

**Planning Board
July 11, 2017**

The Planning Board meeting was held on Tuesday, July 11, 2017 in the Municipal Center Courtroom. The meeting commenced at 7:00 p.m. with Chairman Jay Sheers, Members Patrick Lambert, Gary Barrack, Jill Reynolds, Rick Muscat, Randall Williams, and David Burke. Also in attendance were City Attorney Jennifer Gray, City Engineer Art Tully, City Planner John Clarke, and Building Inspector Tim Dexter.

Mr. Muscat made a motion to enter into Executive Session for advice of counsel, seconded by Ms. Reynolds. All voted in favor. Motion carried. Members and consultants went into Executive Session at 7:04 p.m. Mr. Williams made a motion to come out of Executive Session, seconded by Ms. Reynolds. All voted in favor. Motion carried. The regular meeting started at 7:39 p.m.

Regular Meeting

Mr. Sheers called for corrections/additions or a motion to approve minutes of the June 13, 2017 meeting. Mr. Lambert made a motion to approve the minutes of the June 13, 2017 meeting as presented, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 1 CONTINUE PUBLIC HEARING ON APPLICATION FOR SUBDIVISION APPROVAL (3 RESIDENTIAL LOTS) AND HOLD PUBLIC HEARING FOR SITE PLAN APPROVAL (2-FAMILY HOUSE), SUBMITTED BY BEACON RESIDENTIAL, LLC, 40 NORTH STREET

Mr. Williams made a motion to continue the public hearing on the Subdivision application for 40 North Street, seconded by Mr. Barrack. All voted in favor. Motion carried. Mr. Williams made a motion to open the public hearing for on the application for Site Plan Approval at 40 North Street, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Engineer Steve Burns presented his client's proposal to renovate the existing house at 40 North Street and subdivide the parcel to create two new lots on South Street. Building footprints on the two new lots were moved closer to the street to be more in line with adjacent houses as requested. The parking area was reduced to reflect new parking stall standards and will be delineated with wheel blocks. Norway Spruce Trees will be planted on a raised bed near the property line to provide additional screening. A 10 ft. drainage easement and swale will be created along the center of the new lots before they are sold.

Mr. Clarke asked the applicant to move the building outlines forward to the front setback on the plans. He advised that Certificates of Appropriateness will be needed for the two new houses before construction. Mr. Tully noted that grading and drainage for the two new lots must be done prior to filing of the subdivision. He asked that the Subdivision Plat and Site Plan be combined into one set. Mr. Sheers opened the floor to public comment.

Matt Sorrell, 32 North Street, reiterated his belief that the lots shouldn't be subdivided if there is no intention to build on them, and felt cross easements would reduce their value. He had concern for drainage and felt the entire project made no sense. Mr. Sorrell reported the ongoing

renovation of the existing house is intrusive, work goes on into the night, the air quality is poor, and that the quality of construction is poor.

There were no further comments from the public and Mr. Lambert made a motion to close the public hearing on the application for Subdivision, seconded by Mr. Barrack. All voted in favor. Motion carried. Mr. Muscat made a motion to close the public hearing for Site Plan Approval, seconded by Ms. Reynolds. All voted in favor. Motion carried.

City Attorney Jennifer Gray distributed and reviewed the content of a draft resolution of approval which included a Negative Declaration for the SEQRA environmental review, Subdivision Approval and Site Plan Approval. After careful review and consideration, Mr. Lambert made a motion to adopt the resolution granting approvals as presented, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 2 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW ON APPLICATIONS FOR SUBDIVISION APPROVAL AND SITE PLAN APPROVAL, "EDGEWATER" FOR 7 RESIDENTIAL BUILDINGS - 307 UNITS, SUBMITTED BY SCENIC BEACON DEVELOPMENTS, LLC, 22 EDGEWATER PLACE

Ms. Reynolds made a motion to reopen the public hearing for SEQRA environmental review on applications for Subdivision and Site Plan Approval for the project at 22 Edgewater Place, seconded by Mr. Lambert. All voted in favor. Motion carried.

Mr. Sheers reported correspondence was received from Anne Kane - 67 Teller Avenue, Michal Mart - 49 Sargent Avenue, Jamie Pabst - 11 Creek Drive, Charlotte Guernsey - Gatehouse Realty, 79 individually signed form letters of support; and a letter from the school district requesting they be added as an interested agency in the City's SEQRA review.

Aryeh Siegel reported the Edgewater project, located near the train station, will go before the Zoning Board of Appeals once the Planning Board makes their SEQRA determination. He explained variances the applicant is seeking are not to increase the number of proposed units (307) which are permitted by zoning. The variances are to decrease the footprint of the buildings and paved surfaces by allowing 5 stories (rather than 4-½ stories) in three out of seven buildings, and to allow a different number of units in each building. Mr. Siegel reported this proposal keeps 67% of the land open and will include low maintenance plantings that will be irrigated with harvested rainwater stored in tanks. Retention areas to collect stormwater will be created. Bike storage areas will be provided and they are looking into shared electric vehicles for tenants. The project uses energy conservative building measures and buildings will be prepared to allow installation of solar panels when it is more feasible. Mr. Siegel reported they demonstrated that the project meets standards required in the LWRP.

Project engineer Mike Bodendorf reported on water and sewer needs and that cisterns will hold rainwater. Potential I & I was discovered in an old sewer line that runs through the site and continue to monitor the old manholes.

The applicant's traffic consultant, Richard D'Andrea of Maser Consulting, provided a detailed review of their traffic impact study report, which identified intersections that may be impacted by the project and other ongoing projects. He explained their report was reviewed by the City's traffic consultant who will comment further.

The applicant's consultant, Patrick Cleary of Cleary Consulting, provided a detailed review of the school impact assessment study done for the project. He explained the project has been designed to most appropriately meet the needs of single tenants, millennials, and empty nesters – the type of units that will not draw large families. Mr. Cleary provided a detailed description of the study methodology, analysis and findings. In summary the report revealed that the impact would be a net surplus considering the number of students and cost burden to the district and the amount of school taxes that would be generated. Mr. Cleary concluded the Edgewater project design is consistent with the long term vision of the comprehensive plan in that it will not generate a large amount of school age children, therefore will have a net positive financial impact on the school district.

Attorney Taylor Palmer reported on the unique zoning of the Edgewater project and provided an overview of the SEQRA process. After a lengthy explanation, he respectfully requested the board consider scheduling a public hearing on their application for Site Plan Approval at their August meeting.

Mr. Clarke noted most of his comments were held over from the last meeting and advised the board to discuss parking and land-banking options. He had comments on the school impact study and suggested they consider the potential cumulative impacts of approved and proposed projects. Discussion took place with regard to the City's population and Mr. Clarke noted that Beacon's 2010 count was revised down to 14,599 rather than over 15,000 residents. Mr. Tully had no new engineering comments.

The City's traffic consultant, Ami Parikh of Creighton Manning, provided a detailed review of their comments on the traffic study done by Master Consulting. They generally agreed with findings about potential impacts to specific intersections and felt suggested timing changes to be satisfactory. Mr. Sheers asked for a chart of the six intersections both before and after using layman's terms to get a comprehensive understanding of the impacts. Mr. Clarke asked about NYS DOT's involvement considering Route 9D is a state highway. Ms. Parikh explained the DOT does not change the timing of traffic lights in the City; the signals are owned by the DOT however they transferred responsibility to the City. Discussion took place about traffic light timing that extends beyond our limits, specifically at the intersection of Interstate 84 where commuter traffic causes heavy delays and negatively affects traffic getting out of the City. Mr. D'Andrea of Maser Consulting reported schools were in session when the traffic counts were taken and that The View, West End Lofts, and one other potential project were taken into consideration. Mr. Lambert asked for confirmation or assurances that the project applicant would contribute a percentage of the cost of a traffic light if needed in the future. Mr. Tully recommended more information from the DOT with regard to traffic lights and timing. Mr. Sheers opened the floor to public comment and made note that any discussion about a potential moratorium is for the City Council as the Planning Board does not have authority on the matter.

Keith Laug, 26 High Street and owner of Hudson Valley Fitness, wants to see development of Beacon continue. He opened his business when Beacon was not in a growth period and struggled for the first few years. He felt strongly about the need for additional residents to utilize small businesses in Beacon. From living in the area for over 10 years, Mr. Laug felt the only time there is a traffic problem is when trains arrive during peak hours; he has never waited for more than one or two cars to exit his street during other times.

Craig Wolfe, representing the Board of Education, read a resolution adopted with regard to multi-use developments that may affect the school population. They asked to be considered as an interested agency under SEQRA environmental reviews.

Katya O'Hagan, 122 Washington Avenue, supported the project and was concerned about discouraging good development in the future. She understood concerns expressed in the school district's resolution but felt comfortable after hearing results of the School Impact Study. Ms. O'Hagan reiterated her support and urged the board to issue a negative declaration for the SEQRA environmental review. She feels this is the type of development the City needs as supported in the Comprehensive Plan.

Kelly Ellenwood, 8 Hillside Road, supported the project and felt this type of development is exactly what is called for in the Comprehensive Plan. She met with the developer and felt he is a good person and has every intention to remain in Beacon. Ms. Ellenwood understood this development may add a lot of units, however other developments taking place just outside of Beacon (former Texaco property) will also affect the school district and resources.

Ken Straus, 6 Slocum Road and a landlord in Beacon with 20 residential and 8 commercial tenants, voiced his support of the project. This type of development is needed as the additional traffic and income will help support his commercial tenants.

Maria Lago, proprietor of Maria Lago Studio 502 at 502 Main Street, loves Beacon but explained local businesses can't only rely on weekend tourists from the city. Main Street needs more people to spend money at local businesses and this type of development will help meet that goal.

Justin Riccobono, 30 Bank Street, explained he had initial concerns about development of this site but is in support of this project. The developer has brought a lot of good to the City. Mr. Riccobono was not in favor of land-banking spaces on Bank Street and felt the project will draw commuters due to its proximity to the train station. He reiterated his support of the project.

Lynn Lyons, 16 Exeter Circle, expressed support for the development. The property has been undeveloped and this will help Beacon. She wants her children to be able to live in the community they grew up in and this type of development supports the need for housing.

Theresa Kraft, 315 Liberty Street, feels the City needs to protect view sheds and protect the community. She asked that they follow the Comprehensive Plan and stop issuing variances.

John Gilvey, 162 Main Street, reported he worked on development of the Comprehensive Plan and this type of development is what was intended. There is a need for density in a city, and this project will bring what is needed.

Mr. Sheers clarified that the proposed number of units can be achieved without variances, and felt it would be better to see taller buildings rather than an increase in the building footprint. Mr. Clarke explained the other variances is for the distance between buildings and the number of units in each building. With regard to parking, he felt it beneficial to initially land-bank spaces to see if there is an overwhelming need for parking. Mr. Clarke did not support proposed 68 space land-bank parking area along Bank Street because it would require a very large expensive retaining wall system which would not be attractive or enticing. The proposed alternate location on the northern green section of the site would be more suitable if needed and then consider a reduced area along Bank Street. Mr. Clark believed more parking is spaces are being than necessary so the Bank Street option may not be necessary. Mr. Muscat did not want to see land-bank parking on Bank Street. Ms. Reynolds felt they could reduce the number of units to reduce parking because this may not be the ideal location for higher density development in terms of its limited access. She believed the proposed building design was too corporate in nature, the large green space should be broken into smaller areas, and was not in favor of land-bank parking on Bank Street. Mr. Burke asked the applicant to provide green credentials for the project. Discussion took place about the feasibility, expense, and aesthetics of the land-bank parking; and about urban renewal that took place in the area many years ago, the resulting reduction in population, pedestrian travel, and commuter traffic. After a lengthy debate, members felt land-bank parking should be limited to the northern portion of the site with no need for Bank Street.

Mr. Williams made a motion to continue the public hearing for SEQRA environmental review, seconded by Ms. Reynolds. All voted in favor. Motion carried. Mr. Muscat made a motion to schedule a public hearing on the application for Site Plan Approval, seconded by Ms. Reynolds. All voted in favor. Motion carried.

ITEM NO. 3 CONTINUE PUBLIC HEARING FOR SEQRA ENVIRONMENTAL REVIEW, AND HOLD PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL, 3 BUILDINGS – 98 UNITS, WEST END LOFTS, SUBMITTED BY KEARNEY REALTY & DEVELOPMENT GROUP, WOLCOTT AVENUE

Mr. Williams made a motion to reopen the public hearing for SEQRA environmental review, seconded by Mr. Lambert. All voted in favor. Motion carried. Mr. Lambert made a motion to open the public hearing on the application for Site Plan Approval, seconded by Mr. Barrack. All voted in favor. Motion carried.

Ken Kearney explained West End Lofts is a unique project providing a building with 50 affordable artist lofts and a building with 22 middle income units. One unit is set aside for an on-site superintendent that will take care of business when the property manager is off duty. The second phase, a market rate apartment building, will be constructed after the first phase is complete. Mr. Kearney reported they are reapplying for funding during the first week in October which should be awarded in December.

Jeff Contelmo of Insite Engineering explained they continue to respond to the board consultant's review comments. They included a maintained strip along Beekman Street as requested, committed to construction logistics plan, and provided both internal and external bicycle storage areas. Mr. Contelmo looked at pedestrian patterns and connection from their site to Beekman Street.

Mario Salpeppi of Coppola Associates explained they worked with Mr. Clarke to modify the portico as requested.

Richard D'Andrea of Maser Consulting reported this traffic study was done simultaneously with the Edgewater project so many of the proposed mitigations are the same. The crosswalk across Route 9D and Beekman Street will need to further investigated with the Department of Transportation.

Mr. Clarke summarized his comments and advised the applicant to revisit the pedestrian connection to "The View" project. The donor of the memorial tree that needs to be relocated has selected an alternate site for replanting. He reported the portico was the last architectural comment which appears to be appropriately modified.

Mr. Tully felt the snow storage areas were minimal therefore further discussion should take place about how removal will be addressed. He reported cross easements will be needed for the Subdivision Plan and that his remaining comments were technical in nature.

Craig Wolfe, 67 Wodenethe Drive, knows the developer from previous employment and his reputation from an apartment complex they developed in Poughkeepsie. Mr. Kearney is good at finding funds and this development addresses the need for affordable housing. Mr. Wolfe was in favor of the project.

Ms. Reynolds reiterated her request that balconies be added to Buildings #1 and #2.

Mr. Burke made a motion to continue the public hearing for SEQRA environmental review, seconded by Mr. Barrack. All voted in favor. Motion carried. Mr. Lambert made a motion to continue the public hearing on the application for Site Plan Approval, seconded by Mr. Barrack. All voted in favor. Motion carried. Mr. Barrack made a motion to authorize the City Attorney's office to draft a resolution of approval for the SEQRA environmental review, seconded by Mr. Muscat. All voted in favor. Motion carried.

ITEM NO. 4 PUBLIC HEARING FOR SITE PLAN APPROVAL RELATIVE TO A SPECIAL USE PERMIT, RETAIL/RESIDENTIAL BUILDING, 177 MAIN STREET, SUBMITTED BY FROG LEAP, LLC

Ms. Reynolds made a motion to open the public hearing for Site Plan Approval on the application for 177 Main Street, seconded by Ms. Reynolds. All voted in favor. Motion carried.

Aryeh Siegel described his client's proposal to reduce the number of apartments from three to two with the owner occupying the larger unit. The addition will match the brick and

windows of the existing building. Mr. Siegel reported an I & I issue was identified and they are working towards a solution.

Mr. Clarke advised members that a Certificate of Appropriateness will be needed as the property is located in the Historical Overlay District. Mr. Tully reported since their review of the project, the I & I study was completed and found acceptable.

Mr. Sheers opened the floor to public comment however no one from the public wished to speak. Mr. Muscat made a motion to close the public hearing, seconded by Mr. Barrack. All voted in favor. Motion carried.

After careful consideration, Ms. Reynolds made a motion to grant a Certificate of Appropriateness, seconded by Mr. Lambert. All voted in favor. Motion carried. Mr. Williams made a motion to authorize the City Attorney's office to draft a resolution of site plan approval for the Chairman's signature, subject to the applicant fulfilling outstanding comments, seconded by Mr. Lambert. All voted in favor. Motion carried.

ITEM NO. 5 PUBLIC HEARING ON APPLICATION FOR SITE PLAN APPROVAL, RETAIL/RESIDENTIAL BUILDING, 226 MAIN STREET, SUBMITTED BY 328 MAIN STREET, LLC

Mr. Williams made a motion to open the public hearing on the application for Site Plan Approval at 226 Main Street, seconded by Mr. Barrack. All voted in favor. Motion carried.

Aryeh Siegel described his client's proposal to construct a new four story building at the corner of Main Street and North Elm Street. An initial meeting was held with the architectural review board subcommittee and they are going before the Zoning Board of Appeals for a parking variance and to allow a 10 ft. rear yard setback where 25 ft. is required. With regard to the rear yard setback, Mr. Siegel reported precedence has been set and consideration is being given to change that portion of the law because such a large setback is difficult to meet on Main Street. He explained they are also working on a lease agreement to secure adequate off-street parking.

Mr. Clarke summarized his review comments and recommended an additional street tree be added on the North Elm Street side which would require an indentation on the footprint of the ground floor. Mr. Tully reported all engineering comments had been addressed. Mr. Sheers opened the floor to public comment.

Jessica Reisman, 35 Washington Avenue and tenant representing the owner of 232 Main Street, expressed concern for the eight garbage bins that are stored on the subject property via an agreement with the previous owner. Their building has no access to Main Street because the building sits directly on the property line. They asked the developer to utilize the new alleyway leading to North Elm Street however the property lines are askew and another neighbor would need to be involved. Ms. Reisman was also concerned about ventilation on the west wall of the existing building because the buildings will be much closer. Ms. Reisman asked about drainage between the buildings and to see a rendering of the building from the east side to show how it will tower over the existing buildings. Lastly she reported the neighbor who lives on the corner of Church and North Elm Street has concern for parking.

Theresa Kraft, 315 Liberty Street, asked that the board stop issuing variances. City Attorney Jennifer Gray reported the Planning Board reviews and comments on Zoning Board of Appeals' agenda items however they do not grant variances.

Mr. Siegel reported they will provide a revised rendering of the building to include the east side and will talk to the developer about garbage disposal for the neighbor. Discussion took place with regard to garbage disposal in the original approval for 232 Main Street.

ITEM NO. 6 CONTINUE REVIEW OF APPLICATION FOR SUBDIVISION APPROVAL, 2 RESIDENTIAL LOTS, SUBMITTED BY STEPHEN SPACCARELLI, KNEVELS AVENUE (AND TIORONDA AVENUE)

This item was withdrawn by the applicant.

ITEM NO. 7 REVIEW APPLICATION FOR SITE PLAN APPROVAL, FUNERAL HOME, 2 BEEKMAN STREET, SUBMITTED BY CROSSIX, LLC

Joe Guarneri, manager member of Crossix, LLC introduced his daughter Kaylee and her husband Patrick Halvey who will be running the funeral home. Mr. Halvey reported he is the third generation running Halvey's Funeral Home which currently exists on Willow Street. They will be remodeling the existing building however there will be no expansion to the building footprint. Mr. Halvey expressed his excitement about the new facility which will accommodate changing trends in the funeral industry and allow him to keep his family's business in Beacon.

Aryeh Siegel described architectural changes proposed to both the interior and exterior of the existing one story building. The wood dining decks will be removed and new landscaping installed. New roof lines will be established with a new brick exterior and covered entry, and monument sign will be installed.

Mr. Clarke asked that additional screening be added along Beekman Street to shield the parking lot. He asked for more information on how large funerals are considering no on-street or overflow parking is available. He suggested they consider one way traffic with angled parking to maximize space in their parking lot, and that they discuss creating a few spaces along the front to reserve for the funeral procession with the City administration. Lastly, the plan must be referred to Dutchess County Planning and Development due to its proximity to Route 9D. Mr. Tully summarized his review comments.

Discussion took place with regard to referring the application to the architectural review board. Ms. Reynolds understood they were granted a variance and appreciated the need for such a facility however felt it not the best use for this property. She was part of the committee to create the Linkage Zone and this type of use was not part of the intention to create a lively pedestrian connection to Main Street. There are no after hours, provides no connection to DIA, and is not a pedestrian generating use. Mr. Clarke explained a variance was granted to allow the use and the site is not located in the Linkage District. Mr. Burke echoed Ms. Reynolds comments and felt a funeral home was the wrong use for this property. It's the only place that has a river view which lends itself to much better uses. He had concern for funeral processions that take place during peak train commuter hours and for on-street parking. Mr. Halvey explained the typical funeral procession takes place at 10-11:00 a.m. and only calling hours take

place in the afternoon. Mr. Williams, Mr. Sheers, Mr. Burke and Ms. Reynolds felt the application should be recommended to the architectural review subcommittee; Mr. Barrack and Mr. Lambert did not think a project this size needed to go to the architectural review subcommittee. After careful consideration of the application, Mr. Williams made a motion to schedule a public hearing for the month of August, seconded by Mr. Muscat. All voted in favor. Motion carried.

Miscellaneous Business

Zoning Board of Appeals – July Agenda

Members reviewed the Zoning Board of Appeals' July meeting agenda and made recommendations on three of the six items. Members reviewed and discussed the request to create a parking area in the front yard on property at 41 Cliff Street. As in the past, they were opposed to permitting parking in the required front yard; a memo will be sent reiterating their disapproval.

Mr. Burke recused himself from discussion of the variance for 18 West Main Street. Members reviewed and discussed the variance seeking approval to create a 6,600 sq. ft. retail space where 5,000 sq. ft. is permitted in the existing building at 18 West Main Street. After some discussion that the space would be leased to a hardware store, members supported the request.

Members were aware of the setback and parking variances requested for 226 Main Street and all agreed to recommend the Zoning Board approve their application.

Members reviewed and discussed the variance application for 30 Beekman Street, "The View" submitted by DMS Consolidators, Ltd. Their variance request is to allow the approved building design to remain although the elevator shaft does not have the required third story setback. After careful consideration, members agreed to send a positive recommendation to the Zoning Board.

Architectural Review

Certificate of Appropriateness – 445 Main Street; Beacon Theater

Aryeh Siegel explained the Beacon Theater at 445 Main Street was previously issued a Certificate of Appropriateness for the building façade however the marquee was separated out at the time. He presented their proposal to paint the marquee the same color as the storefronts. Members reviewed the proposal and felt it lacked adequate information on lettering, font sizes, materials and colors. The applicant will return next month with additional details.

There was no further business to discuss and the meeting was adjourned on a motion made by Mr. Williams, seconded by Ms. Reynolds. All voted in favor. Motion carried. The meeting adjourned at 10:05 p.m.

