

**Planning Board**  
**March 8, 2016**

The Planning Board meeting was held on Tuesday, March 8, 2016 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman Jay Sheers, Members Randall Williams (in at 7:30 p.m.), Rick Muscat, Patrick Lambert, Gary Barrack and David Burke. Also in attendance were City Attorney Jennifer Gray, City Engineer Art Tully, City Planner David Stolman, and Building Inspector Tim Dexter. Member Jill Reynolds was excused.

**Training Session**

City Planner David Stolman reviewed aspects of form-based zoning and described the distinction between conventional zoning. He provided members with materials outlining a Power Point presentation on the subject.

**Miscellaneous**

City Attorney Jennifer Gray reported a parking analysis and summary of the 1964 parking provision completed for the City Council was circulated to Planning Board members. In addition, amendments to the accessory building legislation recently recommended by the Planning Board were approved by the City Council with only slight modifications.

**Minutes**

Members reviewed minutes from January 21, 2016 and February 10, 2016 meetings. City Attorney Jennifer Gray circulated corrections for the January minutes to members prior to the meeting and Mr. Lambert made a motion to approve the minutes as corrected, seconded by Mr. Williams. All voted in favor. Motion carried.

City Attorney Jennifer Gray circulated corrections for the February minutes to members prior to the meeting and Mr. Barrack made a motion to approve the minutes as corrected, seconded by Mr. Williams. All voted in favor. Motion carried.

**PUBLIC HEARING ON APPLICATION FOR SPECIAL USE PERMIT AND SITE PLAN APPROVAL, NEW RESIDENTIAL BUILDING, 50 UNITS, BEEKMAN STREET (PARCEL W) "THE VIEW", SUBMITTED BY DMS CONSOLIDATORS, LTD.**

Mr. Lambert made a motion to open the public hearing for the project known as "The View", seconded by Mr. Muscat. All voted in favor. Motion carried. Engineer Mark Day described his client's proposal for a new four-story residential building on Beekman Street. The ground floor has been dedicated for parking (using vehicle lifts) and a lobby, with 50 residential units on the remaining floors. The upper story has been setback 15 ft. and the green roof will have an outdoor patio accessed by an elevator and rear stairway. Entrance to the site is directly across from West Main Street and the rear of the building will have a small parking area and retaining wall. The crosswalk on Beekman Street will be relocated, and a stairway to the rear will lead to property owned by the City of Beacon.

Mr. Stolman reviewed outstanding items listed in his memo, which included consideration of recreation fees, fencing around the roof's edge, and details on proposed shrubs near the rain garden.

Mr. Tully reported amendments were made to the rooftop patio and green roof as recommended; remaining comments were technical in nature. A maintenance agreement is required for connection to the storm system, which must be in place before the issuance of any building permits. Mr. Sheers opened the floor to public comment.

Theresa Kraft, 315 Liberty Street, read the following letter into the record:

I'm here tonight to ask that the City of Beacon Planning Board work with the City Council and the ZBA to institute a building moratorium with this city and to do so quickly. Allowing this type of development referred to as "The View" will forever change the view of Beacon. The City of Beacon is known world wide for its majestic vistas of the Hudson River and the Hudson Highland mountains, allowing construction of this massive development will obliterate that majestic view and detract from what has made the City of Beacon that beautiful natural beauty that has attracted people to flock to this area since the late 1600's. Allowing this type of development in a designated historic area and next to the historic landmark church cuts deeply into its core. We need to protect and preserve our historic resources whether they are buildings, land or views. The City of Beacon needs to put an end to this quick overdevelopment and the bandwagons that are flooding the dockets in the name of greed and sold under the guise of increasing tax base. Beacon's infrastructure water, sewer and other resources are almost at capacity and allowing ramped overdevelopment will add to the woes.

Mr. Burke appreciated submission of amended elevation drawings however felt more details are needed to capture the feel of the development as a whole in order to see how it fits into the land. The elevations only show the façade and not how it actually will appear from the street or surrounding properties. Mr. Day felt he had fulfilled the information requested at the last meeting and offered to provide additional project renderings of the surrounding area. There was no further discussion and Mr. Williams made a motion to continue the public hearing at the April meeting, seconded by Mr. Muscat. All voted in favor. Motion carried.

**ITEM NO. 2 CONTINUE REVIEW OF APPLICATION FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, (PERFORMANCE SPACE, RETAIL, RESIDENTIAL), 445 MAIN STREET, SUBMITTED BY BEACON MAIN STREET THEATER, LLC**

Aryeh Siegel reported they have reviewed draft resolutions of Subdivision Approval and Site Plan Approval circulated to members prior to the meeting. No one from the board had any comments or questions about the resolutions. Mr. Stolman advised members to consider the resolution for Subdivision first because it includes the Negative Declaration for SEQR review of the project.

After careful consideration, Mr. Williams made a motion to grant preliminary and final Subdivision Plat Approval as outlined in the draft resolution, seconded by Mr. Lambert. All voted in favor. Motion carried. After careful consideration, Mr. Barrack made a motion to grant Site Plan Approval and issue a Certificate of Appropriateness as outlined in the draft resolution, seconded by Mr. Lambert. All voted in favor. Motion carried.

**ITEM NO. 3 CONTINUE REVIEW OF APPLICATION FOR SUBDIVISION APPROVAL (LOT LINE REALIGNMENT), 290 EAST MAIN STREET, SUBMITTED BY GERALD BELL**

Jonathan Millen and Gerald Bell attended the meeting to continue review of the proposed lot line alignment of property between 290 Main Street and 5 Laurel Street. Mr. Sheers noted area variances granted allow the proposal to move forward. Mr. Williams made a motion to set the public hearing for the month of April, seconded by Mr. Muscat. All voted in favor. Motion carried.

Gerald Bell understood code requirements however contended that the action only moves an invisible line, changes nothing physical, and provides off-street parking for 290 East Main Street. He was hoping to bypass a public hearing as the delay creates a substantial financial loss to him. Mr. Bell visited each house in his neighborhood and received 23 letters in support of the lot line realignment to bypass the need for another public hearing. He reported no one commented or attended the Zoning Board of Appeals' public hearing, and was originally unaware of the Planning Board's requirement for a public hearing. City Attorney Jennifer Gray spent time reviewing the code to see if there was any possible way to waive the public hearing, however one is required for any final subdivision by New York State General City Law. There was no further discussion and Mr. Williams made a motion to authorize Mr. Stolman to draft a resolution of approval for consideration at the April meeting.

**ITEM NO. 4 REVIEW APPLICATION FOR SITE PLAN APPROVAL (AMENDMENT), NEW MAINTENANCE BUILDING FOR DIA:BEACON, 3 BEEKMAN STREET, SUBMITTED BY DIA CENTER FOR THE ARTS**

Engineer Tom DePuy and Dia representative Jim Schaeufele attended the meeting to describe Dia's proposal for a new single-story maintenance building on site. The building will house maintenance equipment and will be located on the side hill accessed from the secondary entrance off Beekman Street. The building exterior is gray/green in color and will not have a water or sewer connection. Mr. DePuy explained it will cause very little site disturbance, and the building will have three very small exterior lights with shields to appropriately direct the light.

Mr. Stolman asked that the plans include the building color and details of the proposed lighting be submitted for review. Mr. Tully had no comments.

Mr. Burke asked for a landscaping plan and Mr. DePuy explained the building is located below the bus parking area and is not visible from any City streets or rear properties. There were no additional comments and Mr. Williams made a motion to set a public hearing for the month of April, seconded by Mr. Muscat. All voted in favor. Motion carried.

**ITEM NO. 5 REVIEW APPLICATION FOR SITE PLAN APPROVAL (AMENDMENT), NEW RESIDENTIAL/RETAIL BUILDING TO INCREASE RESIDENTIAL UNITS FROM 18 TO 24, 344 MAIN STREET, SUBMITTED BY SEAN O'DONNELL**

Engineer Mark Day and property owner Sean O'Donnell attended the meeting to describe changes proposed to the approved Site Plan at 344 Main Street. Mr. O'Donnell explained they

want to increase the number of residential units from 18 to 24, with no changes to the retail/commercial component. He reported they secured required parking for the residential use from the adjacent bank.

Mr. Stolman asked the applicant to provide the same level of detail on this plan as was on the originally approved Site Plan. Mr. Dexter asked that all the outstanding clean-up items that were part of the original plan be included as part of the new plan set. Mr. Stolman asked that the plan label the affordable housing units on the plan.

There were no further comments and Mr. Lambert made a motion to set a public hearing for the month of April, seconded by Mr. Muscat. All voted in favor. Motion carried.

### **Miscellaneous Business**

#### City Council Request to Review Proposed Local Law Amending Chapters 45 and 223 ZBA, Planning Board and Variances

City Attorney Jennifer Gray reviewed proposed changes to Chapter 45 and 223 of the City Code that defines how members are appointed/removed, training requirements, and outlines terms of Planning Board and Zoning Board membership. Among other changes, this action resolves conflicting provisions in each, sets a process for member removal if necessary, and clarifies the Mayor as the appointing authority. After a detailed review of the proposed changes, Mr. Williams made a motion to send a positive recommendation to the City Council, seconded by Mr. Muscat. All voted in favor. Motion carried.

### **Architectural Review**

#### New Single Family House – Barrack Subdivision; Mountain Lane

Mr. Barrack recused himself from this item as he is the applicant, and Mr. Lambert, as a brother-in-law to Mr. Barrack, reported he could act in an impartial manner.

Mr. Barrack presented his proposal for a new single-family house on the vacant parcel on Mountain Lane. Members reviewed the elevation drawings, proposed color scheme and compared it to neighboring housing stock. After careful consideration, Mr. Williams made a motion to approve the plan with the modification to the right side elevation as presented, with the following color scheme: Vinyl Siding and Shingle combination – Herringbone; Roof – GAF Timberline Weathered Wood; Double Hung Windows and Trim – White; and Garage – White; the motion was seconded by Mr. Muscat. All voted in favor. Motion carried.

#### New Single Family House – 117-119 DePuyster Avenue

Jennifer Piacente presented her proposal for a new single-family house on property located at 117-119 DePuyster Avenue. Members reviewed the elevation drawings, proposed color scheme and compared it to neighboring housing stock. After careful consideration, Mr. Muscat made a motion to approve the plan as presented, with the following color scheme: Siding – Cameo; Roof – Architectural Shingles – Weathervane; Double Hung Windows and Trim – White; the motion was seconded by Mr. Williams. All voted in favor. Motion carried.

New Single Family House – Joseph Subdivision; corner of Union and Judson Street

Michelle Rios presented the proposal for a new single-family house on the vacant lot at Judson/Union Street, part of the Joseph Subdivision. Members reviewed the elevation drawings, proposed color scheme and compared it to neighboring housing stock. After careful consideration, Mr. Williams made a motion to approve the plan as presented, with the following color scheme: Siding – Everest; Roof – Pewter Gray; Double Hung Windows and Trim – White; Shutters – Black, 2 panel; and Garage – White; the motion was seconded by Mr. Muscat. All voted in favor. Motion carried.

Certificate of Appropriateness - Garage (amend previous approval), 1182 North Avenue

Andrew Macdonald returned to modify the garage/carport approval granted at the September 9, 2015 meeting. The two-car detached garage originally included a carport on the side but they no longer want to construct the carport attachment. After reviewing the proposed modification, Mr. Williams made a motion to approve the proposal as presented, seconded by Mr. Muscat. All voted in favor. Motion carried.

There was no further business to discuss and Mr. Williams made a motion to adjourn the meeting, seconded by Mr. Barrack. All voted in favor. Motion carried. The meeting adjourned at 8:25 p.m.