO THE THE ORIGINAL APPROVED PLAN. THE ORIGINAL APPROVED PLAN SHALL BE REFERRED TO FOR ALL OTHER LIGHTING LOCATIONS AND DETAILS ON THE PLANS.

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

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

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

OWNER/APPLICANT INFORMATION:

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

ZONING SUMMARY:

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

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

LEGEND:

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

PARKING COMPLIANCE TABLE

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

AMENDED SITE PLAN NOTES:

THE ORIGINAL APPROVED SITE PLAN INCLUDED 246 UNITS AND 350 BEDROOMS. ANY REFERENCES TO THESE AMOUNTS IN THE ORIGINAL APPROVED SITE PLAN SET IS HEREBY SUPERSEDED BY THIS AMENDED SITE PLAN SET.

ORIGINAL SITE PLAN APPROVAL REFERENCE:

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

PREVIOUSLY APPROVED VARIANCE NOTES:

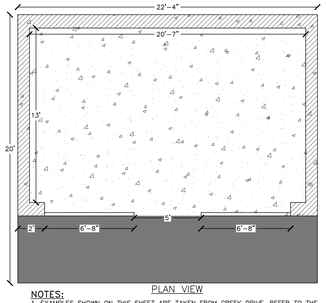
1. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF STORIES FROM 4½ STORIES TO 5 STORIES HAS BEEN GRANTED BY THE ZONING BOARD OF APPEALS FOR BUILDINGS 3, 4, AND 6. VARIANCE #2018–01, DATED JANUARY 17, 2018.
2. A VARIANCE TO EXCEED THE MAXIMUM NUMBER OF UNITS IN A BUILDING WAS GRANTED BY THE ZONING BOARD OF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

AMENDED PARKING NOTES:

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

267 CONSTRUCTED SURFACE SPACES
+ 54 CONSTRUCTED PODIUM SPACES

321 TOTAL CONSTRUCTED PARKING SPACES



PLAN VIEW

NOTES:
1. EXAMPLES SHOWN ON THIS SHEET ARE TAKEN FROM CREEK DRIVE. REFER TO THE DETAIL ON THE ORIGINAL APPROVED PLAN SET FOR ADDITIONAL DETAIL AND NOTES RELATED TO THE TRASH ENCLOSURE.

TRASH ENCLOSURE DETAIL
NOT TO SCALE

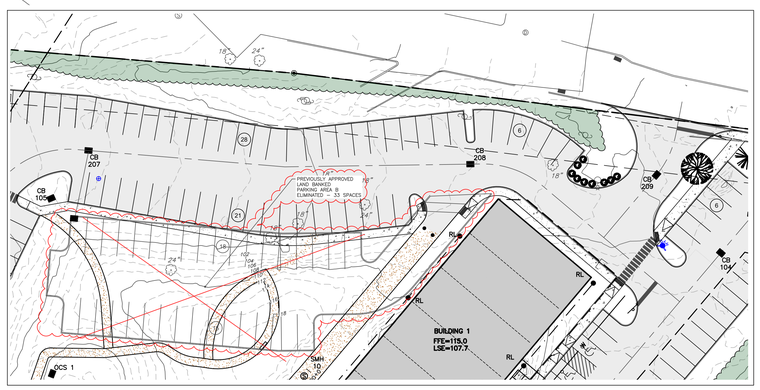


TRASH ENCLOSURE EXAMPLE 1



TRASH ENCLOSURE EXAMPLE 2

TRASH ENCLOSURE DETAIL
NOT TO SCALE



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

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

SIGNED THIS _____ DAY OF _____, 20_____ BY

_____ CHAIRMAN

_____ SECRETARY

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

DRAWN BY: CMB				CHECKED BY: MAB			
REVISIONS:				REVISIONS:			
NO.	DATE	DESCRIPTION	BY	NO.	DATE	DESCRIPTION	BY
1	7/28/26	AMENDED SITE PLAN APPLICATION	MAB				

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

Dig Safely. New York Call 811 before you dig

HUDSON LAND DESIGN

SEAL

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

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

JOB #:	2016:015
DATE:	JANUARY 31, 2017
SCALE:	1" = 30'
TITLE:	SP–1
SHEET:	6 OF 16

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

Title:

Resolution No. 72 - Setting a Public Hearing for a Proposed Local Law Concerning Mid-Year Salary Increases for Appointed Employees and Officers

ATTACHMENTS

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

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

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 72 OF 2026

SETTING A PUBLIC HEARING FOR PROPOSED LOCAL LAW CONCERNING MID-YEAR SALARY INCREASES FOR APPOINTED EMPLOYEES AND OFFICERS

BE IT RESOLVED THAT the City Council hereby schedules a public hearing for September 21, 2026 at 7:00 pm, for a Proposed Local Law to amend the Beacon City Code concerning mid-year salary increases for appointed employees and officers.

Resolution No. 72 of 2026			**Date: September 8, 2026**				
□ **Amendments**						□ **2/3 Required**	
□ **On roll call**						□ **3/4 Required**	
Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Paloma Wake					
		Amber Grant					
		Lastar Gorton					
		Zack Smith					
		Sergei Krasikov					
		Carolyn Glauda					
		Mayor Lee Kyriacou					
		Motion Carried					

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.

DRAFT

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.

Title:

Resolution No. 73 - Setting a Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

ATTACHMENTS

Resolution Setting a Public Hearing for a Proposed Local Law Concerning Penalties for Violations of the City's Zoning, Fire Prevention, and Building Codes

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

CITY OF BEACON
CITY COUNCIL

RESOLUTION NO. 73 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, the City Council wishes for both the City of Beacon Planning Boards to provide a report and recommendation on the proposed local law.

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; and

BE IT FURTHER RESOLVED THAT the City Council hereby schedules a public hearing for September 21, 2026 at 7:00 pm for a Proposed Local Law concerning regulations governing hotels and the Fishkill Development District.

Resolution No. 73 of 2026		**Date: September 8, 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 a violation of Chapter 119, Fire Prevention and Building Code, Uniform, or Chapter 223, Zoning, is found by a court of competent jurisdiction, the court must impose a fine 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.

DRAFT

(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) If any person fails to abate any violation of this chapter within five calendar days after written notice has been served personally upon said person or within 10 days after written notice has been sent to such person by registered mail at such person's home or business address, the Building Inspector may revoke any building permit or certificate of occupancy for any building or structure on the premises on which such violation occurs, and such person shall be subject to a civil penalty in a minimum amount of $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 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. 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 3. Numbering for Codification.

It is the intention of the City of Beacon and it is hereby enacted that the provisions of this Local Law shall be included in the Code of the City of Beacon; that the sections and

DRAFT

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

Section 4. Severability.

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 5. 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

Title:

August 17, 2026 Minutes

ATTACHMENTS

Title:

Executive Session: Contracts

ATTACHMENTS